

DEXTER TOWNSHIP PLANNING COMMISSION

Resolution for Extension of a Preliminary Site Plan Approval

(18-PC-188) Natures Preserve

A resolution to grant approval of an Extension of a Preliminary Site Plan for a site condominium, submitted by Joseph Dettore, on behalf of Natures Preserve, for property located on the north side of North Territorial between 11966 and 12088 North Territorial, Section 16 of Dexter Township (D-04-16-200-014/015).

- 10) WHEREAS, Joseph Dettore, (*the Applicant*), on behalf of Natures Preserve, pursuant to the provisions of the Dexter Township Zoning Ordinance (*Zoning Ordinance*), submitted an application for Extension of a Preliminary Site Plan (18-PC-188) Natures Preserve on July 27, 2018; and
- 20) WHEREAS, the Applicant, pursuant to the provisions of the Zoning Ordinance, submitted an application for a Preliminary Site Plan (17-PC-183) Natures Preserve on July 21, 2017, which was approved, with conditions, by the Planning Commission on August 22, 2017; and
- 30) WHEREAS, the Applicant, pursuant to the provisions of the Zoning Ordinance, submitted an application for an Open Space Community (17-PC-182) Natures Preserve on July 21, 2017, which was approved, with conditions, by the Planning Commission on August 22, 2017; and
- 40) WHEREAS, the Applicant submitted a 5-page site plan on July 21, 2017, with a last revision date of July 20, 2017, prepared and stamped by Ronald Enger, a licensed professional engineer, which as approved as (17-PC-182) Natures Preserve and (17-PC-183) Natures Preserve, with conditions, by the Planning Commission on August 22, 2017; and
- 50) WHEREAS, the Planning Commission has received reports from Zach Michels (*Dexter Township Director of Planning and Zoning*) dated August 16, 2018, and August 15, 2017; and
- 60) WHEREAS, the Planning Commission has received reports from Donald Dettling (*Dexter Area Fire Department Fire Inspector*) dated August 1, 2018, and August 3, 2017; and
- 70) WHEREAS, the Planning Commission has received a letter from Lloyd Lewis (*Multi-Lakes Water and Sewer Authority*) dated December 22, 2015; and
- 80) WHEREAS, the property is located in an Agriculture (AG) District; and
- 90) WHEREAS, §17.02 of the Zoning Ordinance establishes that the Open Space Community (OSC) District is an overlay district on top of Agriculture (AG) Districts; and

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- 100) WHEREAS, §6.04(C)(1) of the Zoning Ordinance establishes that preliminary site plan approval is valid for a period of twelve (12) months, which would result in the previous approvals becoming null and void on August 21, 2018, unless a final site plan application has been submitted; and
- 110) WHEREAS, §6.04(C)(1) of the Zoning Ordinance establishes that the Planning Commission can extend the time period upon making written findings; and
- 120) WHEREAS, the Planning Commission, at its August 28, 2018, meeting, held a duly-noticed public hearing for extension of a preliminary site plan (18-PC-188) Natures Preserve and received no/~~the~~ following public input; and
- 130) WHEREAS, the Applicant has/~~has not~~ made a good-faith effort to submit a final site plan in a timely manner because:
- a) The original engineer vendor was non-responsive; and
 - b) The applicant has secured a new engineering firm; and
- 140) WHEREAS, the delay in submitting a final site plan ~~was~~ was not a result of the actions of the Applicant because:
- a) The original engineer vendor was non-responsive; and
 - b) The applicant has secured a new engineering firm; and
- 150) WHEREAS, there have been no substantial changes on abutting properties in the previous twelve (12) month period since the approval of (17-PC-183) Natures Preserve that raise concern over the impact of the originally-approved preliminary plan upon those properties because:
- a) There is no evidence to the contrary; and

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160) WHEREAS, the previously-approved Preliminary Site Plan (17-PC-183) Natures Preserve will ~~will~~ ~~not~~ be in compliance with the standards and requirements of the Zoning Ordinance at the time an extension is granted because:

a) There have been no changes to the zoning ordinance text; and

170) NOW, THEREFORE, BE IT RESOLVED, the Planning Commission, by a majority vote at a duly-noticed, regular meeting, held this 28th day of August, GRANTS/~~DOES NOT GRANT~~ APPROVAL of an Extension of a Preliminary Site Plan (18-PC-188) Natures Preserve, for property located on the north side of North Territorial between 11966 and 12088 North Territorial, Section 16 of Dexter Township (D-04-16-200-014/015), to the Applicant, subject to the conditions listed below:

- a) All conditions of Resolution (17-PC-182) Natures Preserve and Resolution (17-PC-183) Natures Preserve shall remain in full force and effect;
- b) The Applicant shall participate in a preapplication meeting with the Township before submitting an application for final site plan approval;
- c) This extension shall be valid through August 21, 2019;
- d) This approval shall not be effective until the Applicant has paid, in full, all monies owed to the Township for fees, expenses, and/or other related issues related to the extension of preliminary site plan review; and
- e) This approval shall not be effective until this Resolution and all its conditions are accepted by the Applicant.

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Resolution offered by Planning Commissioner Ehman.

Resolution supported by Planning Commissioner Nester.

YES = 5 (Burch, Ehman, Gajewski, Lewis, Nester, ~~NONE~~)

NO = 0 (~~Burch, Ehman, Gajewski, Lewis, Nester, NONE~~)

ABSENT = 0 (~~Burch, Ehman, Gajewski, Lewis, Nester, NONE~~)

ABSTAIN = 0 (~~Burch, Ehman, Gajewski, Lewis, Nester, NONE~~)

Date: 22 August 2018

Steve Burch, Chair

Date

Tom Lewis, Secretary

Date

These findings, conclusions, decisions, and resolution are accepted:

Joseph Dettore

Date

Natures Preserve, Applicant