

# CHARTER TOWNSHIP OF YPSILANTI

## PLANNING COMMISSION

7200 S. Huron River Drive, Ypsilanti, MI 48197

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### **REGULAR MEETING AGENDA**

Tuesday, November 22, 2022

6:30 P.M.

If you need any assistance due to a disability please contact the Planning Department at least 48 hours in advance of the meeting at [planning@ytown.org](mailto:planning@ytown.org) or 734-485-3943.

1. Call to order
2. Roll call
3. Approval of the October 25, 2022 regular meeting minutes
4. Approval of agenda
5. Public hearings
  - A. **5445 Scott Ct. Ypsilanti, MI 48197 – K-11-22-304-045** – Request to consider the special conditional use permit application of Ms. Maryam Issa in order to permit a group daycare home, providing care for up to twelve (12) children, for a site zoned PD – Planned Development.
6. Old business
7. New business
8. Open Discussion for issues not on the agenda
  - A. Correspondence received
  - B. Planning Commission members
  - C. Members of the audience
9. Township Board representative report
10. Zoning Board of Appeals representative report
11. Township attorney report
12. Planning Department report
13. Other business
14. Adjournment

**CHARTER TOWNSHIP OF YPSILANTI  
PLANNING COMMISSION MEETING  
Tuesday, October 25, 2022  
6:30 pm**

**COMMISSIONERS PRESENT**

Bill Sinkule, Vice-Chair  
Gloria Peterson - Board Liaison  
Larry Doe  
Ryan Hunter  
Muddasar Tawakkul

**COMMISSIONERS ABSENT**

Elizabeth El-Assadi

**STAFF AND CONSULTANTS**

Jason Iacoangeli, Planning Director  
Amy Steffens, Planning and Development Coordinator

**i. CALL TO ORDER/ESTABLISH QUORUM**

**MOTION:** Mr. Sinkule called the meeting to order at 6:30 pm.

**ii. APPROVAL OF SEPTEMBER 27, 2022, REGULAR MEETING MINUTES**

**MOTION:** Mr. Doe **MOVED** to approve the previous Board Meeting Minutes. The **MOTION** was **SECONDED** by Mr. Tawakkul and **PASSED** by unanimous consent.

**iii. APPROVAL OF AGENDA**

**MOTION:** Mr. Tawakkul **MOVED** to approve the presented agenda. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

**iv. PUBLIC HEARINGS**

**6400 Merritt Road K-11-32-200-055** – Request to rezone the 7.9-acre parcel from R-2, one-family residential, to R-2, one-family residential with agriculture overlay.

Mr. Iacoangeli addressed the Planning Commission and presented the application for rezoning for a 7.9-acre parcel from R-2, one-family residential, to R-2, one-family residential

with agriculture overlay, located at 6400 Merritt Road. The 2040 Master Plan designates this parcel within the “agricultural preservation” district in the southern part of the township. There has been an active community voice for getting agricultural protections back into the zoning ordinance on the importance of preserving agriculture. Eversole Properties, the owner of 6400 Merritt Road, is seeking the rezoning.

The Agricultural Overlay District is an overlay district where the uses in the underlying zoning district are allowed as well as the uses in the Agricultural Overlay District. Principal uses include various agricultural uses such as farm operations, seasonal sales, public riding and boarding stables, and greenhouses. Special uses include farms with agricultural commercial and tourism, commercial kennel/pet daycare, artisan food and beverage, tasting rooms, large solar generation facility on a farm operation, and farmers markets.

The surrounding properties on the south fall under the overlaying of agriculture, properties to the east of Stoney Creek Road are all zoned R3, and properties to the west of Stoney Creek Road are zoned R1. The green hatching on the map indicates the agricultural overlay and also gives them the protections that wouldn’t otherwise be given to regular single-family zoning in that area. The future land use map and the red star indicate the location of Eversole Properties, which is in the middle of the area reserved for Agricultural Preservation. The master plan aligns with the idea of preserving parcels of agriculture in the township.

Eversole Properties is requesting a rezoning of the 7.9 acres. The owner intends to develop an orchard on that property with a mix of different fruit trees.

