



**2011**  
**ISABELLA COUNTY**  
**PLANNING COMMISSION**  
**ANNUAL REPORT**

**Prepared by:**  
Isabella County Planning Commission

**With assistance from:**  
Isabella County Community Development Department

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## 1.0 INTRODUCTION

The Isabella County Planning Commission functions under and has their powers and duties set forth by both 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 Isabella 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 and status of planning activities over the past year.

## 2.0 MEMBERSHIP

The MPEA states that the 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 2011, the Planning Commission's membership was as follows:

|                                    |                    |
|------------------------------------|--------------------|
| Robert Thompson, Chairperson*      | James Kremsreiter* |
| Jerry Neyer, Vice-Chairperson*     | Evelyn Kent*       |
| Christine Alwood, Secretary*       | Gordon Gilchrist   |
| William Dailey, BOC Representative | Kelly Bean*        |
| Cheryl Jindeel                     |                    |

*\* Member has obtained the Master Citizen Planner Certificate through MSU Extension.*

For 2012, the Board of Commissioners have reappointed Evelyn Kent and Jerry Neyer as their present terms expired on December 31, 2011. The Board also appointed Joel Welty to fill the seat vacated by James Kremsreiter whose term also expired.

## 3.0 MEETINGS

The Planning Commission meetings were scheduled for the Second Thursday of the month at 7:00 p.m. in Room 225 of the Isabella County Building. The Commission met every month except February. In 2012, the Commission will continue to meet on the Second Thursday of the month. All meetings are held in compliance with the Open Meetings Act (PA 267 of 1976).

- The Planning Commission held eleven (11) regular meetings in 2011.
- The Commission Subcommittees held a total of thirteen (13) meetings in 2011.

## **4.0 PLANNING COMMISSION RESPONSIBILITIES**

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

- Perform Site Plan Reviews as required in the Zoning Ordinance.
- Conduct public hearings on and make decisions on Special Use Permit requests as specified in the Zoning Ordinance.
- Conduct public hearings on and make recommendations to the Board of Commissioners on Zoning Ordinance Text Amendments in accordance with the MZEA, Isabella County Zoning Ordinance and the Isabella County Master Plan.
- Conduct public hearings on and make recommendations to the Board of Commissioners on rezoning requests (Zoning Map Amendments) in accordance with the MZEA, Isabella County Zoning Ordinance and the Isabella County Master Plan.
- Update and maintain the Isabella County Master Plan in accordance with the MPEA.
- Review and make recommendations, as required by the MZEA, on zoning amendments for any Township in the County that has their own zoning ordinance.
- Review and comment on any proposed Master Plans or Master Plan amendments for any community within or adjacent to Isabella County as required by the MPEA.
- Annually prepare a capital improvements program 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).

## **5.0 PLANNING COMMISSION ACTIVITY IN 2011**

The Planning Commission continued to be active this past year as they strived to meet their goals for the year. The Commission continuously reviewed the Zoning Ordinance and in doing so, recommended multiple changes to the ordinance. This was done with careful consideration of the needs of the community and upholding the integrity of the County Master Plan. The Commission also continued active communication with the Townships. The Townships appreciated this effort and some Township Officials attended the meetings including the meetings of the Subcommittees. Finally after several months of time and research, the Commission was successful in their effort to complete the Isabella County Capital Improvement Plan. The following is a summary of all activity in 2011:

**5.1 CAPITAL IMPROVEMENT PLAN:** In 2011, the Commission prepared the Isabella County Capital Improvement Plan. It was subsequently adopted by the Board of Commissioners. The Plan was prepared after an extensive amount of research and title work was conducted on the various properties owned by Isabella County. As part of the Plan, a Capital Improvements Program (CIP) lists the planned capital improvements for the next six (6) years with the estimated costs and funding sources for those improvements. The CIP will be updated on an annual basis and presented to the Board of Commissioners for their adoption.

**5.2 SUBCOMMITTEES:** In 2011, three subcommittees were formed to discuss various planning and zoning related issues. The subcommittee meetings were open to the public and attended by various township officials.

- The Sign Subcommittee was formed and charged with researching and reviewing the proposed changes to the sign ordinance and to report their activity to the full Planning Commission. Cheryl Jindeel, Gordon Gilchrist, Evelyn Kent and Christine Alwood were appointed to serve on the subcommittee. The subcommittee met three times to discuss the issue and saw the need to amend the ordinance to reformat the sign sections, clarify conflicting language in the ordinance and to amend some of the requirements that became an area of concern based on previous variance requests. After considerable review, the subcommittee forwarded the proposed amendment language to the full Commission for their review. The Planning Commission held a public hearing on this language and subsequently recommended approval to the Board of Commissioners.
- The Farmland and Zoning Subcommittee was formed and charged with researching and reviewing the Agricultural Zoning District requirements; Review and discuss the implementation of suggested zoning ordinance language for Agricultural tourism; Review and discuss other Agricultural and Zoning related issues. Gordon Gilchrist, Kelly Bean, Jim Kremsreiter and Jerry Neyer were appointed to serve on the subcommittee. The subcommittee met three times to discuss the various issues and forwarded language for two amendments to the full Commission for their review. The Planning Commission held a public hearing on the language and subsequently recommended approval of both amendments to the Board of Commissioners.
- The Medical Marihuana Subcommittee was formed and charged with researching and reviewing development standards for the regulation of medical marijuana operations. Cheryl Jindeel, William Dailey, Robert Thompson and Christine Alwood were appointed to serve on the subcommittee. The subcommittee met seven times to discuss this issue. At these meetings, they discussed the issue with the County Prosecutor, County Sheriff and representatives from BAYANET, and various township officials. Based on the opinion from legal counsel, an extensive review of court decisions and other information regarding the Act, the subcommittee recommended that the Planning Commission take no action in regards to this

