

**Chair**  
Stephen Gobbo  
**Vice-Chair**  
Bruce Keilen  
**Secretary**  
Kimberly Smelker  
**Commissioners**  
Max Calder, Trustee  
Dale Dailey  
Marsha Zimmerman  
Tim Fair  
Adam Bertram  
Kristen Krol



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**Community Development Director**  
Richard M. Trent

**Township Planner**  
Jim N. Foulds

**Recording Secretary**  
Linda K. Parkinson

**PLANNING COMMISSION MINUTES  
MONDAY, AUGUST 1, 2011  
7:00 p.m.**

The regularly scheduled meeting of the DeWitt Charter Township Planning Commission was called to order at 7:00 p.m. by Chairman Gobbo.

The Pledge of Allegiance to the Flag was said by those present.

ROLL CALL by Commissioner Dailey (in the absence of Secretary Smelker).

**MEMBERS PRESENT:** Kristen Krol, Dale Dailey, Tim Fair, Steve Gobbo, Marsha Zimmerman, Adam Bertram, Trustee Musselman.

**MEMBERS ABSENT:** Kim Smelker and Bruce Keilen.

**APPROVAL OF AGENDA:** **Musselman moved to approve the Agenda as printed. Supported. MOTION CARRIED.**

**APPROVAL OF MINUTES:** **Fair moved to approve the minutes of the July 5, 2011 Regular Meeting as presented. Supported. MOTION CARRIED.**

**CORRESPONDENCE:** None.

**PUBLIC COMMENTS:** (Non-Agenda Items or an Agenda Item that is not covered by Public Hearing. Requests to speak should be made from the podium at this time.)

**UNFINISHED BUSINESS:**

**I. PUBLIC HEARING – Request for Special Use Permit 11-990003 from Tammie Manor to be allowed to operate a group daycare (up to 12 children) from her residence located at 3821 Carnaby Drive, Lansing, MI 48906, Lot 201 of Saffron Hills Subdivision, north of Stoll Road, east of Airport Road, in the southwest ¼ of Section 19 of DeWitt Charter Township.**

**A. Open Public Hearing. Fair moved to open the Public Hearing at 7:05 p.m.**

**Supported. MOTION CARRIED.**

**B. Administrative Comments/Applicant Comments/Public Comments.**

Planning Consultant Jim Foulds briefly reviewed staff's report dated July 29, 2011 pointing out the location of the proposed site. The property is zoned R3 (Residential Single Family and designated for SF-M (Medium Density Single Family) on the Future Land Use Map. The entire surrounding area is also zoned R3 and designated for SF-M on the Future Land Use Map.

Foulds went on to advise if the request is approved, the applicant would be allowed to expand the existing number of children in the daycare from six (6) to twelve (12). Any daycare wishing to care for more than 6 children is regulated by a Special Use Permit. Staff has notified forty (40) property owners and to date, one person has provided a written response and one person has telephoned to discuss the request.

With respect to site features, Foulds advised that the site features a 1,738 sq. ft. single family home on a .29 acre platted lot with a fenced in rear yard. The applicant will be required to submit a parking plan that would meet the requirements of Zoning Ordinance which is one (1) off-street parking space for each employee that is not a member of the family and at least one (1) space for each three (3) children. Therefore, the parking plan would require 5 spaces on the site.

Hearing no Commissioner questions, Chairman Gobbo invited the applicant to speak.

Tammie Manor, applicant, 3821 Carnaby Drive, Lansing, MI 48906, stated she has been operating a State licensed daycare for six (6) children from her residence for the past two years. She wishes to become a group daycare that would accommodate twelve (12) children. The State will not approve her request until she meets Township regulations. Therefore, she is requesting approval of a Special Use Permit from the Township to allow her to have a State licensed group daycare. Her reason for requesting the expansion of her daycare is due to the demand in her subdivision. It would also allow her to accommodate more children during the summer months when children are not in school.

Gobbo questioned if the applicant intends to operate at the maximum number of twelve children for most of the time.

Manor advised "probably not".

Gobbo called for Commissioner comments or questions.

Musselman expressed concern with the applicant's driveway being able to accommodate the required five parking spaces. He questioned if the applicant and one employee would be sufficient to care for up to twelve very young children (under 2 years of age). Lastly, Musselman asked for clarification on the requested hours of operation.

Manor advised that the State of Michigan does require two (2) adults for every twelve (12) children. In addition, State mandates number of children you can care for under the age of 12 months and 30 months. Manor stated she has requested hours of operation be 8:00 a.m. to 5:30 p.m.

Foulds clarified the Special Use Permit states hours of operation from 7:30 a.m. to 6:00 p.m.

Musselman further questioned if the applicant has had any issues with neighbors related to her current daycare operation.

Manor stated she has had no problems with surrounding neighbors.

