

**Burtchville Township
Planning Commission**

**4000 Burtch Road
Lakeport, Michigan 48059**

Minutes of September 6, 2022 Planning Commission Special Meeting;

The Chair Dave Klinesteker, called the meeting of the Burtchville Township Planning Commission to order at 7:00 p.m.; Pledge of Allegiance Recited

Members Present: Klinesteker, Light, Minnie, Richards, Schmitt, Wollenweber and Vargo.

Excused: None

Citizens present: Pam Patterson, Township Zoning Administrator; Joshua Radatz, Malinda Radatz, Isabella Radatz, Levi Radatz, Jasmine Radatz; JoAnn Wilton; Jack Wilton; Robert Wilton; James Buckley; Brendalla Smith; Sandra Hollands and John Hollands

Minutes: Motion by **Richards** second by **Wollenweber** to approve minutes of August 25, 2022 meeting. Motion was unanimously approved by voice vote.

Klinesteker closes Regular Meeting and opens Public Hearing at 7:02 p.m.

Public Hearing: Application for Special Land Use – 6777 State Road. Published in the Times Herald August 22, 2022, posted in the township office August 21, 2022 for public hearing September 6, 2022.

Josh Radatz reiterated information on letter filed with application about uses for the property. – (1) primary residence use for family and friend occasions; had weddings for oldest son and friend; continue to have Bible studies and worship gatherings during the week (2) agricultural use - have cows, chickens, ducks, goats and a pig; houses hay and equipment for the livestock; eggs sold by youngest daughter; cows raised for meat; (3) Even the Sparrow – Christian Non Profit – has bi-monthly meetings – helped many people with home and auto repairs, baby items, gift baskets and getaways at bed & breakfasts in Lexington; (4) Radatz Contracting, LLC – small residential and commercial contracting business. Also stated that gentleman with the township seems to be against them in everything they have tried to do. Never felt that doing something illegal. Neighbors have been amazing. Not one dollar has been made from the property other than eggs sold by youngest daughter. Clarified that 6777 is where they have home, 6735 is not included was going to be driveway.

Citizen Comments on application:

1. Sandra Hollands, 6740 State Road; Concerned with information on social media, that don't know what happening on property across the street. Light on barn shines in bedroom. Concerned with what plans are going to be in future.
2. John Hollands, 6740 State Road; Don't mind a wedding or two but if going to be venue where there is a wedding every weekend.
3. JoAnn Wilton, 6754 State Road; been good neighbors, very helpful; don't see that Even the Sparrow would be a problem I don't have a problem with it at all.
4. Jack Wilton, 6754 State Road; We don't have a problem, two weddings they have had has not been a problem.

5. James Buckley, 7485 State Road, feel it's their property and not doing stuff every day and causing noise, they should be able to do what they want.

Correspondence: Ruthann Clenney, 6775 State Road, supporting the Radatz application

Zoning Administrator mentioned that during time since January has had complaints regarding weddings, and traffic someone pulled out of property without headlights, no lighting in that area, and someone almost hit them. All complaints anonymous don't have records. Checked with LARA at State of Michigan about two businesses and must be approved before having business. Concerned that use changed since original permits, concerned about safety, welfare of public and residents. Need to inspect the property to make sure in compliance with fire and plumbing requirements. **Schmitt** inquired about how often Bible study and number of people at meetings and how often each type of meeting. **Josh Radatz** advised - Bible study twice a week, 6 to 10; Daughter's youth meeting, 4 to 8 maybe; Sunday services every Sunday at first just their family now couple families have joined them so roughly 20. Takes place in 30 x 60 part that has carpeting of the 60 x 120 barn - where have the coffee machine. Even the Sparrow meetings are bi-monthly 2 other families - maybe 6 people. Bible studies were in home but more space so hold in barn but could move to house if need to. Mr. Radatz advised that plans for property activities most are off-site some of what is posted is not in correct place. **Jasmine Radatz** advised that she put information on social media and chose box that option closest fit to what plan to do at that time.

Klinesteker Closed special public hearing and re-opened regular meeting at 7:45 p.m.