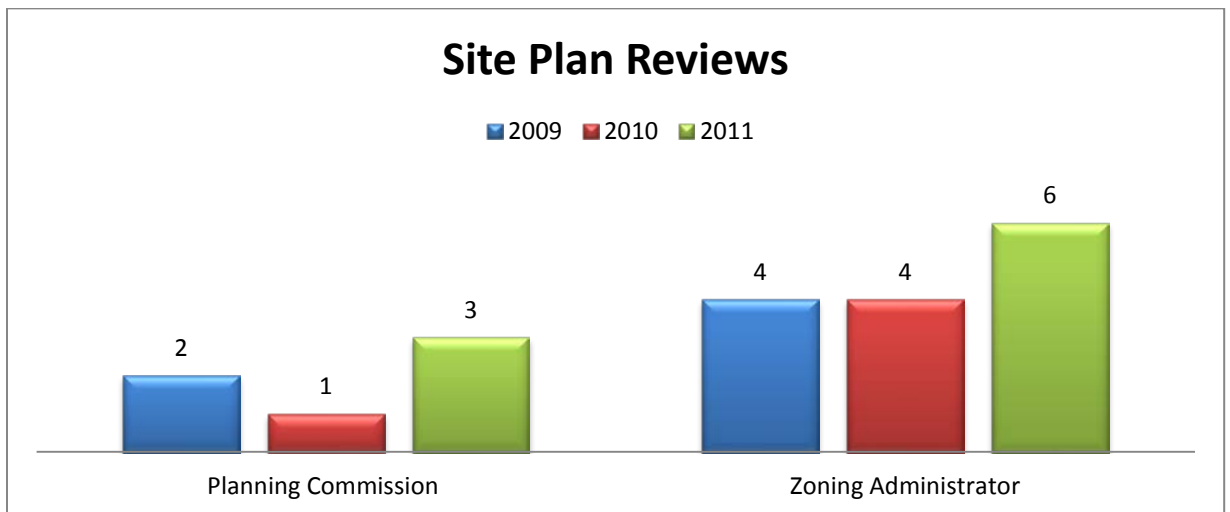
issue at this time. The Planning Commission agreed noting after the extensive research of the subcommittee that the County will be prepared to take action in the future if the need arises.

**5.3 SITE PLAN REVIEWS:** The Commission conducted three (3) site plan reviews.

- Marlin Fox received site plan approval to expand his outside vehicle storage area for an existing motor vehicle repair facility.
- Ben Browning received site plan approval to establish a used automobile and equipment sales center
- Charles Ulmer received site plan approval to install a 42' high wind energy conversion system.

The Commission would like to note again that Zoning Amendment #08-08 amended the Zoning Ordinance to allow the Zoning Administrator to conduct certain site plan reviews that were normally required to be performed by the full Commission. The Zoning Administrator conducted six (6) such site plan reviews in 2011.

- Fair Salvage received site plan approval to construct a 32' x 64' building to be used for storage and new equipment
- Randell Manufacturing received site plan approval for construction of a 32'9" x 34' building to connect two wings of their facility.
- Blanchard Bar received site plan approval to repair non-conforming structure damaged by fire.
- AT&T received site plan approval to construct a 12' x 20' equipment shelter and to collocate antenna on existing communication tower.
- Nottawa Township received site plan approval to construct a 10' x 15' addition to the township hall and a 6' x 14' canopy at the entrance.
- Blanchard Parks and Recreation received site plan approval to construct 12' x 42' shelter/storage building.