The following standards are to review the rezoning application, and Mr. Iacoangeli has shared his view.

- Consistency with the goals, policies, and future land use map of the Charter Township of Ypsilanti Master Plan for agriculture preservation; Mr. Iacoangeli stated that Eversole Properties is consistent with the standards of planting of orchards.
- Compatibility of the site’s physical, geological, hydrological, and other environmental features with all uses permitted in the proposed zoning district; Mr. Iacoangeli stated that Eversole Properties is compatible with surrounding other agricultural properties.
- The compatibility of all uses permitted 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, and infrastructure; Mr. Iacoangeli stated that Eversole Properties is going to be an orchard surrounded by properties that are already actively farmed or involved in some type of agro-business.
- The capacity of township utilities and services is sufficient to accommodate all the uses permitted in the requested district without compromising the health, safety, and welfare of the township; Mr. Iacoangeli stated that there wouldn’t be any requirement except for fire protection.

- The capacity of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district; Mr. Iacoangeli stated that agricultural uses and farms do not generate traffic.
- The apparent demand for the types of uses permitted in the requested zoning district in the township, and surrounding area, concerning the amount of land in the township; Mr. Iacoangeli stated that the property is in the rural portion of the township requesting for agricultural overlay and protections.
- The boundaries of the requested zoning district are sufficient to meet the dimensional regulations for the zoning district listed; Mr. Iacoangeli stated that the property does meet the requirements.
- The requested zoning district shall be more appropriate from the township's perspective than another; Mr. Iacoangeli stated that the property is already master planned for agriculture.
- The requested rezoning will not create an isolated and unplanned spot zone; Mr. Iacoangeli stated that the property is to the south of a property that has an agricultural overlay on top of it.
- Other criteria as determined by the Planning Commission or Township Board which would protect the health and safety of the public, protect public and private investment in the township, and enhance the overall quality of life in Charter Township of Ypsilanti; Mr. Iacoangeli stated that the property is for the development of orchards.

Mr. Iacoangeli informed the Planning Commission that Carlisle Wortman Associates had reviewed all the standards that have met the criteria laid out by the zoning.

The following standards were met:

- The site is located in an area designated for "agricultural preservation." The Agriculture Preservation area is intended to preserve agricultural lands.
- The Master Plan calls for preserving the southern portion of the township's agriculture and open space core. This would further the goal of preserving farmland.
- The proposed rezoning of this parcel to Agricultural Overlay is consistent with the intent of the Master Plan.
- The rezoning of the property for the orchard and vineyard is consistent with the area's low-density single-family and agricultural nature.
- More impactful uses of the site, such as artisan food and beverage and tasting rooms, would require a future special use.
- Many of the adjacent and nearby parcels are zoned as Agriculture Overlay. Therefore, the requested rezoning will not create an isolated and unplanned spot zone.
- The proposed rezoning and future use of the property shall not compromise township utilities and services or road capacity.

Mr. Sinkule opened the floor for a public hearing at 6:43 pm.

Nelson McDaniel, a resident of 6380 Merritt Road, stated that he has the neighboring property, and there is no conflict.

Seun, a resident of 6560 currently housed on the Rock Church adjacent to the property 6400 Merritt Road, was interested in knowing about the commercial ventures.

Raul Eversole (applicant) presently resides at 7002 Wellington Lane and is also the property owner of 6400 Merritt Road. Eversole informed the Planning Commission that he plans on growing pears, apples, cherries, and plums along with concord grapes. The decision is not yet made on the selling of the produce. He is currently working with Michigan University for beginners in farming. The present plan is to have orchards on the property and livestock in the future.

Mr. Sinkule closed the floor for the public hearing at 6:49 pm.

Mr. Iacoangeli reminded the Planning Commission that if they choose to grant Mr. Eversole's request, it would be a recommendation to the Township Board, as the Township Board makes the final decision on amending the zoning map after two readings. Therefore, this would be a recommendation for the Planning Commission to recommend that the Township Board of Trustees amend the zoning ordinance to rezone the property to include the agricultural overlay.

