

**BROWN CITY PLANNING COMMISSION**  
**APRIL 6, 2006**

**PRESENT:** Chairman Ken Brown, Commission Members: Todd Vandewarker, Jack Bell, Gary Abel, Mike Frey, Pat Jacobson, and Leon Blatt; City Manager Clint Holmes and City Clerk Kelly Pavel.

**ABSENT:** Joann Potts, Art Potts.

**CORRECTION & APPROVAL OF MINUTES:**

Moved by Commissioner Bell, second by Commissioner Jacobson, to accept the minutes of March 2, 2006 as presented. Motion carried.

**PUBLIC QUESTIONS & COMMENTS:** None.

**PERSONAL APPEARANCES:** None scheduled.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

Commissioner Vandewarker excused himself from his Planning Commission duties to present drawings and various information pertaining to a 30' x 40' pole building he wishes to construct on his property at 6930 Maple Valley Road.

Review of drawings and proposed specifications for this building.

**PUBLIC HEARING:** 7:10 PM – Kimberly Dailey, 4317 Maple Street – Request for Kennel License.

Chairman Brown opened the Public Hearing for Kimberly Daily, 4317 Maple Street at about 7:12 p.m.

Evelyn Beals a neighbor next door to Mrs. Dailey, has no complaints concerning the amount of dogs the Daileys currently have on their property. She has concerns on where the line will be drawn on the number of dogs allowed anywhere in town, not just in her neighborhood.

She has concerns for anywhere in town that barking dogs could become a nuisance to neighbors.

Mrs. Dailey explained that her yard is fully fenced, and all her dogs always sleep in the house. She explained that there may be times when she could have up to 10 dogs at a time, due to performing stud services or puppies residing until maturity for showmanship.

Chairman Brown closed the Public Hearing at 7:16 p.m.

Chairman Brown read a letter submitted from Mr. Roger Swank, a neighbor two doors down from Mrs. Dailey. Mr. Swank is opposed to allowing an increase in the number of dogs allowed on any property over what the current ordinance permits, as well as installation of any signs.

Mr. Bill Dashluck, a neighbor behind the Dailey's home, has also expressed his discontent to the granting of this kennel license to the Dailey's to the City Manager.

Discussion regarding Zoning Exception versus a Variance by City Manager Holmes.

Commissioner Jacobson asked if the Dailey's plan to ever begin breeding a different breed of dog other than the Poodles that they currently breed. Noted that stipulations can be applied to this kennel license.

Moved by Commissioner Vandewarker, second by Commissioner Abel, to recommend that the City Council, for the specific location of 4317 Maple Street and the current owners, grant an exception to Ordinance 43.05 and allow the maximum number of adult dogs not to exceed ten (10); grant an exception to 8140.5.6.51 allowing a home occupation kennel with the following stipulations: dogs must be house-type dogs and not housed outside; all dogs will be of the poodle breed, either standard or miniature in size; and, Mrs. Dailey will be required to petition the Planning Commission, not later than their February meeting each year, to allow Sanilac County to renew this limited Dog Kennel approval. ROLL CALL VOTE: Abel-yes, Bell-yes, Blatt-no, Brown-yes, Frey-yes, Jacobson-no, Vandewarker-yes. 5-yes, 2-no, 0-abstain, 0-absent. Motion carried.

#### **CONTINUATION OF NEW BUSINESS:**

Continued discussion regarding building proposal for Todd Vandewarker.

Moved by Commissioner Abel, second by Commissioner Blatt, to accept the pre-application building permit for Todd Vandewarker, 6930 Maple Valley Road to construct a 30' x 40' pole building. ROLL CALL VOTE: Abel-yes, Blatt-yes, Brown-yes, Frey-yes, Jacobson-yes, Bell-yes, Vandewarker-abstain. Motion carried.

#### **PETITIONS & COMMUNICATIONS:**

Moved by Commissioner Bell, second by Commissioner Vandewarker to accept the pre-application building permit for The Trinity Lutheran Church, 7029 Cade Road to change their existing free standing lighted sign from 3' x 5' to a 5' x 7' on the grassy area between the church and M-90. Motion carried.

Moved by Commissioner Abel, second by Commissioner Blatt, to grant a request from Sherri Verhelle for installation of a wall sign for a new business, Granny's Attic, 4235 Main Street. Motion carried.

## **REPORTS & RECOMMENDATIONS:**

Discussion of proposed City Council Resolution 06-06 concerning Land Use Application Approval process.

Commission consensus that City Manager reword Resolution 06-06 to allow City Manager to sign permits for all interior work and all work which does not require a permit from the county. The revised Resolution will be presented to the City Council.

Chairman Brown discussed Conditional Zoning which will become an issue for the Planning Commission in the future. Recommendations from recent workshops have been that cities develop an ordinance to address Conditional Zoning.

City Manager tasked to draft an ordinance concerning Conditional Zoning for review by the Planning Commission at their next meeting.

Moved by Commissioner Blatt, second by Commissioner Vandewarker, to adjourn at 8:53 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk