



# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)  
120 W. Michigan Avenue • Jackson, MI 49201  
Phone (517) 788-4426 • Fax (517) 788-4635

## MEETING NOTICE

FOR FURTHER INFORMATION, CONTACT:  
Jacob Hurt  
R2PC Executive Director  
(517) 768-6705  
[jhurt@mijackson.org](mailto:jhurt@mijackson.org)

DATE: March 16, 2023  
TIME: 6:00 p.m.  
PLACE: Lenawee Room | Human Services Bldg.  
1040 S. Winter Street  
Adrian, Michigan

## MEETING AGENDA

1. Call to Order and Pledge of Allegiance
2. Public Comment [3-MINUTE LIMIT]
3. Approval of Agenda [ACTION]
4. Meeting Minutes  
Approval of the Minutes of the February 16, 2023, Meeting [ACTION] ..... 3
5. Request(s) for Review, Comment, and Recommendation
  - a. Consideration of Township Zoning Amendment(s) —
    - (1) #23-05 — Raisin Charter Township [ACTION] ..... 5
  - b. Consideration of PA 116 Farmland Agreement(s) — None
  - c. Consideration of Master Plan(s) — None
6. Other Business
  - a. Old Business — None
  - b. New Business — None
7. Public Comment [2 MINUTE LIMIT]
8. Commissioner Comment
9. Adjournment

*Please note that the meeting will take place in person at the new time of 6:00 pm.  
The location is the Lenawee Room of the Human Services Building (1040 S. Winter Street).*

*The next meeting of the Lenawee County Planning Commission is scheduled for April 20, 2023.*

*This page is intentionally blank.*



# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)  
120 W. Michigan Avenue • Jackson, MI 49201  
Phone (517) 788-4426 • Fax (517) 788-4635

## MEETING MINUTES

Thursday, February 16, 2023

Lenawee Room • Lenawee County Human Services Building • Adrian, Michigan

Members Present: Mr. Bruce Nickel; Mr. Keith Dersham; and Mr. Dale Witt; Ms. Carrie Dillon, Education Representative; Ms. Rebecca Liedel, LCPC Chair; and Ms. Karol (KZ) Bolton, Lenawee County Commission;

Members Absent: Mr. Ralph Tillotson, Lenawee County Commission;

Others Present: Mr. Jacob Hurt, LCPC Staff/Recording Secretary

- Item 1 **Call to order.** Comm. Liedel called the meeting to order at 6:04 pm. Those in attendance joined in the Pledge of Allegiance.
- Item 2 **Public comment.** None.
- Item 3 **Approval of Agenda.** Staff submitted the 2/16/2023 meeting agenda for approval.  
Comm. Nickel made a motion, seconded by Comm. Dillon, to approve the February 16, 2023, meeting agenda. *The motion passed unanimously.*
- Item 4 **Approval of Minutes.** Staff submitted the 1/19/2023 meeting minutes for approval.  
Comm. Dillon made a motion, seconded by Comm. Nickel, to approve the January 19, 2023, meeting minutes as presented. *The motion passed unanimously.*
- Item 5 **Request(s) for Review, Comment, and Recommendation**
- a. **Consideration of Township Zoning Amendment(s).**
- (1) **#23-01 | Deerfield Township.** Commissioners received the proposed Deerfield Township Zoning Ordinance. Staff summarized his report advising Commissioners to recommend approval of the proposed zoning ordinance (see the staff report).
- Comm. Nickel made a motion, seconded by Comm. Bolton, to take no action with the following comments on the proposed Deerfield Township Zoning Ordinance: (1) clarify the responsibilities of the zoning administrator and building inspector as described in the ordinance; (2) clarify the state agency with responsibility for shoreline administration, ordinance states MDNR, actual responsibility lies with EGLE; (3) sound decibel levels listed in section 7.26 1b1a appear to be inaccurate in terms of being too low; and (4) ensure the ordinance aligns with Michigan Planning Enabling Act. *The motion passed unanimously.*
- (2) **#23-04 | Macon Township.** Commissioners reviewed the proposed amendment of the Macon Township Zoning Ordinance to include a moratorium on commercial wind and solar projects and repeal of the Township Zoning Ordinance pertaining to solar energy facilities. Staff summarized his report advising Commissioners to take no action on the proposed amendment. (see the staff report).

Comm. Bolton made a motion, seconded by Comm. Dersham, to concur with the staff advisement to take no action on the proposed amendment. *The motion passed unanimously.*

b. **Consideration of PA 116 Farmland Agreement(s).**

- (1) **#23-01 | Adrian Township.** Commissioners reviewed an application for a parcel (ID #AD0-103-4705-00) totaling 73 acres and located in Section 2 (T6S-R3E) of the Township. Staff summarized his memo and advised Commissioners to recommend approval of the agreement (see the staff report).

Comm. Dillon made a motion, seconded by Comm. Bolton, to concur with the staff advisement to recommend approval of the PA 116 agreement to the Adrian Township Board (see the staff report). *The motion passed unanimously.*

**Consideration of Master Plan(s).** None.

Item 6 **Other Business.**

a. **Old Business.** None.

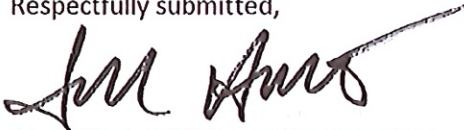
b. **New Business.** None.

Item 7 **Public Comment.** None.

Item 8 **Commissioner Comment.** None.

Item 9 **Adjournment.** The meeting adjourned at 6:35 pm.

Respectfully submitted,



Jacob Hurt, LCPC Recording Secretary





# Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)  
120 W. Michigan Avenue • Jackson, MI 49201  
Phone (517) 788-4426 • Fax (517) 788-4635

## Coordinated Zoning Report | #23-05

**To:** County Planning Commissioners  
**From:** Jacob Hurt, R2PC Executive Director  
**Date:** March 16, 2023

**Proposal:** The rezoning of property in Raisin Charter Township

### Request

The subject property is proposed for rezoning to a 'Multiple Family Residential (RM-1)' district, from an 'Agricultural (A-1)' district.

### Purpose

The Rezoning Worksheet Form states that the purpose of the proposed change is for construction of a 16-unit multiple-family dwelling, which is a Permitted Use (section 5A.20.3) in the Multiple Family Residential (RM-1) district, of the Raisin Charter Township Zoning Ordinance.