**MOTION:** Mr. Tawakkul **MOVED** to approve the rezoning request of a 7.9-acre parcel from R-2, one-family residential, to R-2, one-family residential with agriculture overlay, located at 6400 Merritt Road (K-11-32-200-055) for the reasons set forth in the Planning Commission's report. The **MOTION** was **SECONDED** by Mr. Doe.

**Roll Call Vote:** Mr. Tawakkul (Yes), Mr. Doe (Yes), Ms. Peterson (Yes), Mr. Sinkule (Yes), Mr. Hunter (Yes). **MOTION PASSED.**

v. **OLD BUSINESS**

None to report.

vi. **NEW BUSINESS**

- A. **2418 Washtenaw Avenue K-11-06-302-024** – Full Site Plan – Champion Cueter Chrysler Jeep Dodge Ram – Consider request to construct a 1,200-square-foot building addition to an existing vehicle dealership automobile wash on a parcel zoned RC (Regional Corridor).

Mr. Iacoangeli presented to the Planning Commission that the Office of Community Standards is in receipt of a preliminary site plan application from Mr. Stan Schafer with SS Enterprise, Inc. representing the Champion Cueter Chrysler Jeep Dodge Ram of Ypsilanti/Ann Arbor requesting preliminary site plan consideration for the construction of a 1,200-square-foot building addition to be located upon the 3.85-acre parcel known as 2418 Washtenaw Avenue, K-11-06-302-024.

The Ypsilanti Township 2040 Master Plan designates this site for Mixed Use Corridors, a designation located along the busiest corridors, which support a high volume of both local and regional traffic. This area may include large national chains, regional retailers, and auto-oriented uses that draw regional and local customers.

The site is already a developed site of Cueter Chrysler and they are requesting to put an addition on an existing building. The proposed plan is to remove 12 of their inventory parking spaces to accommodate the construction of this additional building. The parking spaces to be eliminated would not impact the overall required parking for the development.

The comments made by various departments are as follows:

**OHM:** Some minor details need to be resolved before the final site plan. OHM recommends preliminary site plan approval.

**Fire Department:** The fire marshal approved the preliminary plans.

**YCUA:** Engineer Manager Scott Westover has no concerns due to no proposed water supply or wastewater work.

Road Commission and Water Resources Commission are not applicable because this property already has an existing curb cut that would be utilized. In addition, the front portion of the building for construction is already impervious surface.

The following are the conditions that the Planning Commission might consider:

- The applicant shall repaint the existing smooth block wall on the east elevation of the existing building.
- The applicant shall replace damaged shingles on the south elevation of the existing building.

- The applicant shall remove the non-conforming pole sign in front of the existing building and adjacent to Washtenaw Ave.
- The applicant shall repair damaged soffit vents on the south elevation of the existing building.
- The applicant shall address all outstanding comments from OHM before Final Site Plan Approval.
- The applicant shall obtain all applicable outside agency permits before construction.

The Planning Commissioner inquired if there was any plan to change the sidewalk. Mr. Iacoangeli stated that significant work was done on the sidewalk when Cueter Chrysler added some treatment during the rebranding.

Ms. Peterson inquired about the sidewalk missing near the drainage and suggested that the curb be painted.

Steve DeMars (General Manager of Champion Cueter Chrysler for the last 25 years) informed the Commission that the building was acquired years ago. Many improvements were made as part of the redesigning of the facility. The curb situation resulted from an accident two years ago, where a drunken driver drove through. The sign from the previous owner would be brought down since it is not being utilized. The additional space is going to be used to detail more vehicles. The plan is to replace the existing carwash with a more up-to-date one that can service the customers better.

A permit from MDOT would need to be acquired for the curb to be fixed.

**MOTION:** Mr. Doe **MOVED** to approve the preliminary site plan of Mr. Stan Schafer representing Cueter Chrysler to permit the construction of a 1,200-square-foot building addition for the use of a car prep/car wash area located at 2418 Washtenaw Avenue, K-11-06-302-024.

