

2018 ANNUAL REPORT

Eaton County Planning Commission

This Annual Report is prepared for the Eaton County Board of Commissioners by the Eaton County Planning Commission as required by the Michigan Planning Enabling Act (PA 33 of 2008) to document its activities each year. The following report identifies the activities of the Planning Commission and Zoning Board of Appeals for 2018.



INTRODUCTION

The Eaton County Planning Commission functions under and has their powers and duties set forth by the Michigan Planning Enabling Act (PA 33 of 2008) and the Michigan Zoning Enabling Act (PA 110 of 2006). The Michigan Planning Enabling Act (MPEA) provides for the creation, organization, powers and duties of Planning Commissions. The Michigan Zoning Enabling Act (MZEA) provides for the adoption of zoning ordinances and the establishment of zoning districts and prescribes powers and duties of certain officials including the Planning Commission.

Section 19 of the MPEA (MCL 125.3819) requires the Eaton County Planning Commission to make an annual written report to the County Board of Commissioners. This report is to provide the Board with a summary of the planning activities over the past year.

MEMBERSHIP

The MPEA states that membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the local unit of government to the extent practicable.

In 2018, the Planning Commission's membership was as follows:

Brian Ross, Chairperson	Tammy Halsey
Jeana Rohrs, Vice – Chairperson	John Little
Jack Owens, Secretary	Ben Tirrell
Christine Barnes, BOC Representative	Tim Cattron
Barbara Rogers, BOC Representative	

Department Staff for 2018 was as follows:

Claudine Williams, Director of Community Development and Housing
Brandy Hatt, Planning and Zoning Assistant/Code Enforcement Officer

MEETINGS

Regular meetings of the Planning Commission were scheduled for the First Tuesday of the month at 7:00 p.m. in the Board of Commissioners Room of the Eaton County Courthouse Building. All meetings are held in compliance with the Open Meetings Act (PA 267 of 1976).

- The Planning Commission held eleven (11) regular meetings and one (1) special meeting in 2018.
- The Planning Commission Subcommittees held a total of seven (7) meetings in 2018.

EATON COUNTY PLANNING AND ZONING

Eaton County has been administering planning and zoning activities for the county for almost 60 years, beginning on October 1, 1959.

The current Planning Commission consists of nine (9) members authorized with overseeing zoning and planning related matters within Eaton County's Zoning Jurisdiction. This includes all land within Eaton County excluding, a portion of the City of Lansing, Delta, Windsor, and Oneida Charter Townships and any cities and villages.

County planning and zoning provides a regional perspective, creates consistency, and is in line with the State of Michigan's goal to work regionally together. County planning and zoning ensures a regional view and wise, planned growth within our community.

PLANNING COMMISSION RESPONSIBILITIES

The Planning Commission's basic duties and responsibilities include the following:

- Conduct public hearings as required by the Zoning Ordinance and the MZEA and MPEA, making specific determinations on each matter.
- Hear and make decisions on Conditional Use Permit requests as specified in the Zoning Ordinance.
- Make comprehensive reviews and recommend changes to the Ordinance periodically in cooperation with affected Township Boards of Trustees.
- Make recommendations to the Board of Commissioners on Zoning Ordinance Text Amendments in accordance with the MZEA, Eaton County Zoning Ordinance and the Eaton County Master Plan.
- Make recommendations to the Board of Commissioners on rezoning requests (Zoning Map Amendments) in accordance with the MZEA, Eaton County Zoning Ordinance and the Eaton County Master Plan.
- Update and maintain the Eaton County Master Plan in accordance with the MPEA.
- Review and comment on any proposed Master Plans or Master Plan amendments for any community within or adjacent to Eaton County as required by the MPEA.
- The Planning Commission is also considered a reviewing agency for applications into the Farmland and Open Space Preservation Program (PA 116).

