

Curtis Township Planning Commission
Public Hearing & Work Session
April 30, 2015

Meeting called to order at 7:00 by Chairperson Walls Pledge of Allegiance was given

Roll Call: Present: Chairperson – Ken Walls, Committee Members - Edith Rogers, Jerome Orefice, Paul Granstanowicz & Harley Hopp-Township Liaison - Public Present: 4

Approval of the Agenda: Hopp/Rogers 5 Ayes- 0 Nays - Motion Carried

Approval of Minutes from April 2, 2015 – Hopp/Rogers 5 Ayes – 0 Nays - Motion Carried

Zoning Administrators Report: See township meeting minutes

Old Business: 1) Paul & Ken attended the MTA training and stated that it was a learning experience. 2) Chairperson Walls read over the changes to the Curtis Township Zoning Ordinance (75% rule), with MOTION: Hopp/Rogers to adopt the new language from Section 3.02E *“Should such structure be destroyed by any means to an extent of more than seventy-five (75%) percent of the total square footage of the principal structure, it shall not be reconstructed except in conformity with the provisions of this Ordinance.”*

TO BE CHANGED TO:

“It is the intent of this Zoning Ordinance to encourage the continued maintenance and upkeep of all non-conforming buildings. To that end, a non-conforming use that is destroyed by any means, in part or in whole, may be restored to a new and/or original condition (footprint) subject to current zoning regulations.” 5 Ayes – 0 Nays Motion Carried.

New Business: 1) Dan Peyerck came before the CTPC to request use of 1 acre of land on his property (which is zoned Forest Recreational) for a family burial plot. Looking into this matter it was found that the Curtis Township Zoning Ordinance does not address this issue sufficiently to require special approval. The CTZO currently allows “Cemeteries” as a Special Use in the FR District. However the term “Cemetery” is not defined in the Ordinance. This goes back to the intent of the PC when creating the Ordinance...Denise Cline stated: “It is my opinion that both terms should be defined in the ordinance and clarified as to process to obtain permission to establish a private family burial plot on private land. If the ZA feels that “private family burial plots” were not the intent of the term “cemetery”, then “private family burial plots” are unclassified uses in the ordinance, and I would then consider it a private residential land use by right since Michigan PA88 of 1875 does allow private burial grounds to be established on land outside of a city/village for the purpose of interment of family members. (This law also states that the land CANNOT exceed 1 acre. This would conflict with many local zoning ordinances which typically require more than 1 acre for a minimum lot size in rural districts). Denise Cline recommends that this would need to be clarified in the future. The CTPC would need to amend the Curtis Township Zoning Ordinance. Discussion with **MOTION:** Hopp/Grabstanowicz to adopt and approve the following opinions as justification for allowing Mr. Peyerck the placement of a “Private Burial Plot” on one (1) acre of Forest Recreational land.

- 1) It is the opinion of the Planning Commission that the operation of the proposed Private Family Burial Plot is not similar to the operation of a township owned public cemetery, as identified in the Curtis Township Cemetery ord of 1994.
- 2) It is the opinion of this Planning Commission that a Special Use permit is not required in this case.
- 3) It is the opinion of the Curtis Township Planning Commission, in this case only, that a Private Family Burial Plot “is a use granted by right” in the Forest Recreational Zone.

Yeas – 5, Nays – 0 Motion Carried.

Next meeting date will be Thursday July 9, 2015

Correspondence: N/A

Public Comment: N/A

Motion to adjourn: Hopp/Rogers at 7:36 p.m. 5 Ayes Motion Carried

Respectively submitted by: Teresa J. Perkins, Recording Secretary CTPC, Minutes subject to approval