This motion is further made with the following conditions:

- The applicant shall repaint the existing smooth block wall on the east elevation of the existing building.
- The applicant shall replace damaged shingles on the south elevation of the existing building.
- The applicant shall remove the non-conforming pole sign located in front of the existing building and adjacent to Washtenaw Ave.
- The applicant shall repair damaged soffit vents on the south elevation of the existing building.

- The applicant shall address all outstanding comments from OHM before Final Site Plan Approval.
- The applicant shall obtain all applicable outside agency permits before construction.

The **MOTION** was **SECONDED** by Mr. Tawakkul.

**Roll Call Vote:** Mr. Tawakkul (Yes), Mr. Doe (Yes), Ms. Peterson (Yes), Mr. Sinkule (Yes), Mr. Hunter (Yes). **MOTION PASSED.**

**B. Adoption of regular Planning Commission meeting dates for the 2023 calendar year**

**MOTION:** Ms. Peterson **MOVED** to adopt the regular Planning Commission meeting dates for the 2023 calendar year. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

**vii. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA**

None to Report

**viii. TOWNSHIP BOARD REPRESENTATIVE REPORT**

None to Report

**ix. ZONING BOARD OF APPEALS REPRESENTATIVE REPORT**

None to Report

**x. TOWNSHIP ATTORNEY REPORT**

None to Report

**xi. PLANNING DEPARTMENT REPORT**

None to Report

**xii. OTHER BUSINESS**



None to Report

xiii. **ADJOURNMENT**

**MOTION:** Ms. Peterson **MOVED** to adjourn at 7:07 pm. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

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Respectfully Submitted by Minutes Services

# CHARTER TOWNSHIP OF YPSILANTI

## OFFICE OF COMMUNITY STANDARDS

Building Safety • Planning & Zoning • Ordinance Enforcement

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**Staff Report**  
**Group Daycare Home**  
**Special Conditional Use Application**  
**5445 Scott Ct. Ypsilanti, MI 48197**

November 22, 2022

### CASE LOCATION AND SUMMARY

The Office of Community Standards received an application for special conditional use permit for the purpose of allowing a Group Day Care Home, providing care for up to twelve (12) children, for a site zoned PD, Planned Development, located at 5445 Scott Court, parcel #K-11-22-304-045.

### OWNER/APPLICANT

Maryam Issa,  
5445 Scott Ct. Ypsilanti, MI 48197

### CROSS REFERENCES

Zoning Ordinance citations:

- Article 4 – District Regulations: Sec. 420. – Residential Use Table
- Article 10 – Special Land Use: Sec. 1003. – Standards for Special Land Uses
- Article 11 – Specific Provisions: Sec. 1155. – State-Licensed Residential Child and Adult Care Facilities

Michigan Zoning Enabling Act (ZEA) citation:

- MCL 125.3206 Residential use of property; adult foster care facilities; family or group child care home

### SUBJECT SITE USE, ZONING AND COMPREHENSIVE PLAN

The subject site is a 0.256-acre parcel, zoned PD, Planned Development with underlying R-4 One Family Residential dimensional requirements, in the Ford Lake Village

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Neighborhood. The site is a two-story 2,069 square foot single-family residential dwelling with an attached two-car garage. The site is zoned, developed, and used for single-family residential purposes. The front façade faces Scott Court, and the driveway entrance is on Scott Court. The two-car garage faces west.

The applicant previously operated a family day care home (1-6 children) in the Township located at 7385 Royal Troon Drive, Ypsilanti, MI 48197, but the license has closed August 30, 2022. Both the Township Zoning Ordinance and the State of Michigan define a family day care home as *a private home in which at least one but less than seven children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.*

If approved, the special conditional use request would permit the applicant to establish a Group Day Care Home with *more than six but no more than 12 children.*

**5445 SCOTT CT, YPSILANTI, MI 48197 – AERIAL PHOTOGRAPH**



Staff confirmed October 10, 2022 that site conditions are as depicted in BS&A.

BS&A – September 1, 2011 – View from Scott Ct.