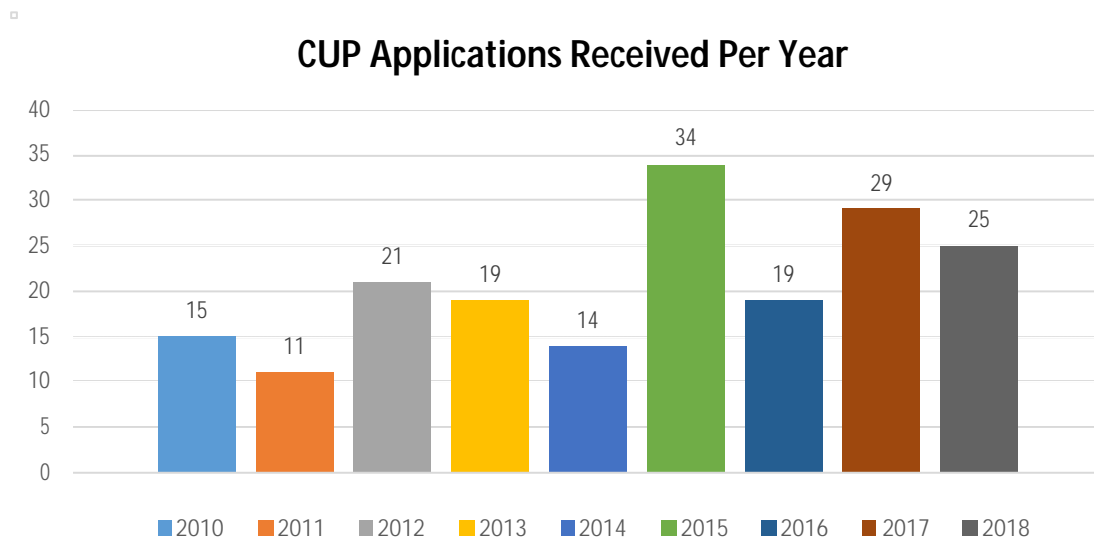
PLANNING COMMISSION ACTIVITY IN 2018

The Planning Commission worked diligently throughout the year to uphold their responsibilities and accomplish their tasks. The following is a summary of their activity:

Conditional Use Permits: The Commission held public hearings on twenty-four (24) conditional use permit requests in 2018. Sixteen (16) new permits and eight (8) changes to existing permits were approved and one application was withdrawn. They are as follows:

- Three Construction Contractors Establishments – one each in Bellevue, Chester, and Roxand Townships.
- Five Agricultural Businesses – two in Carmel Township, one in Benton Township, one in Walton Township and one change of conditions to one in Carmel Township.
- Two Light Automotive Small Engine Repair and Distressed Vehicle Transporter Businesses – one in Roxand Township and a change of conditions to one in Chester Township.
- One Light Automotive Business – Carmel Township.
- One Educational Institution (a group day care) – Eaton Township.
- Three Home Businesses – one each in Chester, Vermontville and Walton Townships.
- Three Commercial Recreational Facilities – one in Eaton Rapids Township which also requested a change of conditions after approved and one change of conditions to one in Walton Township.
- Two Communication Towers – one in Sunfield Township and one change of conditions to one in Walton Township.
- One Open Air Business – Chester Township.
- One Golf Course and Construction Contractors Establishment – change of conditions Eaton Rapids Township.
- One Surface Mine – change of conditions Bellevue Township.
- Propane Service Facility – change of conditions Benton Township.

Conditional Use Permit (CUP) Applications By Year					
	New	Change of Conditions	Withdrawn	Denied	Total
2010	13	2			15
2011	7	1	3		11
2012	13	6	2		21
2013	16		2	1	19
2014	8	6			14
2015	32	2			34
2016	13	6			19
2017	22	6	1		29
2018	16	8	1		25
TOTALS 2018	140	37	9	1	187



Zoning Ordinance Text Amendments: The Planning Commission held three (3) public hearings in reference to one (1) zoning ordinance text amendment request in 2018:

- A text amendment for a Comprehensive Amendment to the Eaton County Land Development Code (Zoning Ordinance) to clarify the intent, update language and improve comprehension. Amendments are proposed to the following: Article 5, Definitions and Interpretations (amend Section 5.3.19 S.), Article 7 Land Development Districts (amend Sections 7.3.4 and 7.6.4) and Article 14 Specific Provisions and Requirements (add Section 14.39 Solar Energy Systems).

This text amendment was heard by the Public Works and Planning Committee on July 11, 2018 and referred back to the Planning Commission with comments. The Planning Commission continues to work on the DCA and will be conducting another public hearing on January 8, 2019 with plans to respond to the Public Works and Planning Committee as requested by February 13, 2019.

Zoning Ordinance Map Amendments: The Planning Commission held public hearings on two (2) zoning map amendment requests in 2018:

- Steven and Kelly Ainsworth requested to rezone property in Kalamo Township from Limited Agricultural (LA) to General Business (C-2).
- Robert Dickson requested to rezone property in Carmel Township from Low Density Residential (R-1) to Limited Agricultural (LA).

Both zoning district map amendments were recommended to the Board of Commissioners and were approved.

Sub Committee Meetings:

- The Site Plan Review Committee held two meetings in 2018 and approved both application requests – a Construction Contractors Establishment in Benton Township and an Accessory Dwelling Unit in Carmel Township.
- The Zoning Ordinance Committee held five meetings in 2018 to discuss solar energy systems. Public hearings on the matter were conducted at all five meetings.

Farmland Agreement Applications: The Planning Commission reviewed and commented on six (6) Farmland Agreement applications in three (3) different Townships (Brookfield, Eaton Rapids, and Kalamo). Total acreage of land entering into the program is two hundred seventy eight (278) acres.

Surface Mine Inspections: Staff conducted ten (10) surface mine inspections in 2018. All were found in compliance but one. The operator has since rectified the issue and is compliant.

ZONING PERMIT AND VIOLATION ACTIVITY IN 2018

Staff issued three hundred two (302) Zoning Referrals in 2018. Forty-seven (47) violations were carried over from the year 2017. The office received one-hundred twelve (112) new violations throughout the year and closed one hundred (100) violation files. Staff issued four (4) civil infraction tickets in 2018. Detailed charts can be found on the next two pages.