### Location and Size of the Property

The subject property (RA0-103-2200-00) is located in Section 3 (T6S-R4E) of Raisin Charter Township, on the west side of Rogers Highway. The subject parcel has an area of approximately 5.72 acres. The proposed rezoning to RM-1 is for the western 3.53 acres of the subject property.

### Land Use and Zoning

- **Current Land Use** – The parcel is currently zoned Agricultural (A-1) with a day care center operating on the eastern 2.18 acres as a conditional use in the A-1 district, fronting Rogers Highway. Single-family residential uses are located to the north and south of the property, agricultural uses are located to the east and vacant industrial (Raisin River) uses are located to the west.
- **Future Land Use** – Raisin Charter Township has a future land use map in its 2021 Master Plan that recommends residential use for this property.
- **Current Zoning** – The subject parcel is currently zoned 'Agricultural (A-1)'. Township properties on the north, south, east and west sides of the property are zoned 'Agricultural (A-1)'.

### Public Facilities and Environmental Constraints

- **Public Road/Street Access** – The subject property is on the west side of Rogers Highway.
- **Public Water and Sewer** – Municipal sewer and water services are not available according to the Township.
- **Environmental Constraints** – High voltage overhead power lines present an environmental constraint for the site.

## Analysis and Recommendation

**Township Planning Commission Recommendation** – The Raisin Charter Township Planning Commission unanimously disapproved the rezoning at their 2/14/2023 meeting.

**LCPC Staff Analysis and Advisement** – Although residential uses (single family) border the subject property to the north and south, the proposed rezoning of

3.53 acres of the subject property to multiple family residential is not the highest and best use of the subject parcel. The 50' hard surface drive, on the site survey, showing vehicular access to the proposed multi-family use appears to utilize a Consumers Energy easement with no apparent documentation from Consumers Energy stating their acceptance of this arrangement. Additionally this development will likely increase traffic along Rogers Highway

and appears to necessitate an additional curb cut along the road. The overhead high voltage power lines present an environmental concern, in particular with a proposed rezoning to residential. This project would be better suited in a more densely populated area served by existing utilities and without the constraints of the proposed site. Based upon this analysis, staff advises the Lenawee County Planning Commission to recommend **DISAPPROVAL** of the proposed rezoning to 'Multiple Family Residential (RM-1) to the Raisin Charter Township Board.

### Recommended Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS/MODIFICATIONS**
- (4) Take **NO ACTION**

### Attachment(s):

- Background information provided by Raisin Charter Township and LCPC staff.





Info

RA0-103-2200-00

Zoom

Tax Parcels  
Tax Parcel Fields

Tax ID	RA0-103-2200-00
Liber/Page	2650-441
Owner 1	STEPPING STONES LEARNING CENTER LLC
Owner 2	
Prop Address	6840 ROGERS HWY
Prop Address Note	
Prop Address City	TECUMSEH
BSA Link	<a href="#">View</a>
Acre Calc	5.719
Acre Rec	5.720
Gov Unit	RA0
Tax Unit	RA0

200 ft



## ZONING AMENDMENT FORM



### LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE RAISIN CHARTER TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

**A. DISTRICT BOUNDARY CHANGE (REZONING):**

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

(SEE ATTACHED) PART OF PARCEL PA0-103-2200-00, APPROX.  
3.53 ACRES, SECTION 3.

1. The above described property has a proposed zoning change FROM AGRICULTURAL (AG-1) ZONE TO MULTIPLE FAMILY RESIDENTIAL (RM-1) ZONE.
2. PURPOSE OF PROPOSED CHANGE: CONSTRUCTION FOR A 16-UNIT MULTIPLE-FAMILY DWELLING

**B. ZONING ORDINANCE TEXT AMENDMENT:**

The following Article(s) and Section(s) is amended or altered: ARTICLE \_\_\_\_\_ SECTION \_\_\_\_\_  
The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.) \_\_\_\_\_

- C. PUBLIC HEARING on the above amendment was held on: month 2 day 14 year 2023
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month 1 day 24 year 2023  
(Notice must be provided at least fifteen days prior to the public hearing.)
- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: THE MORRIS TELEGRAM

The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to ☐ APPROVE or ☒ DISAPPROVE.

LAURA VAN SICKLE ☐ Chair or ☒ Secretary 2 / 14 / 2023 (enter date)

**LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_
2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:  
☐ Recommends APPROVAL of the zoning change  
☐ Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.  
☐ Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.  
☐ Takes NO ACTION.

\_\_\_\_\_, Recording Secretary \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (enter date)

**TOWNSHIP BOARD ACTION:**

1. Date of Meeting: month \_\_\_\_\_ day \_\_\_\_\_ year \_\_\_\_\_
2. The \_\_\_\_\_ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment ☐ PASSED, ☐ DID NOT PASS, or was ☐ REFERRED ANEW to the Township Planning Commission.

\_\_\_\_\_  
Township Clerk



LCPC Case #: \_\_\_\_\_  
(For LCPC Use Only)

## REZONING WORKSHEET FORM



### LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit with the "Zoning Amendment Form" for a district boundary change (rezoning), not a text amendment.

Township of: RAISIN Township Case #: \_\_\_\_\_

Township official we may contact: DALE WITT Phone #: (517) 260-8873

Applicant: DJW DEVELOPMENT Phone #: (517) 206-5249

Rezoning Request: From: AGRICULTURAL (AG-1) To: MULTIPLE FAMILY RESIDENTIAL RM-1

Property Location: Section(s): 3 Quarter Section(s): ☐ NW ☒ NE ☐ SW ☐ SE

Legal Description and/or Survey Map/Tax Map (please attach) ☒ Yes ☐ No (Please do not use only the Parcel ID Number)

Parcel Size (if more than one parcel, label "A" - "Z"): PART OF PARCEL RAO# 103-2200-00,  
APPROX. 3.53 ACRES

Please attach location map ☒ Yes ☐ No

What is the existing use of the site? DAY CARE CENTER (CONDITIONAL USE IN  
AGRICULTURAL ZONED DISTRICT)

What is the proposed use of the site? CONSTRUCTION FOR A 16-UNIT MULTIPLE-FAMILY  
DWELLING (PART ON SITE - 3.53 ACRES)

What are the surrounding uses (e.g.: agriculture, single-family residential, highway commercial, etc.)?