Direction	Use	Zoning	Master Plan
North	Residential	PD	Neighborhood preservation
South	Residential	PD	Neighborhood preservation
East	SF Residential	PD	Neighborhood preservation
West	SF Residential	PD	Neighborhood preservation

**SITE HISTORY**

The site has not previously been used for a family day care home (1-6 children), but the applicant has operated a family daycare home elsewhere in the Township. The applicant is now seeking approval from the Planning Commission for a special use permit to establish a group day care home (7-12 children).

**NATURAL FEATURES**

No natural features will be impacted by this proposed project.

**PROJECT ANALYSIS**

The plan has been reviewed by Township staff. We offer the following comment for your consideration.

Per Sec. 420 of the township's zoning ordinance, prior to the establishment of a group daycare home (7-12 children), the applicant must apply for and obtain the necessary special conditional use permit. The applicant must meet or exceed the requirements noted within Sec. 1155 in addition to any other applicable State regulations.

Section 125.3206(4) of the ZEA stipulates that a group child care home **shall** be issued a special use permit, conditional use permit, or other similar permit if the group child care home meets all of the following standards:

- (4) For a county or township, a group child care home shall be issued a special use permit, conditional use permit, or other similar permit if the group child care home meets all of the following standards:
  - (a) Is located not closer than 1,500 feet to any of the following:
    - (i) Another licensed group child care home.
    - (ii) An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.
    - (iii) A facility offering substance use disorder services to 7 or more people that is licensed under part 62 of the public health code, 1978 PA 368, MCL 333.6230 to 333.6251.
    - (iv) A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the department of corrections.

*Staff comment:*

*The applicant meets all the standards above. The closest licensed group daycare home is 2,640 ft. away located at 8275 S. Huron River Drive (Abbey's Daycare) approved by the Planning Commission on 02-08-2022.*

- (b) Has appropriate fencing for the safety of the children in the group child care home as determined by the local unit of government.

*Staff comment: State regulations do not require the applicant to have an outdoor play structure on the property. Per the application submitted by Maryam Issa, the rear yard is fenced in with a 4' tall chain-link fence and a play structure is available for children to use.*



*Mich. Admin. Code R. 400.1920: (1) A child care home shall provide a clean, safe, and hazard free outdoor play area on the premises or within a reasonable walking distance of the home.*

*(2) The Play area size must be 1 of the following:*

*(a) Not less than 400 square feet for a family child care home.*

*(b) Not less than 600 square feet for a group child care home.*

*The applicant will utilize the rear yard for a play area. The rear yard is approximately 3,172 sq. ft. and has a play structure.*

- (c) Maintains the property consistent with the visible characteristics of the neighborhood.

*Staff comment: The standard is met. The applicant has not proposed any changes to the exterior of the home and is consistent with the characteristics of the neighborhood.*

- (d) Does not exceed 16 hours of operation during a 24-hour period. The local unit of government may limit but not prohibit the operation of a group child care home between the hours of 10 p.m. and 6 a.m.

*Staff comment: The standard is met. The applicant proposes operating five (5) days a week from 7:00 a.m. to 7:00 p.m. (12 hours).*

- (e) Meets regulations, if any, governing signs used by a group child care home to identify itself.

*Staff comment: The standard is met. No signs are proposed. Any proposed sign would need to meet Ordinance requirements found in Article 15 – Signs.*

- (f) Meets regulations, if any, requiring a group child care home operator to provide off-street parking accommodations for his or her employees.

*Staff comment: The standard is met. Sec. 1205 of the township's zoning ordinance requires that one (1) space be provided per six (6) clients; plus one (1) space per employee at time of peak shift.*

*The applicant will have two (2) assistant caregivers. The subject property complies with a two-car garage and two (2) off-street parking spaces in the driveway for a total of four (4) off-street parking spaces.*

The township's zoning ordinance Sec. 1155 provides for additional requirements for state-licensed residential child and adult care facilities. Such uses shall meet the following regulations:

- a. These facilities, except for adult/child family day care homes, shall be registered with the Ypsilanti Township Community Development Department and shall continually have on file with the township documentation of a valid license as required by the state.