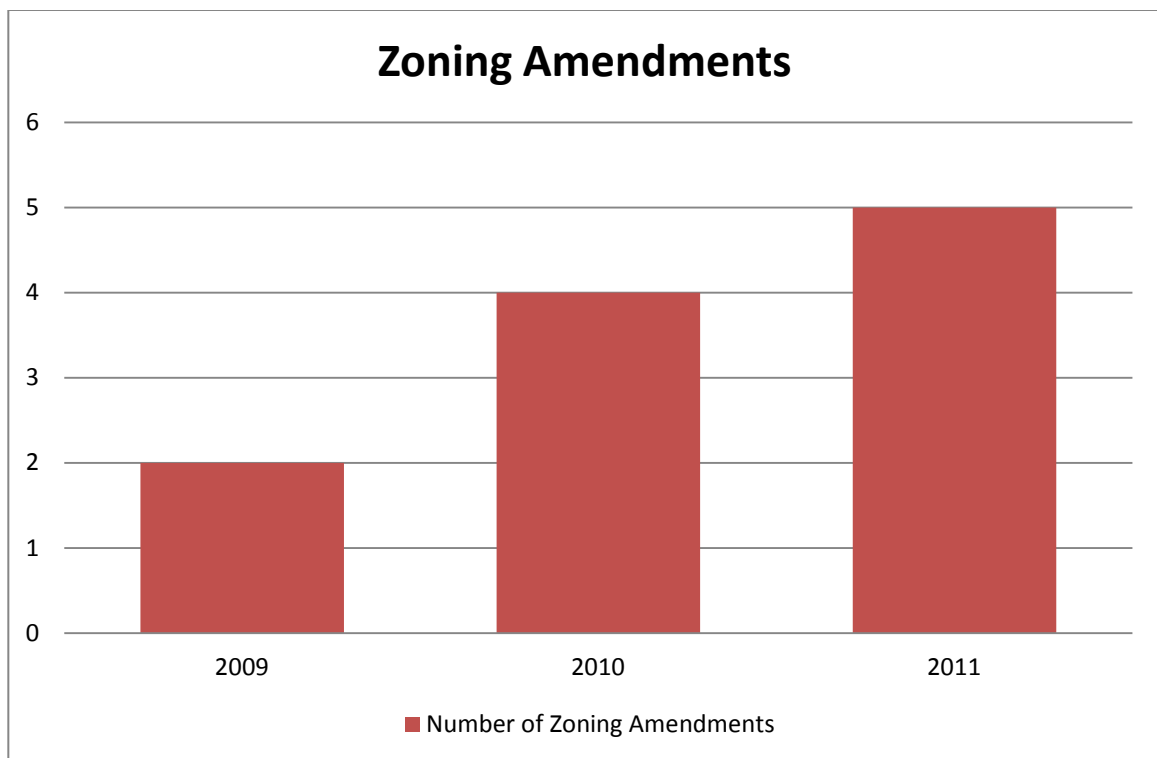


The Commission continues to see the benefit of reducing the number of applicants required to appear before the full Commission and expediting the permit process for those applicants.

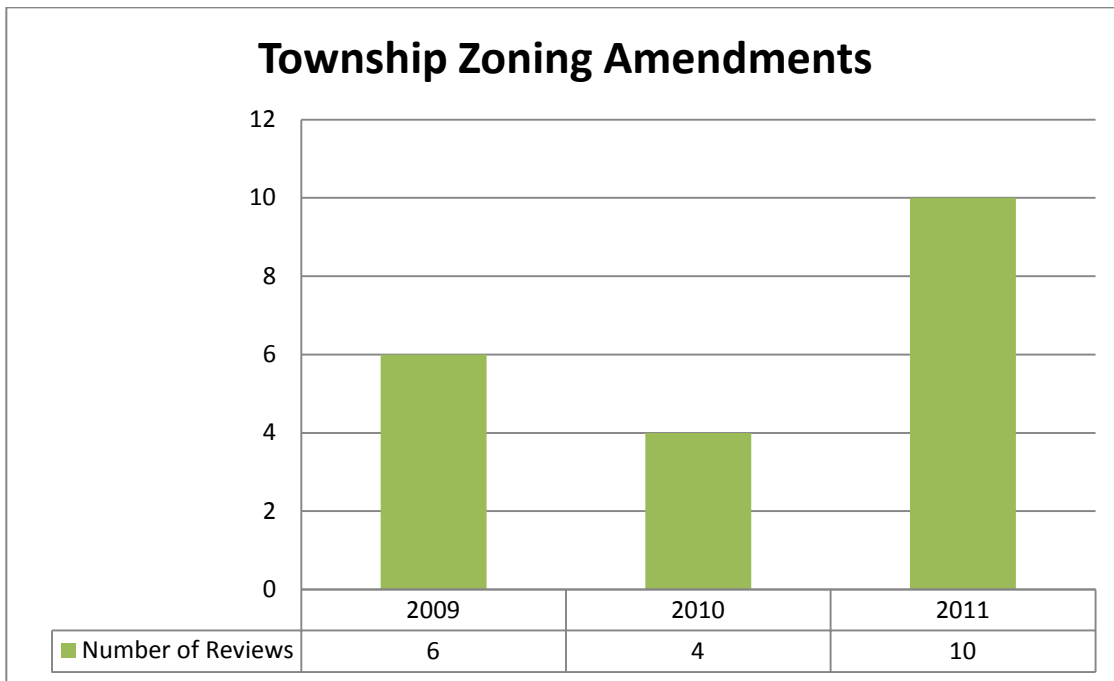
**5.4 ZONING AMENDMENTS:** The Commission held public hearings on the following five (5) zoning amendments in 2011:

- Ben Browning requested to rezone his property from AG-2 to C-1.
- The moratorium on the issuance of permits for ‘the growth, sale or dispensation of Medical Marijuana within Isabella County’.
- A text amendment that updated the sign ordinance. This amendment cleared up some inconsistent language throughout the entire document.
- A text amendment that addressed the section of the ordinance that regulates the dividing of land in the Ag-1 and Ag-2 Districts. This amendment also clarified some inconsistent language in the ordinance as well eliminated some repetitive language.
- A text amendment that defined and allowed for Agricultural Tourism related uses.

All five amendments were recommended to the Board of Commissioners for approval. The first two amendments were subsequently approved by the Board of Commissioners. The last three proposed amendments are still awaiting their approval.



**5.5 REVIEW OF TOWNSHIP ZONING AMENDMENTS:** In 2011, the Commission reviewed and commented on Six (6) zoning amendments for Sherman Township. These amendments dated back to 1997. The Township discovered that these amendments were never reviewed by the County Planning Commission and therefore not properly adopted by the Township. The Township decided that it would be in their best interests to properly process the amendments. The Commission also reviewed four (4) zoning amendments for Union Township. These included two rezoning requests along with text amendments to their ordinance regulating garage sales and medical marihuana.



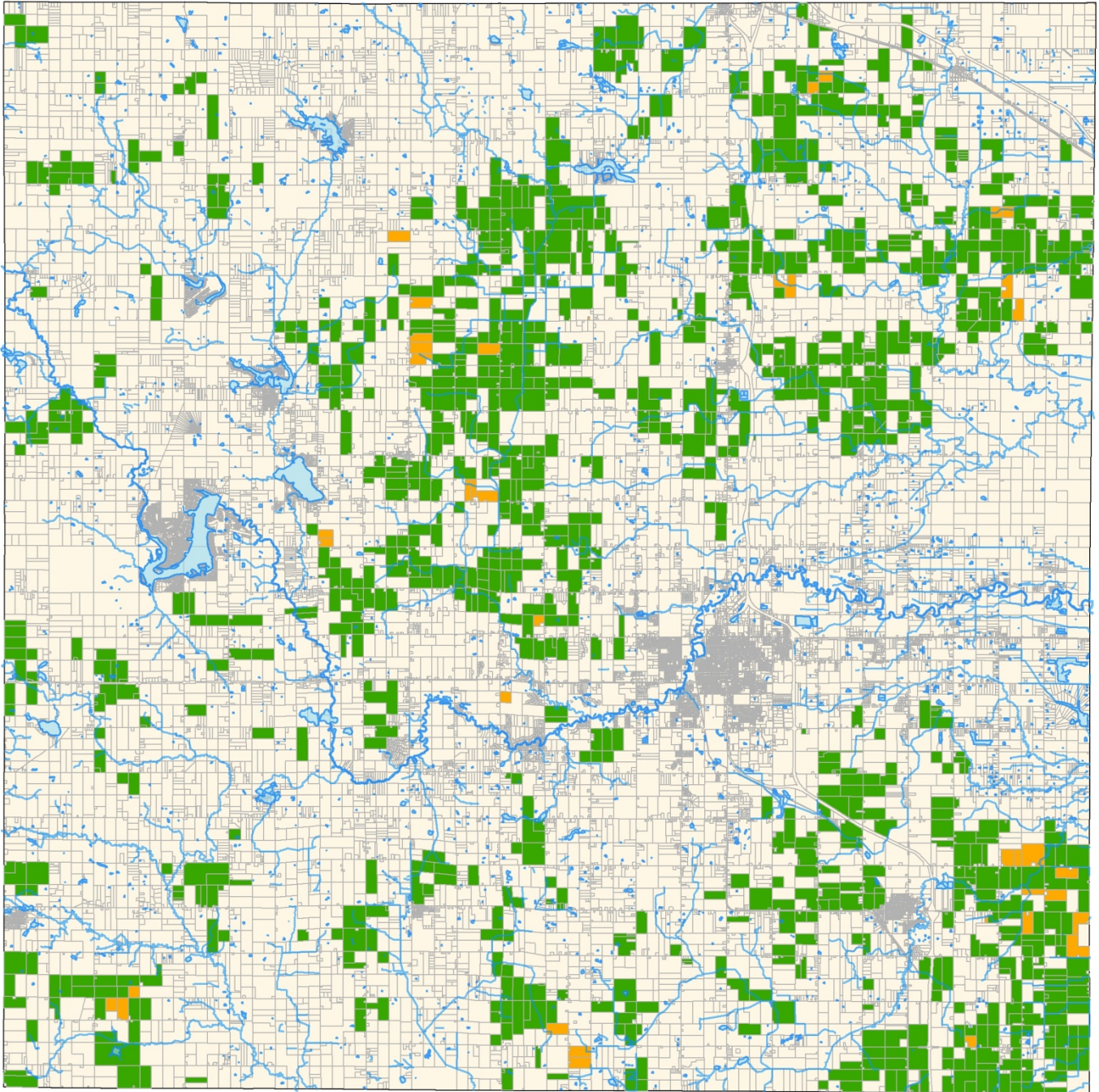
**5.6 MASTER PLAN REVIEWS:** In 2011, the Commission reviewed and commented on three (3) Master Plans:

- The new Union Township Master Plan.
- An amendment to the Jasper Township (Midland County) Master Plan.
- The new Bethany Township (Gratiot County) Master Plan.

The Planning Commission also received ‘notice of intents’ from the Village of Lake Isabella and Sherman Township stating that they intend to amend their respective Plans.



**5.7 FARMLAND AGREEMENT APPLICATIONS (PA 116):** In 2011, the Commission reviewed and commented on a total of forty-two (42) Farmland Agreement Applications in ten (10) different Townships (Coe, Deerfield, Denver, Gilmore, Isabella, Lincoln, Nottawa, Rolland, Vernon and Wise). The applications represented a total of 2833.12 acres entering the Farmland and Open Space Preservation Program. This was substantial increase over last year when the Commission reviewed twenty-two (22) applications totaling 1382.47 acres.

