

**MINUTES OF THE FRANKENMUTH TOWNSHIP
PLANNING COMMISSION
April 9, 2013**

The Regular Meeting of the Frankenmuth Township Planning Commission was held on Tuesday, April 9, 2013, at 8:00 P.M., at 240 West Genesee Street, Frankenmuth, Michigan.

Present: Haubenstricker, Frahm, Scherzer, Grueber and Reid.
 Friend, Zoning Administrator
Absent: None

Chairman Haubenstricker called the meeting to order at 8:00 P.M., and asked for review and approval of the minutes for March 12, 2013, which were approved as circulated.

Chairman Haubenstricker called for public comment and noted that there was none.

Chairman Haubenstricker asked for comment on the special use permit that was granted to the prior owner/occupant of the premises at 12355 E. Curtis Road. After discussing the conditions, an absence of an annual report; the special use operator having ceased operations a number of years ago; and the premises being sold to a party that does and has not continued the special use, the consensus was that the conditions for continuing or renewing the special use permit were not fulfilled and the premises owner and operator having ceased the use requiring a special use permit, and that the special use was abandoned. Upon motion and second, it was unanimously:

Resolved, That the special use permit previously granted for the Boysville correctional youth facility at 12355 E. Curtis Road be and is hereby terminated and of no further force or effect.

Chairman Haubenstricker opened a public hearing and called for a discussion of the Application for Special Use Permit by Kimberly Zehnder regarding the premises at 12355 E Curtis Road.

Mrs. Zehnder, appearing with Michael Keller Zehnder (one of the property owners) stated that she has made arrangements with the property owners, Don and Judy Keller, Martha Keller, William Keller and Michael Keller Zehnder, for the operation of a Day Nursery for children (toddlers to 12 years of age). The number of children would be limited, from time to time, by staffing personnel.

No one else was present to speak.

The commission determined that the application met the requirements for a special use permit in an A-2 Zoning District (and Section 2209, chap 22) and upon motion and support, unanimously:

Resolved: That a special use permit for a Day Nursery be issued to the applicant, Kimberly Zehnder, and to the property owners, as set out above, for the premises at 12355 E. Curtis Road, with the condition that an annual report be submitted to the Commission confirming the continuation of the operation of the Day Nursery as originally presented to the Commission, accompanied by an appropriate current state license.

Chairman Haubenstricker called on Dennis Krafft who introduced his mother, Eleanor Krafft and his sister, Mary Jane Borchard, and a contractor/developer, Gaal Carp, and began his presentation of a proposed "aerial park" on/in part of the Krafft farm property located at the street east end of Heinlein Strasse.

Mr. Krafft stated that the development would be on approximately 3 acres of wooded land, in the northwest corner of the approximately 60 acre parcel; the 3 acre parcel would be leased to the company formed by Mr. Carp who would construct the aerial recreational structures (various types of walkways and safety lines). The business offices and parking would be inside the city limits; no permanent structures would be placed in the township side, the 3 acres. Similar parks have been constructed and operated in the eastern United States and Europe. The city has been contacted and has confirmed that the aerial part would not need to be annexed. The park would be open to tourist, boy and girl scouts and similar groups.

The commission discussed the project being located in a PUD-CT zoning district which provides for 6 acre developments, joint planning commission meetings and annexation. In reviewing Chapter 24, section 2413(2) the commission is permitted to deviate from the specific requirements of this zoning district if the project meets the intent of the uses permitted by right, which are uses "... including but not limited to ... golf courses and those businesses providing recreation, entertainment..." Further the development will be part in the city and part in the township.

The commission's consensus is that the proposed development does meet the intent of the PUD-CT zoning district uses permitted by right and does not affect surrounding properties or affect public utilities; the commission directed the zoning administrator to review and issue the appropriate zoning permit.

Chairman Haubenstricker asked for comment on the Supervisor's memo regarding the proposed windmill ordinance.

The commission discussed the 13 suggestions and decided that most of the suggestions were already incorporated, directly or indirectly, or should wait for the review of the township attorney. The consensus was that the proposed ordinance contained sufficient requirements that adding more could be counterproductive.

Chairman Haubenstricker asked for further comment on the City of Frankenmuth's adoption of an ordinance which barred any license/permit/zoning district or permitted use that violated federal or state laws. Mr. Reid stated that he is still reviewing the status of appellate cases, new and old. The moratorium enacted by the township board was confirmed.

Chairman Haubenstricker asked for other business.

Mr. Friend reported that he has received numerous inquiries, but no applications

The meeting was adjourned.

The next regular meeting would be May 14, 2013 at 8pm.

Respectfully submitted,
Frankenmuth Township Planning Commission
Robert J. Reid, Secretary