North: SINGLE FAMILY RESIDENTIAL South: SINGLE FAMILY RESIDENTIAL

East: AGRICULTURAL West: VACANT INDUSTRIAL (RAISIN RIVER)

What are the surrounding Zoning Districts?

North: AGRICULTURAL (AG-1) South: AGRICULTURAL (AG-1)

East: AGRICULTURAL (AG-1) West: AGRICULTURAL (AG-1)

What is the suggested use of the site on the Township's Land Use Plan map? RESIDENTIAL (2021 MAP)

Is municipal water currently available? ☐ Yes ☒ No Will it be made available? ☐ Yes ☒ No If yes, when? \_\_\_\_\_

Is municipal sewer currently available? ☐ Yes ☒ No Will it be made available? ☐ Yes ☒ No If yes, when? \_\_\_\_\_

Does the site have access to a public street or road? ☒ Yes ☐ No If yes, name ROGERS HWY.

Are there any known environmental constraints on the site? ☒ Yes ☐ No

☐ Wetland(s) ☐ Floodplain(s) ☐ Brownfield(s) ☐ Soil(s) ☒ Other (please specify) OVERHEAD HIGH  
VOLTAGE LINES

Please attach the minutes of the Planning Commission.

☒ Yes, the minutes are attached. ☐ No, the minutes are not attached.

Please attach copies of any reports, exhibits or other documented provided to the Planning Commission.

☒ Yes, copies of documentation are attached. ☐ No, copies of documentation are not attached.

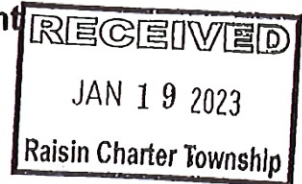
Please attach any public comments, letters, or petitions.

☒ Yes, public comments are attached. ☐ No, public comments are not attached.

Please include any additional information or comments as an attachment.

Application for Rezoning/Land Use Plan Amendment  
CHARTER TOWNSHIP OF RAISIN  
5525 OCCIDENTAL HWY  
TECUMSEH, MI 49286

Phone: 517-423-3162 Fax: 517-423-6732



Date Received: 1-18-2023  
By: D. WITT  
Fee Paid: \$ 650.00

1 Petitioner: Brenda Durillo  
Mailing Address: DTJ Development  
4763 Holloway rd Adrian, MI 49221

Phone Number: 517-206-5249 Fax Number: 972-510-3367

2 Are you the Owner of the property involved: Yes: \_\_\_\_\_ No: X

3 State your interest in the property (land contract, purchase agreement etc.)  
purchase agreement pending zoning approval

4 State briefly the proposed Zoning Amendment or Change: Zoning Change from AG-1  
to Multifamily zoning RM-1

5 State the reasons for seeking the Amendment or Change and the proposed use and/or structures to be placed on the property: Proposed 16 unit Multifamily  
development to be constructed (reference site plan)

6 Briefly describe the property being considered and give the general location: 3.53 acre parcel behind Learning Center located at 6840 Rogers Hwy  
(Reference site plan)

7 List the parcel numbers (RAO Number) involved in this request: TBD, Parcel to be split off of 6840 Rogers Hwy, pending  
zoning approval

8 Attach the legal property description: Attached ✓

9 Attach a sketch plan of the area involved showing adjoining streets: Attached ✓

10 The applicant shall submit or attach any other information requested or may include any additional information that will assist in reaching an equitable decision. Attached ✓

I, the undersigned, acknowledge that approval of this Rezoning Application by the Raisin Charter Township Board constitutes an agreement to comply with Raisin Charter Township ordinances.

Applicant's Signature: Brenda Durillo Date: 1-17-23



COPY

### Specific Power of Attorney

BE IT ACKNOWLEDGED that I, Brenda Dennis Owner of  
Stepping Stones Learning Center LLC, the undersigned, do hereby grant a limited and  
specific power of attorney to DJW Development LLC of  
1640 Winding Creek Lane as my attorney-in-fact  
Rockwall, TX 75082 (972)-510-3367

Said attorney-in-fact shall have full power and authority to undertake and perform  
only the following acts on my behalf:

I. Rezoning and land split for 6840 Rogers Hwy

The authority herein shall include such incidental acts as are reasonably required to  
carry out and perform the specific authorities granted herein.

My attorney-in-fact agrees to accept this appointment subject to its terms, and agrees  
to act and preform in said fiduciary capacity consistent with my best interest, as my  
attorney-in-fact in its discretion deems advisable.

This power of attorney is effective upon execution. This power of attorney may be  
revoked by me at any time, and shall automatically be revoked upon my death, provided  
any person relying on this power of attorney shall have full rights to accept and reply  
upon the authority of my attorney-in-fact until in receipt of actual notice of revocation.

