

Fairview Township Planning Commission
April 28, 2009

Members in attendance: Ken LaPorte; Jim Weizenegger (as a member of the Planning Commission)

Cass County Planning Commission conducted a Public Hearing on Tuesday, April 28 for the purpose of discussing a land reclassification application received from Dean & Donna Daniel for parcel PID: 14-130-2300, located on 45th Avenue SW about .25 mile south of the junction with CSAH #34. No members of the Fairview Planning Commission attended the review on 4/23/09.

The application submitted to reclassify from Agriculture/ Forestry (AF) to Rural Residential-5 (RR-5). Section 1001 of the Land Use Ordinance requires land use zone reclassifications to be approved by conditional use permit (CUP). The property contains 11.10 acres.

Motion made and carried unanimously to approve the designation of PID # 14-130-2300 as RR-5 based upon the criteria of sections 704-2 and 903.5 of the Land Use Ordinance (3/1/09) with the following findings and conditions:

Findings:

1. The reclassification will result in two lots each containing 5.5 acres which will be attached to the directly adjacent lots and will not be developed individually.
2. No wetland or critical habitat will be affected by the reclassification.
3. No scenic or historic features will be affected by the reclassification.
4. The two lots will have no effect to public health, safety or welfare.
5. Two lots will not alter land use in the area.
6. Reclassification of the property will require no additional public infrastructure.
7. The size of the reclassification does not reach mandatory EAW or EIS thresholds.
8. No adverse comments were received from Fairview Township or any other agency notified.

Conditions:

1. The two lots shall not be developed individually.
2. The two lots must be attached to and made part of the directly adjacent lots.
3. The RR-5 designation must be reviewed and adopted by the County Board for the Fairview Township land use map.