Fair questioned if she has obtained approval from the Saffron Hills Neighborhood Association. He also questioned if any other daycares exist within the Saffron Hills development.

Manor stated she has talked to a Neighborhood Association board member who lives around the corner from her. No concerns were expressed. There are no other licensed daycares in her vicinity that she is aware of.

Gobbo stated he lives in the Saffron Hills Subdivision. His wife sits on the Homeowners Association Board and has no knowledge of this request going before the Association Board. However, he is not aware of any deed restrictions that would not allow this proposed group daycare.

Gobbo invited the public to speak.

There was no public present.

- C. **Close Public Hearing. Musselman moved to close the Public Hearing at 7:20 p.m. Supported. MOTION CARRIED.**
- D. **Discussion and possible action by Planning Commission.**

**Fair moved to recommend to the Board of Trustees approval of Special Use Permit 11-990003 from Tammie Manor to operation a group daycare home licensed for an increase from six (6) to twelve (12) children on property located at 3821 Carnaby Drive. Approval is recommended on the following basis:**

- 1. Upon compliance with the conditions of the Special Use Permit, the plans will comply with the site plan review standards and special conditions of Section 7.13.3 1) listed in the Zoning Ordinance.**
- 2. The standards of the Basis for Determination listed in Section 7.4.3 of the Zoning Ordinance have been met.**

3. **That upon approval of the group day care home license for twelve (12) children from the State of Michigan, that the applicant provide a copy of such license to DeWitt Charter Township.**

**Supported.**

**ROLL CALL on vote:**

**AYES: 7 NAYS: 0 ABSENT: 2 (Smelker, Keilen)**

**MOTION CARRIED.**

- II. **Request for Special Use Permit 11-990002 from Paris Property Management to allow the applicant to construct an approximately 3,300 square foot professional building to be used as a dental office with frontage on Schavey Road, to be located on a 1.39 acre site that would be part of a mixed use office and residential development on 21.28 acres which is the last phase of the Hawthorne Woods project located on the west side of Schavey Road, south of Hawthorne Woods site condominiums and north of The Village at Hawthorne Woods Site Condominiums, in Section 18 of DeWitt Charter Township. Note: Tabled at the July 5, 2011 meeting. No action will be considered until Tuesday, September 6, 2011.**

**NEW BUSINESS:**

- I. **DeWitt Charter Township Year 2012 Capital Improvement Plan.**

**Musselman moved to receive the DeWitt Charter Township Year 2012 Capital Improvement Plan and set for a Public Hearing to be held on Tuesday, September 6, 2011. Supported. MOTION CARRIED.**

- II. **Request for Special Use Permit 11-990004 from E.T. Mackenzie Company (replacement of expired SUP 06-990002), to be allowed to place fill dirt on the property located at 15620 S. US 27, north of State Road, south of Stoll Road, west side of BR-27, in the southeast ¼ of Section 28 of DeWitt Charter Township.**

**Musselman moved to receive request for Special Use Permit 11-990004 from E. T. MacKenzie Company (replacement of expired SUP 06-990002) and set for a Public Hearing to be held on Tuesday, September 6, 2011. Supported. MOTION CARRIED.**

- III. **Request for Special Use Permit 11-990005 from Annie Rae Chevrolet, Inc. dba Annie Rae RV and Price Right Cars and Trucks, to be allowed to conduct retail mechanical auto repair on property located at 12909 S. US 27, DeWitt, MI 48820, south of Webb Road, north of Herbison Road, on the east side of S. US 27, in the southwest ¼ of Section 10 of DeWitt Charter Township.**

**Fair moved to receive request for Special Use Permit 11-990005 from Annie Rae Chevrolet, Inc. dba Annie Rae RV and Price Right Cars and Trucks and set for a Public Hearing to be held on Tuesday, September 6, 2011. Supported. MOTION CARRIED.**

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

**I.** Trustee:

Trustee Musselman gave a brief report of business conducted and action taken at the regularly scheduled Board of Trustees meetings held on Monday, July 11, 2011 and Monday, July 25, 2011.

**II.** Zoning Board of Appeals:

Chairman Gobbo advised that there was no Board of Appeals applications filed for the month of July. Therefore, there was no meeting held on Wednesday, July 20, 2011.

**III.** Committees:

Zimmerman reported that the Corridor Improvement Committee meeting scheduled for August 2, 2011 was canceled due to lack of a quorum. Staff has received results from a survey sent to residents and will be reviewing those at the next Committee meeting.

**IV.** Staff:

There was discussion related to allowing mixed uses in the Industrial Zoning Districts. The Commission directed staff to provide a document to compare the manner in which surrounding communities have allowed mixed uses in their Industrial districts.

DISCUSSION: None.

ADJOURNMENT: **Fair moved to adjourn the meeting at 8:05 p.m. Supported. MOTION CARRIED.**



Linda K. Parkinson, Recording Secretary



Kim Smelker, Secretary