



# Milan Area Concerned Citizens

P. O. Box 22 Milan, MI 48160

## Zoning Issues

The Zoning Ordinances for Milan Township provide legal protection for the residents and businesses of Milan Township. The following statements in bold print are quoted from the Zoning Ordinances.

### Article I – Section 1.02 - Purposes

- 1. Promoting and protecting the public health, safety and general welfare.** The auto distribution center would reduce the available farmland from the local area, thus adversely affecting the local farm economy. The project will have a relatively small industrial tax base versus the vast industrial acreage used. These factors along with the heavy traffic and environmental impacts outweigh the potential benefits.
- 2. Protecting the character and stability of the community and promoting orderly and beneficial development.** The creation of an industrial development in an area predominantly surrounded by agricultural and residential areas is an unorganized development of the township. The Cone Road interchange does offer an arguable reason for the development of the immediate surrounding area. However due to the size of the project, the encroachment of an industrial district into the rural community would not protect the stability of current zoning districts within our community.
- 3. Providing adequate light, air, privacy and convenience of access to property.** The development of an auto distribution center would severely impact the air quality, privacy and convenience of access to the communities' property surrounding the proposed site.
- 6. Providing for the needs of agriculture, recreation, residence, commerce and industry in future growth.** There has been no analysis of the impact this proposed development would have on existing farms and residences. In addition, no reports have addressed the affect this project would have on future commercial and industrial opportunities for our community.
- 7. Promoting healthful surroundings for family life in residential and rural areas.** The introduction of this industrial development would not promote the healthful surroundings for family life in our community. It would decrease the available residential property in our area and establish unhealthy surroundings such as heat, dust, odors, noxious fumes, noise, vibration and other nuisances and hazards.

### Article IV - Agricultural District - Statement of Purpose

**The agricultural district is established to preserve prime agricultural lands and to protect agricultural enterprises from encroachment by suburban and urban uses and developments. It is recognized that the public health and welfare of the citizens of Milan Township, Monroe County and Michigan is greatly dependent upon the sustenance and economic benefit provided by a viable agricultural industry. It is the purpose of the agricultural district to insure that the land areas within Milan Township which are uniquely suited for the production of food are retained for agricultural production, unimpeded by the establishment of incompatible uses of land which would hinder agricultural practices and irretrievably deplete essential agricultural lands and productivity. A decision to rezone this property from agricultural to industrial would directly contradict this article.**

## Article X - Industrial District - Statement of Purpose

The industrial district is established to provide for light, primary industrial uses. Provisions of this district ensure that these essential industrial facilities are kept from encroaching in areas or districts where they would be incompatible. All activities carried on within the industrial district shall be subject to limitations placed upon the amount of noise, smoke, glare, traffic and industrial effluent which shall be produced as a result of that activity. An industrial facility of this size, by its nature could not avoid dispensing levels of noise, smoke, glare and traffic which are incompatible with surrounding uses.

## Article XV - Section 15.11 - Performance Standards

**1. Smoke:** It shall be unlawful for any person, firm or corporation to permit the emission of smoke from any source in an amount which shall be injurious or substantially annoying to persons residing in the affected area. The development of a auto distribution facility would produce smoke from locomotives, trucks, autos and other equipment in amounts that would be substantially annoying and/or potentially injurious to persons residing in the affected area.

**3. Odors:** The emission of odors, which shall be found to be obnoxious to any considerable number of persons at their place of residence, shall be prohibited. The existence of locomotive, semi, auto and equipment exhaust with the combination of large asphalt surfaces will produce odors that are unacceptable to the surrounding property owners and community.

**5. Glare:** Glare from any process or operation shall be shielded so as to be invisible beyond the property line of the premises on which the process is performed. Even the advanced lighting technology proposed for this site can not shield the light and glare so as to be invisible beyond their property land.

**6. Noise:** The noise permitted under any use of land shall be no greater than the normal level of traffic noise existing in the area at the time of such emission, when determined at the boundary of the property. Industrial districts may have higher levels of noise within their industrial premises, provided that beams, walls or other sound barriers of equal effect shall prevent their being substantially annoying to adjacent areas. The Special Use Approval language allows for 75.4 decibels on the southern border of the property outside the berm. This level will be substantially annoying.

Rezoning should be done to promote the public health and safety of the community. Rezoning should take into consideration the character of the district. Rezoning should be designed to lessen the congestion on public roads. This rezoning is being considered to meet the needs of the Ann Arbor Railroad, not the needs of the citizens of Milan Township.

The Milan Township Board is bound by law to uphold these Zoning Ordinances. If a Board member believes this rezoning request would violate any of the Zoning Ordinances, the LAW REQUIRES THE BOARD MEMBER TO VOTE NO.