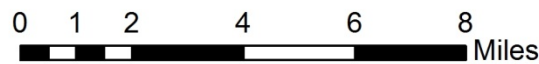
# New PA 116 Properties



January 1, 2012

THIS DATA IS FOR  
INFORMATION  
PURPOSES ONLY AND  
IS NOT THE OFFICIAL  
RECORD OF  
THE COUNTY

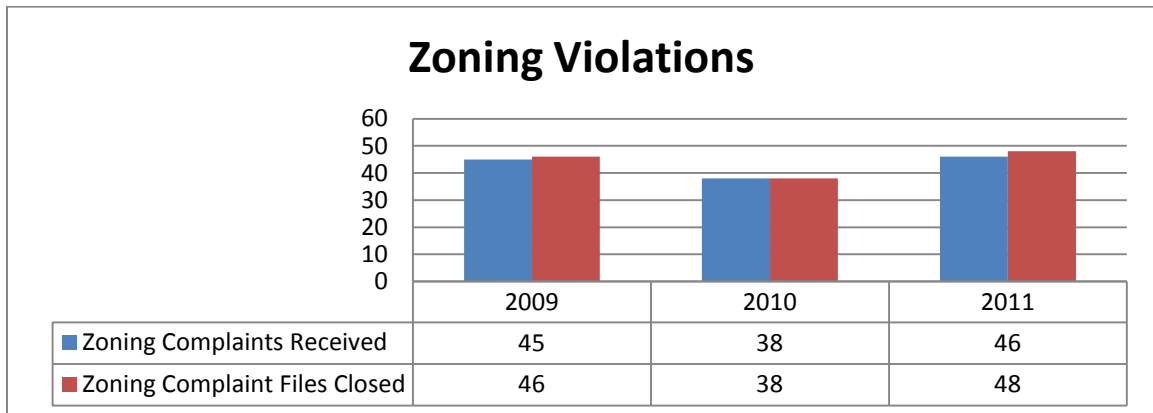
-  Existing PA 116 Properties
-  New PA 116 Properties in 2011



Created By:  
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Community Development  
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## 6.0 ZONING PERMIT AND VIOLATION ACTIVITY IN 2011

Staff issued 117 Zoning Permits in 2011. As noted above, staff also conducted six (6) site plan reviews. The office received 46 new complaints throughout the year and closed 48 violation files. Presently there are 36 violations that remain open and active. Staff issued five (5) appearance tickets in 2011 and turned those respective files over to the Prosecutor's Office for further enforcement action. A monthly report of all planning and zoning activity is sent to each of the Townships. The summary for the entire year is also sent to the Townships and is attached at the end of this report.



## 6.1 ZONING BOARD OF APPEALS ACTIVITY IN 2011

The Zoning Board of Appeals (ZBA) heard requests from eight (8) applicants for eight (8) different variances in 2011. The ZBA Annual Report was presented to and reviewed by the ZBA at their December 14, 2011 meeting. That presentation is attached at the end of this report.

## 6.2 PLANNING COMMISSION GOALS FOR 2012

- Continue the process of maintaining the Capital Improvements Program (CIP) as required by the MPEA.
- Continue to review and maintain the County Master Plan.
- Update the demographic information in the Master Plan based on the 2010 Census data.
- Continue to review the Zoning Ordinance and make recommendations to the Board of Commissioners on amendments to the Zoning Ordinance.
- Maintain the open lines of communication between the Commission and the Townships. This was ranked as the most important goal of the Master Plan in the survey conducted with the 2007 update to the Master Plan. The Commission also believes that this is most important to best serve the people of Isabella County.

## Zoning Permit and Violation Activity for 2011

|                   | <i>Violations Opened in 2011</i> | <i>Violations Closed in 2011</i> | <i>Site Inspections Conducted in 2011</i> | <i>Zoning Permits Issued in 2011</i> | <i>ZBA Cases Applied for in 2011</i> | <i>Site Plan Reviews by Staff in 2011</i> | <i>Planning Commission Cases applied for in 2011</i> |
|-------------------|----------------------------------|----------------------------------|---|--------------------------------------|--------------------------------------|---|--|
| <b>Broomfield</b> | 7                                | 6                                | 41  | 13                                   | 0                                    | 1   | 0  |
| <b>Coldwater</b>  | 0                                | 2                                | 27  | 8                                    | 1                                    | 0   | 0  |
| <b>Denver</b>     | 7                                | 3                                | 50  | 11                                   | 0                                    | 0   | 0  |
| <b>Gilmore</b>    | 2                                | 2                                | 37  | 16                                   | 2                                    | 0   | 0  |
| <b>Isabella</b>   | 3                                | 3                                | 26  | 15                                   | 0                                    | 0   | 1  |
| <b>Lincoln</b>    | 6                                | 6                                | 33  | 14                                   | 0                                    | 0   | 1  |
| <b>Nottawa</b>    | 6                                | 5                                | 72  | 16                                   | 5                                    | 2   | 0  |
| <b>Rolland</b>    | 10                               | 12                               | 61  | 13                                   | 0                                    | 2   | 0  |
| <b>Vernon</b>     | 5                                | 9                                | 51  | 11                                   | 0                                    | 1   | 2  |
| <b>Totals</b>     | 46                               | 48                               | 398                                       | 117                                  | 8                                    | 6   | 4  |