Signed this 20<sup>th</sup> day of Nov, 2023

Brenda Dennis  
Signature

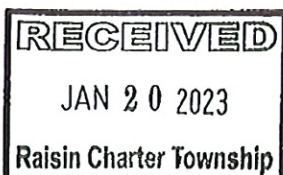
State of MICHIGAN County of LENAWEE

the foregoing instrument was acknowledged before

on this 20 day of JANUARY, 2023

by Mr MICHAEL J. BROOKS

Michael J. Brooks  
Notary Public Signature



COPY



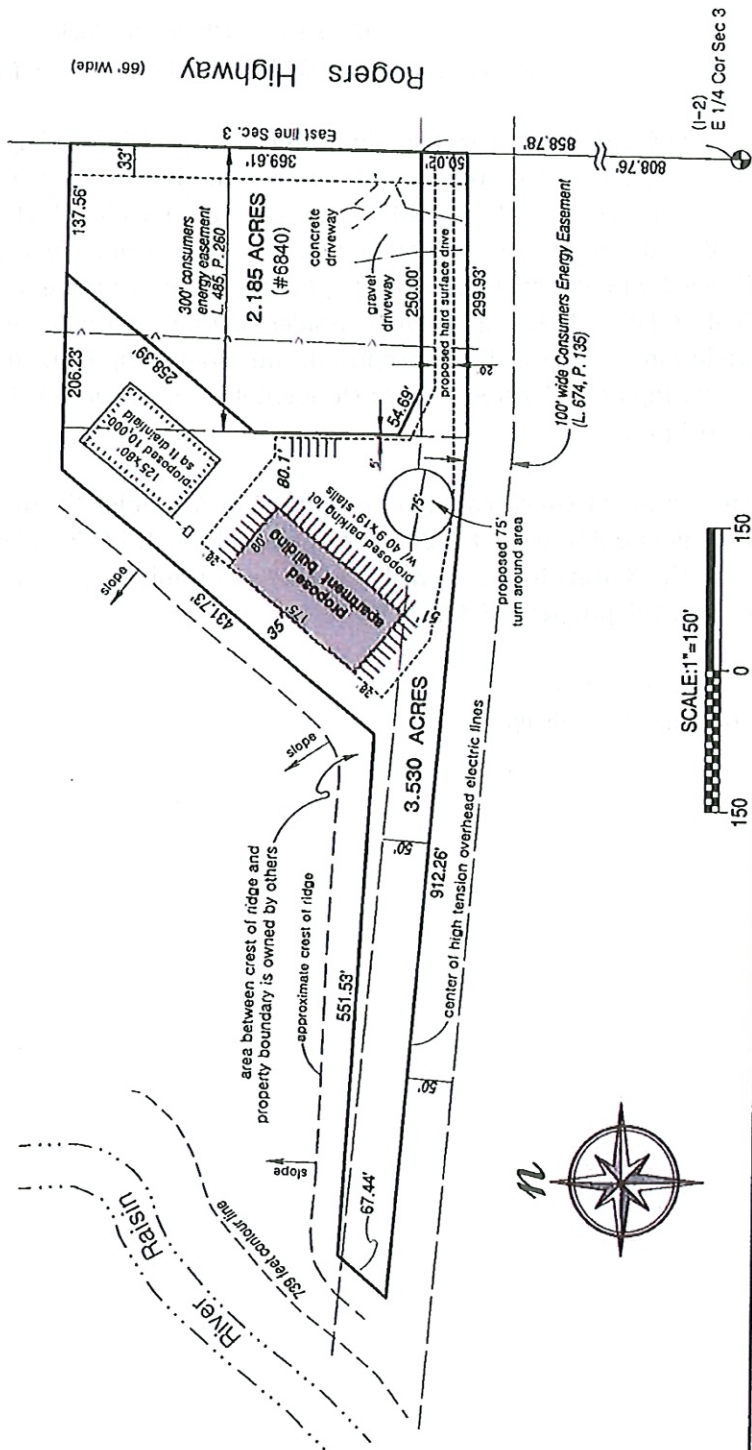




# SITE PLAN

Description of a 3.530 Acre Parcel of Vacant Land situated in Raisin Township, Lenawee County, Michigan, being a part of the Northeast 1/4 of Section 3, Town 6 South, Range 4 East, further described by Michael J. Bartolo, Professional Surveyor, as commencing at the East 1/4 Corner of Section 3; thence North 01°01'15" East, 808.76 feet (Recorded as 808.47 feet) along the East line of Section 3 (centerline of Rogers Highway) for a point of beginning; thence continuing North 01°01'15" East, 50.02 feet along said line and said highway; thence South 89°29'23" West, 250.00 feet; thence North 63°18'57" West, 54.69 feet; thence North 00°34'13" East, 151.98 feet; thence North 40°05'09" East, 258.39 feet; thence North 88°58'45" West, 206.23 feet; thence South 40°05'05" West, 431.73 feet; thence North 86°40'05" West, 551.53 feet; thence South 40°36'31" West, 67.44 feet (Recorded as South 40°28'01" East, 67.65 feet); thence South 85°02'14" East, 912.26 feet; thence North 89°29'23" East, 299.93 feet to the point of beginning. Contains 3.530 Acres, more or less. Subject to highway, easements, and restrictions of record.

Description of a 2.185 Acre Parcel of Land situated in Raisin Township, Lenawee County, Michigan, being a part of the Northeast 1/4 of Section 3, Town 6 South, Range 4 East, further described by Michael J. Bartolo, Professional Surveyor, as commencing at the East 1/4 Corner of Section 3; thence North 01°01'15" East, 858.78 feet along the East line of Section 3 (centerline of Rogers Highway) for a point of beginning; thence continuing North 01°01'15" East, 369.61 feet along said line and said highway; thence North 88°58'45" West, 137.56 feet; thence South 40°05'05" West, 258.39 feet; thence North 00°34'13" East, 151.98 feet; thence South 63°18'57" East, 54.69 feet; thence North 89°29'23" East, 250.00 feet to the point of beginning. Contains 2.185 Acres, more or less. Subject to highway, easements, and restrictions of record.



131 E. FRONT STREET  
ADRIAN, MICHIGAN 49221-2726  
PHONE: (517) 265-6887  
FAX: (517) 263-6021  
E-MAIL: BARTOLOSURVEYING@YAHOO.COM

CLIENT:  
DJW DEVELOPMENT LLC

JOB NO: 2301001

DATE: JANUARY 3, 2023

This plan is only a sketch of property intending to represent proposed improvements or divisions. All dimensions can change subject to a boundary survey. No property corners have been set nor any survey work performed on the above plan of land.

**THIS IS NOT A BOUNDARY SURVEY**

NOTICE OF PUBLIC HEARING  
RAISIN CHARTER TOWNSHIP PLANNING COMMISSION

The Raisin Charter Township Planning Commission will be holding a Public Hearing on February 14, 2023 at 6:30 P.M. for the purpose of a rezone request for property owned by Stepping Stones Learning Center LLC, 6840 Rogers Hwy., Tecumseh, MI 49286. A portion of the parcel # RA0-103-2200-00 located at 6840 Rogers Hwy., approximately 3.53 acres, is being requested by DJW Development, 4763 Holloway Rd., Adrian, MI 49221 to be rezoned from currently Agricultural (A-1) to Multiple Family Residential (RM-1). The requested rezone is for a 16 unit multiple-family dwelling being proposed. The zoning map / land use plan may be examined at the township office located at 5525 Occidental Hwy., Tecumseh, MI 49286 anytime M – Th from 8 am to 4 pm.

