

**I. CALL TO ORDER.**

Chairman Werth called the meeting to order at 6:33 PM.

**II. ROLL CALL.**

Present: Chairman Sandra Werth, Vice-Chairman Steve Reno, Secretary Matt Ray, Commissioners Bette O'Shea, and Ted Taylor

Absent: Commissioner Stan Cumberworth and Dennis Griffin

Quorum Present.

Also Present: Robert Vallina, Community Planning Director, Larry Lockwood, Planning Division Head, Lori Beeson, Stenographer,

General Public: 6

**III. APPROVAL OF THE MINUTES:**

**MOTION AND VOTE:**

**MOVED BY RENO,**

**SUPPORTED BY TAYLOR; RESOLVED TO APPROVE THE MINUTES OF THE OCTOBER 26, 2010 PLANNING COMMISSION MEETING.**

**MOTION CARRIED UNANIMOUSLY (5-0).**

**IV. Public Hearing**

Case No. 10-10-01, Lonnie Pogue (Staff Reviewer – Larry Lockwood)

Location: 380 Lochaven

Parcel I.D. No.: 13-29-326-001

Legal Description: T3N, R9E, SEC 29 SUPERVISOR'S PLAT NO 39 LOT 1, ALSO VAC WLY 27 FT OF LOCHAVEN RD ADJ TO SAME.

Requested Action: Requesting Special Approval under Section 3-303.4(B) & (C) along with Section 3-302.2, (C), (iii) of the Waterford Township Zoning Ordinance to allow the keeping of horses as well as a dog kennel to continue operating in the R-1, Single Family Residential Zoning District

Applicant: Lonnie Pogue

**Mr. Lockwood** referenced the attached memo and displayed maps depicting the current zoning, master plan, & aerial maps of the subject property.

**Mr. Pogue** told of the horsemanship lessons he has given kids and of the raccoon hunting that he does that has been handed down through his family. He told of wanting to be a good neighbor and said he has some bark collars and may get some more. He stated that he will work extra on making sure the dogs do not bark excessively.

**Chairman Werth** opened up the Public Hearing at 6:40 p.m.

**Chairman Werth** referenced two letters received by the commission. She read names and addresses into the record: Janice McNulty of 6750 Mather in opposition to dog kennel, and David Ziegler, also in opposition.

**Bill Scruggs** of 6750 Mather does not approve of kennel and unlimited number of dogs. Wondering if commission could limit the number of dogs.

**Carol Achimov** of 394 Lochaven has no opposition to the animals. Mr. Pogue is a good neighbor. The dogs are probably hearing wildlife and reacting to them.

**Deborah Sidelinker** of 395 Lochaven stated that Mr. Pogue is a very good neighbor and she has no opposition to the animals. She questioned the commission on when the zoning of their property changed.

**Mr. Lockwood** explained the new zoning ordinance and told of how it was published for the public hearings.

**Janice McNaulty** of 6750 Mather told how the neighbors do not like to complain because the police will not do anything. She wants to be a good neighbor.

Hearing no further comments, Chairman Werth closed the public hearing at 6:50 p.m.

**Commissioner Reno** asked how many dogs were on the site now.

**Mr. Pogue** stated that he had six (6) at this time. He occasionally has litters of puppies but he sells the puppies and does not keep them.

**Commissioner Ray** stated that he had no objection to special approval for six (6) dogs.

**MOTION AND VOTE:**

**MOVED BY RENO,**

- **SUPPORTED BY TAYLOR; RESOLVED TO APPROVE CASE # 10-10-01 TO ALLOW Special Approval under Section 3-303.4(B) & (C) along with Section 3-302.2, (C), (iii) of the Waterford Township Zoning Ordinance to allow the keeping of horses as well as a dog kennel to continue operating in the R-1, Single Family Residential Zoning District. This Special Approval is for five years, to expire or be considered for renewal on or before December 14, 2015. Substantiated Code Enforcement complaints will require the case to be brought back to the Planning Commission to be re-evaluated.**

**MOTION CARRIED UNANIMOUSLY (5-0)**

**V. Discussion**

**Mr. Vallina** provided the Planning Commission with a new set of By-laws and Duties, Policies, and Procedures for the Commissioners' review and consideration for adoption at their first meeting in 2011.

**VI. ADJOURNMENT OF THE MEETING**

Meeting was adjourned at 7:14 p.m.

**Case No. 10-10-01, Lonnie Pogue (Staff Reviewer – Larry Lockwood)**

**Applicant:** Lonnie Pogue  
380 Lochaven Road  
Waterford, MI 48327  
248-396-2010

**Location:** 380 Lochaven Road

**Parcel I.D. No.:** 13-29-326-001

**Action:** Requesting Special Approval to allow the keeping of horses along with a dog kennel to continue operating in the R-1, Single Family Residential Zoning District.

**Zoning:** R-1, Single Family Residential District

**Master Plan:** Single Family

**Site Area:** 5 Acres

**Existing Land Use:** Single family residence

**Surrounding Zoning and Land Use:**  
North: R-1A, Single family residence  
South: R-1, Single family residence  
East: (Across Lochaven Rd.)  
West: R-1A, Single family residence

**Zoning History:** 1950 – 2010, S-F, Suburban Farm District  
2010 – Present, R-1, Single Family Residential

**Township Utilities:** Water and Sewer services are available to the site.

### Staff Analysis

This case by Lonnie Pogue is a request to allow the keeping of horses along with a dog kennel on the above referenced property. This application is in response to a barking dog complaint registered with the Township's Code Enforcement office. Upon investigation it was determined that the property did not possess a valid Special Approval for this use. Upon close inspection of the Township's GIS aerial photos it appears that the property has been used for this type of activity since the mid-1980's. At that time an accessory structure was erected as shelter for the horses. Prior to the adoption of the new Zoning Ordinance earlier this year, the property was zoned S-F, Suburban Farm District.

Attached, please find additional information from the applicant that further explains the history of the property and associated activities. The applicant currently keeps three (3) horses, four (4) beagles and two (2) Walker Coonhounds (beagles). The applicant has prepared a site plan that indicates the location of the accessory building, kennels and corrals for the horses. Please note that the kennel shown to be located nearer the north side property line is not in use. Newer kennels have been constructed more towards the center of the property and have been shown on the site plan drawing as "proposed kennels".

As you are aware, this area of Lochaven Rd. consists of mostly larger parcels. The applicant's property is bordered by acreage parcels ranging from 1 - 2.5 acre properties.

### Recommendation

When considering the applicant's property as it relates to this area of Lochaven Rd. the keeping of horses, dog kennels and other similar hobby breeding activities is not out of character. Staff would not object to granting Special Approval in this case subject to the following conditions:

- Special Approval is granted to allow a total of three (3) horses and six (6) dogs.
- Special Approval is granted for a period of five (5) years.
- Any substantiated Code Enforcement complaints will require the case to be brought back to the Planning Commission to be re-evaluated.