*ZONING BOARD OF  
APPEALS  
ANNUAL REPORT*

2011

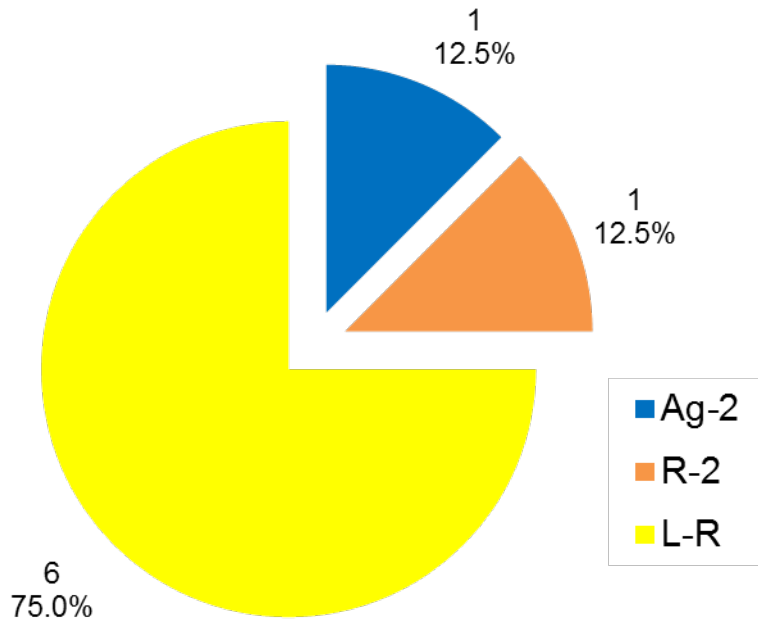
# Variance Requests Type

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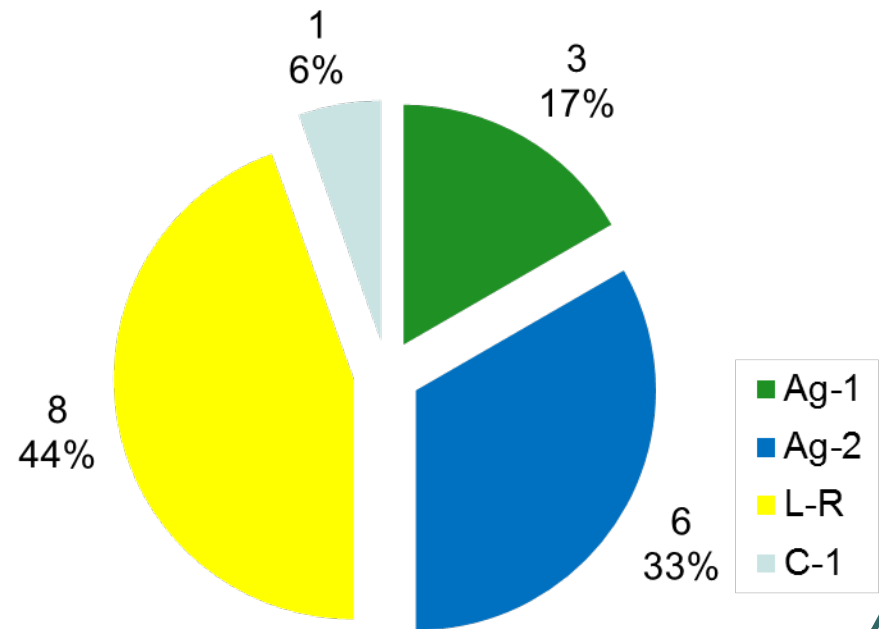
- Types of Variance Requests In 2011
  - Front Setback: 5 (62.5%)
  - Rear Setback: 2 (25%)
  - Max Accessory Size: 1 (12.5%)

# Variance Requests By Zoning Districts

Total # of variance requests in 2011: 8  
(8 Actual Cases)



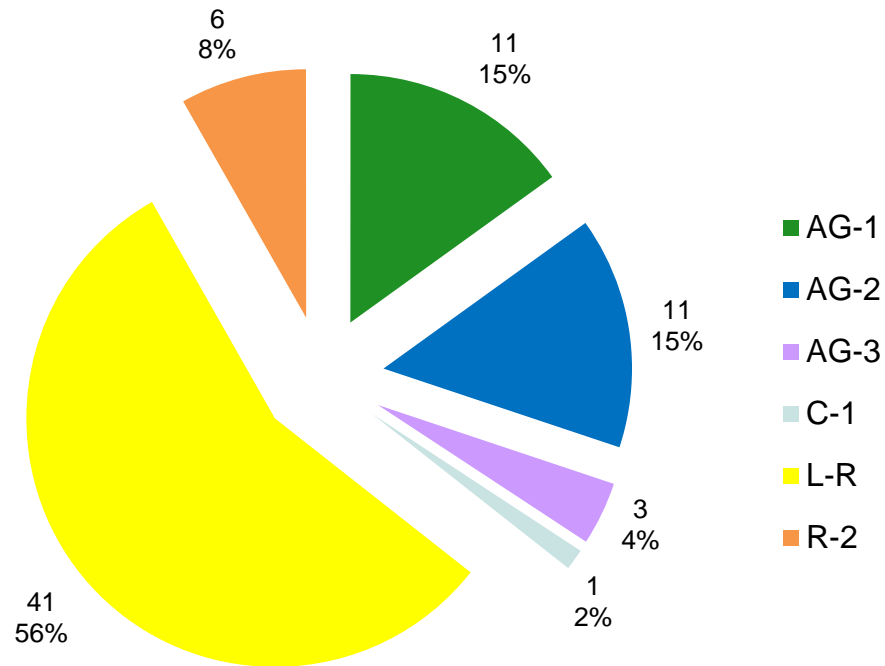
Total # of variance requests in 2010: 18  
(11 Actual Cases)