Anyone wishing to make comment may do so by attending the meeting at the Raisin Community Center located at 3266 Gady Rd., Adrian, MI 49221. Comments may also be sent by letter to the Raisin Charter Township Planning Commission, 5525 Occidental Hwy., Tecumseh, MI 49286. Telephone: 517-423-3162

Dale Witt, Treasurer  
Raisin Charter Township  
1T



OWNER UNKNOWN  
11110 TECUMSEH-CLINTON RD  
CLINTON, MI 49236

RA0-103-2290-00

KREBS, JOHN C  
6903 ROGERS HWY  
TECUMSEH, MI 49286

RA0-102-1050-00

GRAYER, SHELLIE A  
6835 ROGERS HWY  
TECUMSEH, MI 49286

RA0-102-1540-00

SMITH, SAM & LEANN  
11110 TECUMSEH-CLINTON HWY  
CLINTON, MI 49236

RA0-103-2300-00

GRAVES, JANICE K  
4678 COMFORT RD  
TECUMSEH, MI 49286

RA0-103-2450-00

STEPPING STONES LEARNING CENTER LLC  
6840 ROGERS HWY  
TECUMSEH, MI 49286

RA0-103-2200-00

KREBS, JOHN C  
6875 ROGERS HWY  
TECUMSEH, MI 49286

RA0-102-1520-00

DJW Development  
4763 Holloway Rd  
Adrian MI 49221

KREBS, JOHN C  
6903 ROGERS HWY  
TECUMSEH, MI 49286

RA0-102-1560-00

SMITH, JARED  
11110 TECUMSEH-CLINTON HWY  
CLINTON, MI 49236

RA0-103-2100-00

MITCHELL, CYNTHIA I  
6904 ROGERS HWY  
TECUMSEH, MI 49286

RA0-103-2250-00

mailed 1/24/23

DANLEY FAMILY TRUST  
4540 COMFORT RD  
TECUMSEH, MI 49286

RA0-103-2350-00

GRAVES, JANICE K  
4678 COMFORT RD  
TECUMSEH, MI 49286

RA0-103-2425-00

MITCHELL, CYNTHIA I & JOHN G  
6904 ROGERS HWY  
TECUMSEH, MI 49286

RA0-103-2475-00







RAISIN CHARTER TOWNSHIP  
RAISIN COMMUNITY CENTER

3266 GADY ROAD  
ADRIAN, MI. 49221  
517-423-3162

PLANNING COMMISSION MEETING

February 14, 2023

6:30 PM

AGENDA

---

CALL TO ORDER

APPROVAL OF AGENDA

APPROVAL OF MINUTES – December 13, 2022

PUBLIC COMMENTS - Please limit comments to (3) minutes

PUBLIC HEARINGS: DJW Development – Application for Rezoning a portion of parcel #RA0-103-2200-00

COMMUNICATIONS:

1. TOWNSHIP BOARD
2. BOARD OF APPEALS
3. OTHER

UNFINISHED BUSINESS:

1. Ordinance Revisions

NEW BUSINESS:

1. DJW Development – Application for Rezoning a portion of parcel #RA0-103-2200-00

PC Commissioners Comments:

ADJOURNMENT:

Meeting agenda posted on the door of Raisin Charter Township office, and the Raisin Charter Township web site @ [www.raisinchartertownship.com](http://www.raisinchartertownship.com).

Americans with Disabilities Act (ADA) Notice

This notice is posted in compliance with Public Act 267 of 1976, as amended, the open meetings Act, MCL 41.72a, and the Americans with Disabilities Act. The Raisin Charter Township will provide necessary reasonable aids and services to individuals with disabilities at the meeting upon seven (7) days' notice to the Raisin Township Board by writing or calling: Raisin Charter Township, 5525 Occidental Hwy., Tecumseh, MI. 49286. Telephone: 517-423-3162.

Raisin Charter Township  
Minutes of Planning Commission 02/14/2023  
Submitted by Laura VanSickle

McNamara called the Raisin Township Planning Commission meeting to order at 6:30 p.m.

**Members Present:** Laura VanSickle, Dale Witt, Mike Bartolo, Mark Spohr, Marcus McNamara

**Members Absent:** None

**Others Present:** DJW Development (Dove, Dreyson Waynick), Michael Brooks, area residents

**Roll Call:**

McNamara - here

Witt - here

Spohr - here

Bartolo - here

VanSickle - here

**Approval of Agenda**

Motion to approve the agenda as presented by Bartolo, Witt support.

Motion unanimously carried.

**Minutes – December 13, 2022 minutes**

Motion to approve the December 13, 2022 minutes by McNamara, Spohr support.

Motion unanimously carried.

**Public Comment – None**

**Public Hearing – DJW Development – Rezoning Application Parcel RAO-103-2200-00**

**Opened Public Hearing at 6:33 p.m. by Witt, Bartolo support.**

**Roll Call:**

McNamara - yes

Witt - yes

Spohr - yes

Bartolo - abstaining

VanSickle - yes

**McNamara gave the guidelines for the Public Hearing for everyone in the audience.**

DJW Development gave a slide-presentation of the Rogers Highway Multi-Family Development. Mike Brooks, Attorney, office in Tecumseh. 1. Price point for the apts. is \$1,800 month. 2. Provide housing availability in the area. Tecumseh Township housing study funding. We all live here, and we know there is a need for housing. This location butts up next to a child care facility and to Bonner

Farms. These types of concerns have been answered by another development. Comparing apartments in Raisin Township to Tecumseh Township is not a relative comparison.

McNamara mentioned that this Public Hearing is relevant to the re-zoning. The rezoning runs with the land. It would require a lot split to separate the day care and that would be a separate compartment. The site plan would be another set of meetings.

Comments from those in attendance:

Gary Fairbanks, 4733 Comfort Road. My family has lived on the property since 1927. Nobody wants a 2-story apartment complex. There is a river bank and that is not a safe place for kids. Now you want to put 16 families, parking, septic, and it is going to look horrible. Never thought we would be putting a rental building in the area. This belongs in the city where you get city water and sewer. It would look nice in the proper place.

John Mitchell, 6904 Rogers Hwy. At one time I owned this property. Dangers with the woods and kids and the wetlands surrounding the area. The other side of the hill is his property and drains into the property. Traffic on Rogers Highway is awful. To put in 30+ cars and buses in the area, would not be good.

Katie Fairbanks, 4733 Comfort Road. Is only having one entrance for this facility going to be meeting the fire code? How long is our water table going to support this before our wells go dry? How can anyone give us data to that the water table be sustainable?

Brenda Dinius, 6580 Green Hwy., Owner Day Care Center. Center has a lot of families going in and out of the Center daily. Issues with the back property, her kids play back there and the nature trail is back there and there has never been any accidents. Water problem we have irrigation and have never had problems.