PLANNING ACTIVITY FOR 2019 (Goals)

- The Planning Commission will continue to review and maintain the County Master Plan.
- The Planning Commission will continuously review the Zoning Ordinance and will make recommendations to the Board of Commissioners on amendments to the Zoning Ordinance as needed.
- The Planning Commission will also maintain the open lines of communication townships. The Planning Commission and staff believe communication with our townships is important to best service the people of Eaton County.

CASES	Conditional Use Permits		Board of Appeals		Administrative Variances		District Change Amendments		Site Plan Reviews		Zoning Referrals		Private Roads		Agricultural Buildings		Lot Line Adjustments		Land Divisions Reviewed		TOTAL	
	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"
MO/YR	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"	"17"	"18"
JAN	0	0	0	0	0	0	0	1	0	0	8	6	0	1	0	2	3	3	0	4	11	17
FEB	1	0	0	0	0	0	0	0	0	0	15	13	0	0	1	2	3	5	1	0	21	20
MARCH	0	0	1	0	0	0	0	1	0	0	23	27	0	0	5	2	6	5	4	5	39	40
APRIL	5	3	2	1	0	0	0	0	1	0	19	26	0	0	2	1	1	2	2	2	32	35
MAY	5	3	2	8	1	0	0	1	0	0	37	41	0	0	2	3	5	3	6	3	58	62
JUNE	3	5	3	0	0	0	0	0	0	0	34	25	0	0	3	2	2	3	7	2	52	37
JULY	6	4	1	0	0	0	0	0	0	1	24	36	0	0	1	4	4	4	3	6	39	55
AUG	1	2	0	0	0	0	1	0	0	1	29	35	0	0	4	1	5	6	5	2	45	47
SEPT	0	0	1	0	0	0	0	0	1	0	27	28	0	1	1	3	3	3	5	4	38	39
OCT	4	4	0	1	0	0	0	0	0	0	27	35	1	0	1	2	0	5	4	6	37	53
NOV	2	2	1	2	0	0	0	0	0	0	18	19	0	0	4	2	1	2	1	7	27	35
DEC	0	1	0	2	0	0	0	0	0	0	13	11	0		0	0	3	4	0	1	16	19
TOTALS	27	24	11	14	1	0	1	3	2	2	274	302	1	2	24	24	36	45	38	42	415	459

CASES	JUNK	JUNK	JUNK	JUNK	ZONING	ZONING	ZONING	ZONING	
	(NEW)	(NEW)	(CLOSED)	(PENDING)	(NEW)	(NEW)	(CLOSED)	(PENDING)	
		2017 carryover: 40				2017 carryover: 7			
MO/YR	2017	2018	2018	2018(PENDING)	2017	2018	2018	2018(PENDING)	
JAN	3	2	0	42	2	3	0	10	
FEB	4	2	1	43	3	3	1	12	
MARCH	6	12	1	54	7	17	2	27	
APRIL	17	2	2	54	7	4	4	27	
MAY	12	5	1	57	8	3	0	30	
JUNE	4	5	2	60	1	2	5	27	
JULY	0	7	2	65	4	3	2	28	
AUG	1	2	21	46	1	7	5	30	
SEPT	1	13	6	53	0	5	21	14	
OCT	4	4	1	56	0	5	5	14	
NOV	2	0	4	52	1	4	2	16	
DEC	2	1	8	45	2	1	4	12	
TOTALS	56	55	49	45	36	57	51	12	
			TOTAL PENDING JUNK & ZONING VIOLATIONS						57

ZONING BOARD OF APPEALS (ZBA) ACTIVITY IN 2018

Regular meetings of the Board of Appeals were scheduled for the first Tuesday of the month at 6:00 p.m. in the Board of Commissioners Room of the Eaton County Courthouse Building. They met eight (8) times in 2018. All meetings are held in compliance with the Open Meetings Act (PA 267 of 1976).

In 2018, the Board of Appeals membership was as follows:

Nikki Chmielewski, Chairperson	Charamy Cleary
Mark Stahl , Vice – Chairperson	Michael Bell (alternate)
Don Chase, Secretary	
Tim Cattron (Planning Commission Representative)	

Department Staff for 2018 was as follows:

Claudine Williams, Director of Community Development and Housing
Brandy Hatt, Planning and Zoning Assistant/Code Enforcement Officer

The Zoning Board of Appeals (ZBA) heard requests from seventeen (17) applicants in 2018. One (1) request was withdrawn after application was made.

No Administrative Variance requests were received.

2018 Zoning Board of Appeals Requests

Type of Action	Approved	Denied	Withdrawn	Total
Road Right-of-Way Setback Variance	5	1		6
Side/Rear Yard Setback Variance	3			3
Accessory Building Setback Variance	1	1		2
Parcel Width to Depth Ratio	1			1
Agricultural Business Animal Holding Area Variance	1			1
Access Required Variance		1		1
Accessory Building Size Variance		1		1
Total Floor Area for a Home Business Variance		1		1
Landscaping Requirements for Cell Towers Variance		1	1	2
TOTALS 2018	11	6	1	18

Zoning Appeal Applications Received Per Year