*Staff comment: If approved, the group day care home shall register with the Ypsilanti Township Community Development Department and shall continually have on file with the Township documentation of a valid license as required by the state.*

- b. Since the state law preempts in this area, these facilities shall be brought into compliance with all state building and fire codes pursuant to State Licensing Rules R400.1131—R400.1135. Documentation of such compliance with state requirements shall be provided.

*Staff comment: If approved, the group day care home shall be brought into compliance with all state building and fire codes pursuant to State Licensing Rules R400.1831—R400.1835. Documentation of such compliance with state requirements shall be provided to the Office of Community Standards.*

- c. The site shall comply with the sign provisions of sec. 1509.

*Staff comment: No signs are proposed.*

- d. Off-street parking shall be provided for the number of employees on site at any one time.

*Staff comment: Township zoning ordinance requires that two (2) parking spaces be provided for the dwelling unit and one (1) addition space for each caregiver. The applicant will have two (2) assistant caregivers. The subject property complies*



*with a 2-car garage and two (2) off-street parking spaces in the driveway for a total of four (4) off-street parking spaces.*

- e. If located in a single-family residential district, the building shall have an appearance which is nonintrusive and consistent in color, materials, roof-line and architecture, as determined by the planning commission.

*Staff comment: The applicant has not proposed any changes to the exterior of the home. The subject property is consistent in appearance with other single-family homes in the neighborhood.*

- f. Documentation of sufficient indoor classroom, crib or play area meeting state requirements shall be provided. Documentation of approved areas, as licensed by the state, shall be provided.

*Staff comment: The applicant provided documentation of the layout of the home. The documentation of the approved areas shall be licensed by the State.*

- g. There shall be sufficient outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a four-foot tall fence, provided that no fence shall be located in a front yard.

*Staff comment: There is an enclosed rear yard with play equipment for children. The allocated area meets state size requirements.*

**Township Zoning Ordinance Section 1003. – Standards for Special land uses:**

The Planning Commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and with respect to any additional standards set forth in the ordinance. The Planning Commission shall find and report adequate data, information, and evidence showing that the proposed use meets all required standards and:

- a. Will be harmonious, and in accordance with the objectives, intent, and purpose of this ordinance; and

*Staff comment: The subject property is harmonious with the objectives, intent, and purpose of this ordinance and the proposed special conditional use is not proposing to be contrary to the ordinance.*

- b. Will be compatible with a natural environment and existing and future land uses in the vicinity; and

*Staff comment: The subject property is compatible with the natural environment and existing and future land uses and the proposed special conditional use is not proposing to be contrary to the ordinance.*

- c. Will be compatible with the township master plans; and

*Staff comment: The subject property and proposed use would be compatible with the Township Master Plans. The property is zoned PD – Planned Development, and the future land use designation is Open Space, Neighborhood Preservation, & Cluster Development.*

- d. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services; and

*Staff comment: The subject property is an existing home and is served by essential public services.*

- e. Will not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property, or the public welfare; and

*Staff comment: The location of the proposed Group Day Care Home is a safe environment for this type of use. Scott Ct. is residential and traffic volumes are low. This use will not be detrimental to the neighborhood, future uses, or public welfare. The applicant is providing an essential service to working parents in the community.*

- f. Will not create additional requirements at public costs for public facilities and services that will be detrimental to the economic welfare of the community.

*Staff comment: The proposed use would likely not create additional requirements at public costs for public facilities and services that will be detrimental to the economic welfare of the community.*

## **SUGGESTED MOTIONS**

The following suggested motions are provided to assist the Commission in making the desired motion of their choice. The Commission may use, add, or reject any conditions suggested herein as they deem appropriate.