Cynthia Mitchell, 6904 N. Rogers Hwy. Original 60 acres, large building houses, stick built. The property has been hunted in the woods. The body found recently, was found in the swamp.

Jan Graves, 4678 Comfort Road. My property backs up to Center. Agrees with Fairbanks. How does this fit into the mission statement of Raisin Township. Consumers Energy has come in and taken out agricultural and nature. Why do we have a mission statement if we are just going to ignore it?

Cynthia Mitchell. Not good internet service. You are going to put in 16 families and how are they going to get service. Frontier serves this area, and it is awful.

Sam Smith, Tecumseh Road. He has 40 acres with trail cameras up. There are trespassers out there all the time. Cannot see adding 16 families to this.

Witt mentioned there were 7 applicants that signed the submitted letter of opposition that was received at the Township.

McNamara closed the public hearing at 7:00pm motioned by Spohr, Bartolo support.



**Roll Call:**

McNamara - yes

Witt - yes

Spohr - yes

Bartolo - yes

VanSickle – yes

Motion carries

**Communications –**

1. Township Board – The Board met on 2/13/2023. Approved land split, rezone for Gerken Materials (R1toA1). Increased cemetery fees, approved purchasing a new zero-turn mower.
2. Board of Appeals – met last week and going to have quarterly meetings.
3. Other – Park Committee not meeting. Grant is almost ready for submittal.

**Unfinished Business**

Solar Ordinance Revision to include: Next month Witt will present, if PA116 decommissioning issue is resolved.

**New Business****DJW Development – Rezoning Application Parcel RAO-103-2200-00**

Mike Bartolo, excused himself from this as he was the developmental preparer (Conflict of Interest).

The Public Hearing Notice was published on 1/24/2023 in the Telegram for this Public Hearing.

McNamara the decision for this meeting is for the re-zoning application for the property requested. The applicant is required to meet all the requirements for a re-zone proposal.

Concerns with the feasibility of the driveway use and the road commission with another curb cut there added? No information was provided by the applicant.

Future Land Use Plan identified residential areas based on soils. We did not differentiate high density residential from other types of residential. Jan Graves, isn't Raisin Township single family dwellings? The Master Plan refers to future land use. Witt, Master Plan and Zone Ordinance are two different plans. Master Plan is a statement of policy. Zoning Ordinance is statement of law. Land Use Plan is drawn up for 15-20 years. All of the uses of the land for a particular zoning district are taken into consideration of the re-zoning. Looking at all of the criteria that goes into the decision, does this parcel meet the criteria for the re-zoning?

Spohr, housing availability in Lenawee County dated 2019. What is the effect in the last year? Population has declined? Sewage?



McNamara, any work with the county sanitary with how the land perks? Applicant, wells are high producing, 80 gallons per minute. Soil and well data map, there is a high ground water. Has been working with the Health Department regarding the septic and wells. We have a team of engineers developed for this project. There is an engineer to design the septic and work with the Health Department on wells.

Drain field accommodate this project. Applicant - we have drain fields to be in 5,000 sq. feet and 2<sup>nd</sup> 5,000 site field back-up.

Gary Fairfield, all of us have lived here 20+ years. Does it matter what we think? This is in the middle of the circle. This project is more suited for the city with access to city water and city sewage. McNamara, this is the process and understands the concerns with the size of the building and re-zoning to a higher density decision.

Witt, appreciates the audience comments. This meeting is not a Site Plan review. We are required to review the re-zone request according to the state law and ordinances and land uses. Can the property be used as currently zoned, agricultural – yes. Is this re-zone appropriate for this area?

The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

**Questions to consider:** In reviewing all of the uses that may be permitted in the new district, are there any characteristics of the use that could adversely affect adjacent uses? Are there traffic, noise or other operational factors that need to be considered? Would these factors interfere with the development of adjacent property, or adversely affect adjacent or nearby development? Would a district that would allow a less intensive use of land be more appropriate but still provide a reasonable use for the property?

This meeting re-zone decision will next go to the Region 2 Planning Commission for their opinion and then to the Township Board for a final decision. Tonight, we are only looking at the re-zone request.

**References:** MTA Planning & Zoning Guides, Master Land Use Plan 2021.

Applicant's attorney would like time to review and address the concerns of the re-zone of site access from Rogers Highway and land split requirements of land geometry.

Applicant, DJW Development, would like to move ahead with the re-zone application tonight. Working with the road commission. Governing with the land split. Working with the health department regarding water.

**Three criteria for re-zoning:** consistency, compatibility, and capability.

McNamara, the RM-1 being the higher density than R-1. That was not developed as part of the plan and the level of detail on our analysis. Master Plan supports RM-1 has more supporting aspects.

Spohr, traffic.? McNamara this is capacity. This depends on lots of details. This project does align with

the curb cut on Rogers Highway.

McNamara, the re-zone application may be consistent.

RMH Zoning District is another level of zoning. Each use under the new re-zoning. If there is differences that relate to the site plan, there are regulatory processes that have to be followed.

The density factor for this project site, the location of the project, the environmental impacts, makes it tough. Re-zoning of a parcel has different characteristics. Property specific characteristics that would or not accommodate the RM-1 standards?

Spohr, regarding the Master Plan and R-1 and RM-1, if Master Plan were reviewed again today, would adjust them differently? McNamara, maybe the frontage to a main road. Define the criteria. Witt, Master Plan is just a policy and a guide. As we developed this, district uses fall under different types of residential.

Re-zone runs with the land, not the applicant and you want to look at all of the uses. There possibly are places better suited for this development. Doesn't appear to meet the 3 standards for approving a re-zone.

Infrastructure concerns, RM-1 density. Adequate well and septic in relationship to wet lands, and other area parcels.

Site is unique enough and site plan, wet land, utilities, traffic, re-zone to a higher density doesn't meet the standards.

Planning Commissioners reviewed and discussed criteria for this re-zone request. Summary:

1. Consistency Standard: RM-1 was not specifically contemplated in the future land use plan. That is a higher density than the surrounding parcels. Low density residential zoning may be appropriate for this area/parcel, but higher density residential is not.
2. Compatibility Standard: There are uses allowed under RM-1, which are not compatible with the low density residential in the area. High density residential and institutional uses such as Libraries are two examples.
3. Capability Standard: The site is capable of being utilized under the current zoning. The more intense zoning presents concerns with the availability of utilities, site access/traffic, and impact to the unique natural features and topography of the site.

