



**STAFF REPORT TO THE PLANNING COMMISSION**

**Special Use Request for a Home Occupation to operate a one chair salon in the residence at 207 W. Front St.**

**March 14, 2023**

**GENERAL INFORMATION:**

Applicants:	Lindsey Summers
Status of Applicants:	Homeowner
Existing Zoning:	R-1A
Property Address:	207 W. Front St. Buchanan, Michigan 49107
Present Land Use:	Residential
Adjacent Use:	N – Church S – Residential E – Funeral Home W– Residential

*The applicant seeks approval of a special use permit to operate a one chair hair salon in a first floor room of her residence located at 207 W. Front St. This report will address the standards contained in the Zoning Ordinance.*

**Section 20.03 - Basis of Determination** Prior to approval of a special use application, the Planning Commission shall insure those standards specified in this Article, as well as applicable standards established elsewhere in this ordinance, shall be satisfied by the completion and operation of the special use under consideration.

The following are the Standards, with my commentary in *italics below*.

1. **General Standards.** The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the special use standards and shall approve a special use only upon a finding in consideration of each of the following standards, as well as applicable standards established elsewhere in this ordinance.

A. The special use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

*The special use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area. The proposed special use is the creation of a one chair salon in an interior room of the home. The proposed improvements are interior improvements and will not impact the existing building footprint. The salon will serve one customer at a time. The applicant has*

*demonstrated that there is adequate parking. The applicant seeks to provide handicapped accessibility to the salon. This applicant intends to hire an architect and contractor to perform the work and has stated that the proposed salon will be compliant with all City and State regulations.*

B. The special use shall not change the essential use of the surrounding area.

*The volume of use of a one chair salon will be minimal and shall not change the essential use of the surrounding area.*

C. The special use shall not be hazardous to adjacent property, or involve uses, activities, materials, or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, or glare.

*The special use shall not be hazardous to the adjacent property or detrimental to the health, safety and welfare of persons and property because it will be implemented in compliance with all state and local building codes. The Buchanan Fire Department has reviewed the application and sees no issues with the special use request.*

D. The special use shall not place demands on public services and facilities in excess of current capacity.

*The special use shall not place demands on public services and facilities in excess of current capacity because it will be constructed in compliance with all City and State requirements and will be a low volume use. Water, sewer, and electric utilities are available to the site, as is gas if required. Adequate parking is available on site.*

E. The special use is in compliance with the City of Buchanan Comprehensive Plan.

*The special use is in compliance with the City of Buchanan Master Plan. Special use home occupation is allowed in an R1 district per our zoning code.*

2. **Conditions.** The Planning Commission may require reasonable conditions in conjunction with approval of any special land use. The conditions may include conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure the compatibility with adjacent uses of land, and to promote the use of land in a socially acceptable and economically desired manner. Conditions imposed shall consider all of the following:

A. Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being of those who will use the land use or activity under consideration, residents, and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

B. Be related to the valid exercise of the police power and purposes which are affected by the purposed use or activity.

C. Be necessary to meet the intent and purpose of the zoning regulations be related to the standards established in the Ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.

D. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the public record of the approval action and remain unchanged except upon the mutual consent of the Plan Commission and the landowners.

The Planning Commission may impose the condition that the special use approval is limited specifically to an Adult Use Marihuana Class Process Facility.

### **3. Decision**

The Plan Commission has two options to consider, whether to grant the special use request with or without conditions or whether to deny. The Planning Commission must make the findings of fact to support your decision considering the factors above.

*Based on the above findings, the Community Development Department recommends approval of the special use request for a home occupation to operate a one chair hair salon at the residence of 207 W. Front St..*

Respectfully submitted,

Richard Murphy  
Community Development Director