### **Motion to approve:**

I move to approve the special conditional use permit request of Maryam Issa for the purpose of allowing a Group Daycare Home, providing care for up to twelve (12) children, for a site zoned PD, Planned Development, located at 5445 Scott Ct, parcel, K-11-22-304-045 with the following conditions:

1. The applicant shall agree to enter into a special conditional use agreement outlining the following conditions
  - a. The applicant shall supply, prior to operation of a group day care home, to the Office of Community Standards a daycare application and all documentation as required by the daycare application, including but not limited to, scaled and accurate survey drawing, correlated with a legal description and showing all existing buildings, drives, and other improvements; copy of state license; copy of inspection reports, drawings or pictures of the house layout, showing the rooms that will be utilized for the daycare.
  - b. Subject site shall be brought into compliance with all state building and fire codes pursuant to state licensing rules.
  - c. Use shall comply with township sign ordinance.
  - d. Required off-street parking shall be provided during hours of operation.
  - e. Outdoor play area shall be provided pursuant to state licensing rules.
2. For the safety of all occupants and upon sufficient notice, the applicant shall permit, prior to operation of a group day care home, the dwelling to be inspected by the Township Building official and/or Fire Marshal to insure compliance with the adopted property maintenance code.

### **Motion to table:**

I move to table the special conditional use permit request of Maryam Issa for the purpose of allowing a Group Daycare Home, providing care for up to twelve (12) children, for a site zoned PD, Planned Development, located at 5445 Scott Ct, parcel, K-11-22-304-045 in order to consider the comments presented during this public hearing and to further allow the applicant to resolve the issues noted during this public hearing.

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**Motion to deny:**

I move to deny the special conditional use permit request of Maryam Issa for the purpose of allowing a Group Daycare Home, providing care for up to twelve (12) children, for a site zoned PD, Planned Development, located at 5445 Scott Ct, parcel, K-11-22-304-045 following reasons (Commissioner to insert reasons for denial):

Respectfully submitted,

Fletcher Reyher  
Staff Planner

**MICHIGAN ZONING ENABLING ACT (EXCERPT)**  
**Act 110 of 2006**

**125.3206 Residential use of property; adult foster care facilities; family or group child care homes.**

Sec. 206.

(1) Except as provided in subsection (2), each of the following is a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone:

(i) A state licensed residential facility.

(ii) A facility in use as described in section 3(4) (k) of the adult foster care facility licensing act, 1979 PA 218, MCL 400.703.

(2) Subsection (1) does not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.

(3) For a county or township, a family child care home is a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone.

(4) For a county or township, a group child care home shall be issued a special use permit, conditional use permit, or other similar permit if the group child care home meets all of the following standards:

(a) Is located not closer than 1,500 feet to any of the following:

(i) Another licensed group child care home.

(ii) An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.

(iii) A facility offering substance use disorder services to 7 or more people that is licensed under part 62 of the public health code, 1978 PA 368, MCL 333.6230 to 333.6251.

(iv) A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the department of corrections.

(b) Has appropriate fencing for the safety of the children in the group child care home as determined by the local unit of government.

(c) Maintains the property consistent with the visible characteristics of the neighborhood.

(d) Does not exceed 16 hours of operation during a 24-hour period. The local unit of government may limit but not prohibit the operation of a group child care home between the hours of 10 p.m. and 6 a.m.

(e) Meets regulations, if any, governing signs used by a group child care home to identify itself.

(f) Meets regulations, if any, requiring a group child care home operator to provide off-street parking accommodations for his or her employees.

(5) For a city or village, a group child care home may be issued a special use permit, conditional use permit, or other similar permit.

(6) A licensed or registered family or group child care home that operated before March 30, 1989 is not required to comply with this section.

(7) This section does not prohibit a local unit of government from inspecting a family or group child care home for the home's compliance with and enforcing the local unit of government's zoning ordinance. For a county or township, an ordinance shall not be more restrictive for a family or group child care home than 1973 PA 116, MCL 722.111 to 722.128.

(8) The establishment of any of the facilities listed under subsection (4)(a) after issuance of a special use permit, conditional use permit, or other similar permit pertaining to the group child care home does not affect renewal of that permit.

(9) This section does not prohibit a local unit of government from issuing a special use permit, conditional use permit, or other similar permit to a licensed group child care home that does not meet the standards listed under subsection (4).

(10) The distances required under subsection (4)(a) shall be measured along a road, street, or place maintained by this state or a local unit of government and generally open to the public as a matter of right for the purpose of vehicular traffic, not including an alley.