**Motion to recommend to approve the re-zone application by DJW Development from Agricultural (A-1) to Multiple Family Residential (RM-1) for part of Parcel RAO-103-2200-00 located at 6840 Rogers Highway by McNamara, Spohr support.**

**Roll Call:**

**McNamara – No**

**Witt – No**



**Spohr – No**  
**VanSickle – No**  
**Bartolo- abstaining**

**Motion fails unanimously.**

**Commissioners Comments**

**Witt – thanked everyone who attended and the applicant.**

**McNamara – thanked the residents and the applicant.**

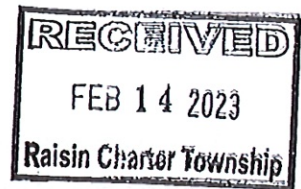
**Motion to adjourn at 8:08 pm McNamara, Spohr support.**

**Motion carried unanimously.**

SIGN IN FOR PC MEETING 2/14/2023

[illegible]





Dear Members of the Township Planning Commission,

I am writing to express my strong opposition to the proposed construction of an apartment building in our community. I do not believe parcel, # RAO-103-2200-00, located at 6840 Rogers Hwy should be rezoned to Multiple Family Residential. As a resident of this area for many years, I have a deep appreciation for the character and quality of life that our neighborhood provides, and I am deeply concerned about the impact that this proposed development would have on our community.

The proposed apartment building would be located in a small residential area and would significantly increase the density of the neighborhood, leading to increased traffic, noise, and light pollution. Additionally, the area already has a busy daycare located directly in front of the proposed apartment complex, which will further add to the congestion of the country setting of our homes. This proposed building would negatively impact the quality of life for current residents.

I understand there may be a need for new housing in our community, but I firmly believe that this proposed development is not an appropriate solution. Instead, I would like to see the Township Planning Commission consider alternative solutions that are better suited to the needs of our community, such as single-family homes or other areas that are already properly zoned for apartment buildings. These alternative solutions would better align with the character and values of our neighborhood and would have a much lower impact on our quality of life.

Furthermore, after reviewing the Raisin Township Master Plan 2021 Edition, I find that this proposed rezoning request contradicts some aspects of the Master Plan. It is clear that Raisin Township values its long history of caring for the rich farmland and rural life. The Master Plan highlights the protection of those values. The following statements are taken from the Master Plan:

**The plan must realistically provide sufficient land area to meet the anticipated needs and demands of residents and businesses, while at the same time protecting the overall quality of life and the physical environment.**

**The plan must be the result of a general consensus of the community. Community Survey: rankings from '0' to '10' and scores of '0' to '4' = 'low support', '5' to '7' = medium support', and '8' to '10' = 'high support'.**

***How important is it to you to permit apartment use along major highway corridors? Score of 3***

***How important is it to you to preserve "rural" character? Score of 7***

***Zoning is intended to protect or enhance my property value. Score of 7***

**Environmental Impact. The master plan (as a reflection of the intensity of land use) should reflect the degree to which Raisin Charter Township desires to protect its environment and natural features**

**The natural resources available in Raisin Charter Township shape the type and manner of development that may occur in the community. Those resources can also shape its overall identity. At the same time, land development can dramatically affect natural features. Because of this, the natural assets that the Township contains should be considered in long-range planning and when reviewing specific site plans.**

**Mission Statement Require Township development to maximize the efficiency of community resources and to preserve agriculture and open space.**

**Goal. Be proactive, as well as reactive, regarding the protection of the Township's rural character and protecting the natural/built environment.**

**Review development proposals through the lens of preserving rural character and protecting the natural/built environment.**

**Maintain scenic views along major thoroughfares by limiting the size and location of development.**

**Require traditional apartments and manufactured home communities to be located on major thoroughfares in densely populated portions of the Township, with access to needed infrastructure and other community amenities.**

**The potential for high-density residential development (e.g., manufactured housing developments, apartment complexes) is likely limited, making multiple residential designation unnecessary.**



In conclusion, I strongly urge the Township Planning Commission to reject the proposal for the rezoning of Agricultural to Multiple Family Residential and deny the construction of an apartment building in our community. I believe this development would have a negative impact on our neighborhood and would undermine the quality of life that we all value so highly. Thank you for your consideration of my views on this important matter.

Sincerely,

Marc + Melinda Danley  
4540 Comfort Rd.

Judy Hill  
4605 Comfort  
Tecumseh, Mich

John + Cynthia Mitchell  
6904 Rogers Hwy.  
Tecumseh, MI 49286

John + Ruth  
6903 Rogers Hwy  
Tecumseh MI 49286

Gary + Katherine Fairbanks  
4433 Comfort Rd.  
Tecumseh MI 49286

Janice + Graves  
4678 Comfort Rd.  
Tecumseh MI 49286

Gordon Comfort  
4678 Rogers Hwy  
Tecumseh

Marc + Melinda Danley  
John + Cynthia Mitchell  
John Krebs  
Gary + Katherine Fairbanks  
Janice Graves  
Gordon Comfort  
Judy Hill

**Dale Witt**

---

**From:** Jan Graves <gravesjd@frontier.com>  
**Sent:** Wednesday, February 15, 2023 10:00 AM  
**To:** treasurer@raisintownship.com  
**Subject:** Please add to Zoning Change Request folder for 6840 Rogers Hwy  
**Attachments:** JGravesZoningComments.pdf

Dale,

I have attached the file I just spoke with you about a little while ago.

Thank you,  
Jan Graves

*REVID. AFTER  
PC MTG.  
Jan*



4678 Comfort Rd  
Tecumseh MI 49286  
February 14<sup>th</sup>, 20223

To: Raisin Township Zoning Board  
Re: Request to rezone 6840 Rogers Hwy

I have lived in Raisin Township since 1998. First on Sutton Rd next to the building where the USDA is located. That was an ok location since I worked at LISD. But when the new subdivision went in down the road it quickly turned into a location we wanted to get away from.

Suddenly there was a plethora of critters in our yard that had been displaced by the work on the land. Woodchucks ate my flowers and burrowed under the deck and front porch. Skunks were in abundance and used our deck as though it was their own. And raccoons got into everything including the nest of turtle eggs by the garage. The real clincher was when people moved into the new houses. It gets to be an old story fast when you have to wait ten minutes to get out of your driveway in the morning or back in at night. It was time to move.