# 5 Year Analysis

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Total # of variance requests 2007-2011: 73  
(50 Actual Cases)

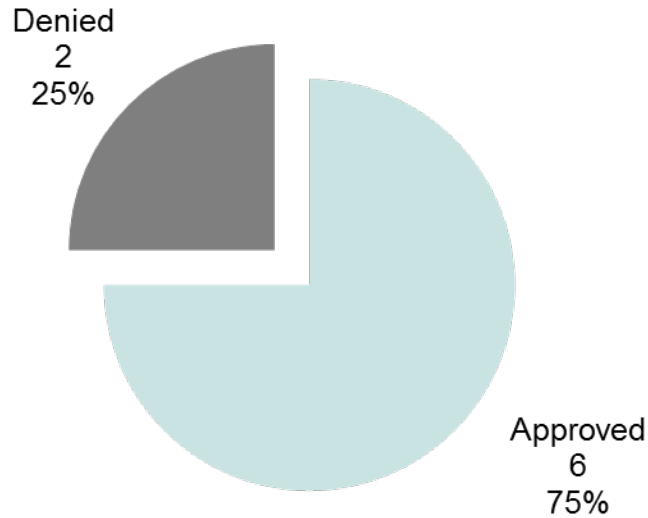


# Variance Requests

(Approved, Denied, or Withdrawn)

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**2011**



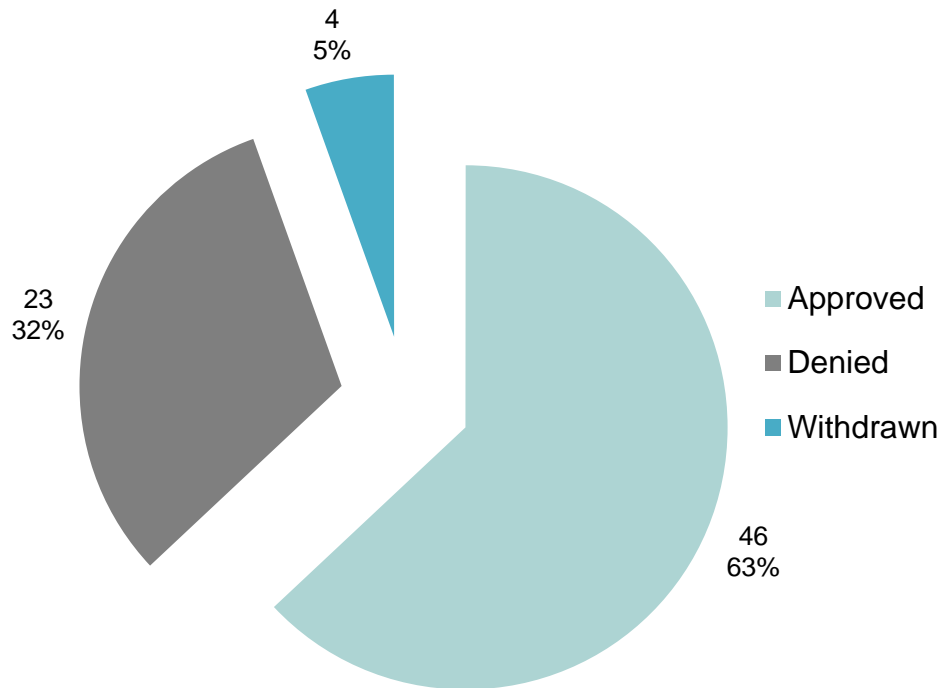
**2010**



# 5 Year Analysis

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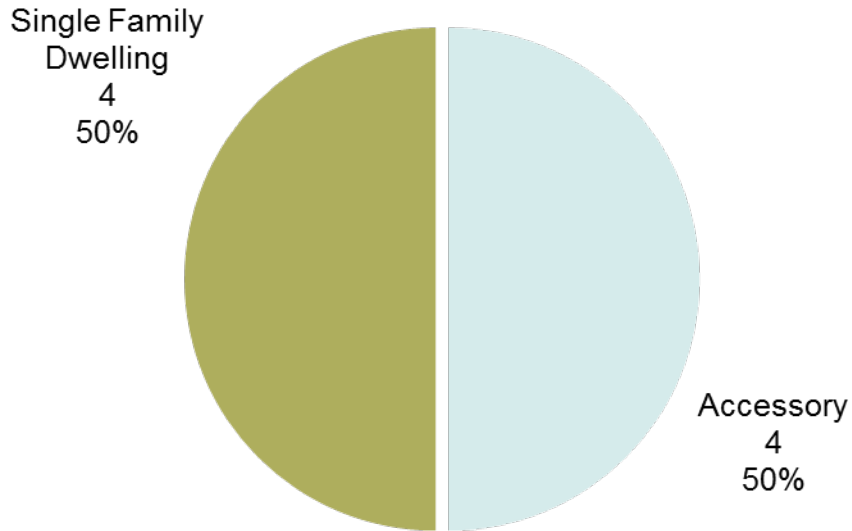
## Variance Requests Approved, Denied, or Withdrawn 2007 -2011