New Business:

1. Special land use application - 6777 State Road - **Klinesteker** when permits pulled, for one use and now have other uses going on would like to see what using for, maybe can make arrangements to do that. People have said being used as a Church - is Even the Sparrow separate from gatherings on Sunday and Bible studies. **Mr. Radatz** said Even the Sparrow is licensed as Christian non-profit organization to help families when organized at time felt best - they are sponsoring - it is not a Church no registration other than non-profit, the non-profit simply sponsors events. Question about concern of township official on safety with people gathering, are there fire exits, has it been inspected by the fire chief - no; fire exit signs and fire extinguishers anything about fire alarm (smoke detectors). Discussion not able to see what have on the property unless invited. Assume that have gatherings will be on Sunday. Question about number of bathrooms, (two one built as handicap). Are there housing of people in 60 x 120 (no it is all shop). Do you have livestock in that building (we use it for our shop) livestock not housed in 60 x 120. Type of floor is cement and section use for meeting out front is finished. **Light** asked why they feel use falls in purview. Mr. Radatz replied up front with Radatz Contracting the property is solely our livestock and farming and "Even the Sparrow" for gatherings feel within ordinances. Radatz Contracting supports the family don't have paid employees don't have more than five pieces of equipment, not sure why wouldn't meet ordinances. **Richards** commented that property nice and neat have not seen a bunch of traffic coming and going let's hear what Pam says after does walk through. **Wollenweber** would like to know for sure

what use asking for. Would like to have a site visit and know where line drawn as to what going to do. **Schmitt** I was concerned about numbers. **Klinesteker**: Need to determine if special land use is required, what kind will be, need fact-finding. **Zoning Administrator** – Issue - that have two businesses registered with the State of Michigan, need understand how separating and in state responses for religious, educational and science things, – major concern if having 20 every Sunday, how safe is property and make sure following guidelines, keeping your family and friends safe – if fire exit signs, someone has heart attack where are 20 people parking and access for fire truck to get to building you are not allowed to park in front yard; where is parking, what about septic is it at right capacity for type of use because changed use everything inspected for hobby barn but changed use to gathering place and need to make sure meet current requirements. Maybe need turn lane. Have fire marshal inspect to make sure in compliance. Are currently exceeding home occupation use.

Motion by **Schmitt**, second by **Minnie** to table decision until next month. Motion carries on voice vote. Will continue discussion at next meeting first Tuesday in October.

Break at 8:21 p.m.

Resume meeting at 8:26 p.m.

2. Officers for 2022-2023.

- a. Motion by **Wollenweber**, second by **Minnie**, that current officers continue.
- b. Wollenweber move to close nominations no second.

Unanimous vote cast for slate of officers as nominated.

Old Business:

1. Ordinance review requested by Zoning Administrator

- a. Short Term Rental – 154.135 add under (H) “... who is property manager – how contact...this information shall be provided to Burtchville Township annually prior to May 1,” add at “M) “proof of liability insurance (sent by insurance company) ... annually on or before May 1st. and (O) “annual fee to be paid prior to May 1 every year in the amount of \$30.00 (to be determined by the Board) for the purpose of maintaining records and sending notices to Landlords.
- b. Boats, RVS and Hobby Vehicles in the Yard – 154.028 – add in (A) “all trailers”
- c. Lots with Frontage on Lake Huron – 154.008 – Add under (D) (1) in front yard and picture/diagram. Also add under E (3) “shrubs, trees, plantings or accessory building, including its height, and plant height at maturity;”.
- d. A/R Agricultural Residential Property – 154.055 Add (E) about raising of livestock and/or farm animals is prohibited without prior consent in all Zoning Areas: R1A, R1B, R1C, R-2, MHR, RM, O, GB, I or RCC....”
- e. Public Gatherings – Ordinance 90.00 – To be determined later
Proposed changes to be reviewed by planning consultant and attorney and put all in one ad for one public hearing at November meeting.

2. Bylaws for planning commission. Will bring bylaws to next meeting.

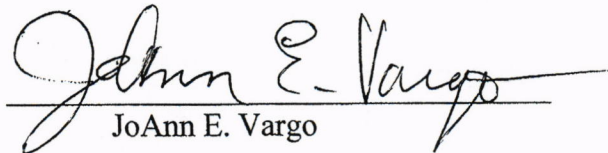
Citizen Comments: Mr. Buckley, Just that live on corner of State and Myron.


ZBA Report. No meeting since last planning commission meeting.

Board Liaison report: Nothing since last meeting.

Next Meeting: October 4, 2022 @ 7:00 p.m.

Adjournment: Motion by **Richards**, second by **Wollenweber** to adjourn at 9:00 p.m. Motion passes unanimously on voice vote.


JoAnn E. Vargo


Approved