We found the property on Comfort Rd in 2008 and fell in love with it – the property – not so much the house. It was just what we wanted. A quiet, dead end road, a woods for my bird watching and plenty of open spaces for Eastern Bluebirds to find insects (I put boxes up to attract them each year.) There was also room for milkweed for the Monarchs I raise. When the lot beside of us went up for sale we purchased that. We intended to plant it to native grasses and flowers. But my husband got sick and I lost him before that happened.

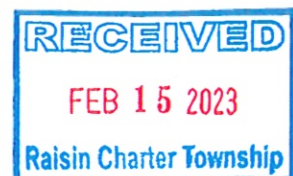
The Raisin Township Mission Statement reads: Require Township development to maximize the efficiency of community re-sources and to preserve agriculture and open space. Preserve agriculture and open space – isn't this rezoning request just opposite of what the mission statement states? Why would you want to tear down more of the woods, construct a place for over 32 people to live, put in a drain field large enough to accommodate that many people, put in wells for that many people and pollute more of that open space with asphalt? All of that will totally ruin the agriculture and open space there. Chemicals will be sprayed on the yard for weeds and in the air for insects. Our nice country setting will disappear.

Please consider those of us who have lived on Comfort Rd for many years and keep our homes and yards in nice shape. Do not move renters in next door to bring down the value of our property. We work hard to keep the value you up and you keep raising our taxes so you must think we are doing so. And do not tell me it won't bring down property values. I sell real estate. I know the effect rental properties have on a neighborhood.

I vehemently object to this request.

Sincerely,

*Janice K Graves*  
Janice K Graves



## ARTICLE VA

### RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICT

#### SECTION 5A.10      PURPOSE:

The RM-1 District is designed to permit a more intensive residential use of land. These areas would be located near County Primary Roads for good accessibility and between single-family residential areas and other non-residential uses. Various sizes of residential accommodations for ownership or rental, would thereby be provided to meet the needs of the different age and family groups in the community.

#### SECTION 5A.20      PERMITTED USES:

The following uses are permitted in all RM Districts:

- 5A.20.1      All permitted uses in the R-1 District subject to the terms and conditions provided therein.
- 5A.20.2      Two-family dwellings.
- 5A.20.3      Multiple-family dwelling units including apartments and row dwellings.
- 5A.20.4      Accessory uses and buildings customarily incidental to the above permitted uses.
- 5A.20.5      Signs as provided in Article IX of this Ordinance.
- 5A.20.6      Home occupation subject to Section 2.20.42.

#### SECTION 5A.30      CONDITIONAL USES:

The following conditional uses are permitted in this District subject to obtaining a Conditional Use Permit as provided in Article X of this Ordinance and requiring a Site Plan Approval as provided in Article IX, Section 9.90 of this Ordinance.

- 5A.30.1      Housing for the elderly. All housing for the elderly shall be provided as a planned development consisting of at least one (1) acre in area and may provide for the following:
  - 1.      Cottage type dwellings and/or apartment type dwelling units.
  - 2.      Common services containing but not limited to central dining rooms, recreational rooms, central lounge, and workshops.
  - 3.      All dwellings shall consist of at least three hundred and thirty (330) square feet per unit (not including kitchen and sanitary facilities).
  - 4.      Total coverage of all buildings (including dwelling units and related service buildings) shall not exceed thirty (30) percent of the total site exclusive of any dedicated public right-of-way.



- 5A.30.2 Reserved for future use.
- 5A.30.3 Private clubs and lodges, subject to Section 10.70.15.
- 5A.30.4 Rental hall facilities, subject to Section 10.70.15.
- 5A.30.5 Churches
- 5A.30.6 Schools

**SECTION 5A.40 SITE PLAN REVIEW:**

For all permitted and conditional uses a Site Plan shall be submitted in accordance with Section 9.90.

**SECTION 5A.50 DIMENSIONAL REQUIREMENTS:**

In accordance with Section VIII.

ARTICLE V  
R-1 RESIDENTIAL DISTRICT

SECTION 5.10      PURPOSE:

This District is intended for suburban residential use in the township in areas where the predominant land use is single-family non-farm dwellings. This District should be limited to those areas having suitable soil for septic tank operation and sufficient ground water potential for individual wells. The provisions of this District are designed to protect and stabilize the essential characteristics of these areas and to promote and encourage a suitable, safe and healthy environment for family life. To these ends, development is restricted to a low density residential settlement, in grouped or cluster form, and consistent with suburban type public facilities and services and public health and safety considerations. Further, the provisions of this District are to prohibit business, commercial and industrial use of land, and to inhibit any other use which would substantially interfere with the development, conservation and continuation of single-family non-farm dwellings in this District.

SECTION 5.20      PERMITTED USES:

The following uses are permitted in all R-1 Districts:

- 5.20.1      Single-family non-farm dwellings and the accessory buildings, structures and uses normally auxiliary thereto.
- 5.20.2      Public libraries.
- 5.20.3      Public parks; public and private schools; nursery, elementary, junior and senior high schools.
- 5.20.4      Any use customarily incidental to and normally auxiliary to the permitted use.
- 5.20.5      Signs as provided in Article IX of this Ordinance.
- 5.20.6      Home occupations subject to Section 2.20.42.

SECTION 5.30      CONDITIONAL USES:

The following conditional uses are permitted in this District subject to obtaining a conditional use permit as provided in Article X of this Ordinance and requiring Site Plan Approval as provided in Article IX, Section 9.90 of this Ordinance.

- 5.30.1      Golf courses, but not including golf-driving ranges subject to Section 10.70.13.
- 5.30.2      Country clubs, swimming pools, and swimming and recreation clubs.
- 5.30.3      Multiple-family rural non-farm dwelling unit structures housing not more than four (4) dwelling units per structure, provided that the Lenawee County Health Department approves the installation of an on-site water well and sewage disposal system, provided further that the lot area shall not be less than two (2) acres and the lot width not less than one-hundred and fifty (150) feet.



- 5.30.4 Churches, subject to Section 10.70.1
- 5.30.5 Reserved for future use.
- 5.30.6 Private clubs and lodges, subject to Section 10.70.15.
- 5.30.7 Rental hall facilities, subject to Section 10.70.15.
- 5.30.8 Schools, operated for private gain.
- 5.30.9 Bed and breakfast facility.

SECTION 5.40      DIMENSIONAL REQUIREMENTS:

In accordance with Article VIII.