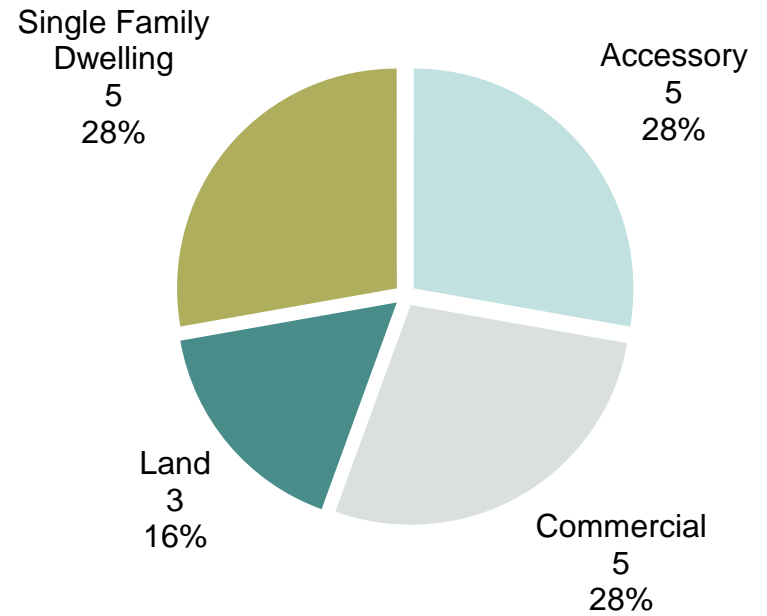
# Variance Request By Classification

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**2011**



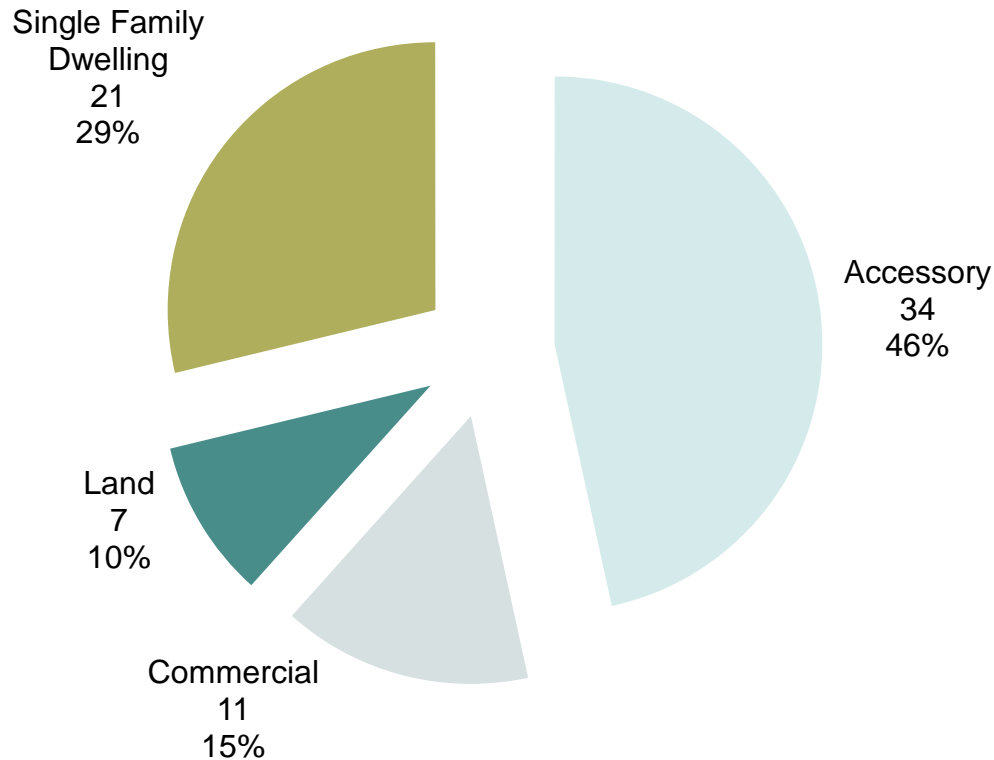
**2010**



# 5 Year Analysis

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## Variance Request by Classification 2007-2011



# 2011 Variances

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|                        |                          |       |      |          |                                 |           |
|------------------------|--------------------------|-------|------|----------|---------------------------------|-----------|
| Dave Laporte           | 2561 N Johnson Rd        | 11-01 | R-2  | Denied   | Front Setback                   | Accessory |
| Lori Lassen            | 9548 W Battle Rd         | 11-02 | AG-2 | Approved | Front Setback                   | SFD       |
| Steve Galgoczi         | 1527 N Cedar Point Dr    | 11-03 | L-R  | Denied   | Front Setback                   | Accessory |
| Peterson Fredrick & Co | 4901 W Stevenson Lake Rd | 11-04 | L-R  | Approved | Maximum Accessory Building Size | Accessory |
| James Recker           | 5012 W. Jordan           | 11-05 | L-R  | Approved | Rear Setback                    | SFD       |
| Joan Preece            | 5048 W Lake Dr           | 11-06 | L-R  | Approved | Front Setback                   | SFD       |
| Steve Galgoczi         | 1527 N Cedar Point Dr    | 11-07 | L-R  | Approved | Front Setback                   | Accessory |
| Edward Klien           | 8904 Westview Dr         | 11-08 | L-R  | Approved | Rear Setback                    | SFD       |