

**Courtland Township
Planning Commission
November 20, 2007**

The Courtland Township Planning Commission meeting was called to order at 7:00 PM by Chairman McConnon

Roll Call: Moeggenberg, Wood, Davis McConnon and McAvoy

Absent: None

Also Present: Township Attorney, Jim Scales and Zoning Administrator, Frank Buckley.

Approval of the Agenda:

McConnon reviewed order of agenda. Davis made a motion to accept agenda as presented, motion seconded by Moeggenberg. All ayes, the motion carried. Agenda approved.

Approval of the Minutes:

McAvoy made a motion to approve the minutes of July 17, 2007 regular P.C. meeting, motion seconded by Moeggenberg. All ayes, motion carried. Minutes approved.

Open Comments:

None

Public Hearing:

**Rezoning from R-R to C-Commercial at 4951 15 Mile Road, Cedar Springs, MI 49319
JMO Proprieties – 1680 44th Street, Kentwood, MI 49508**

Representative for JMO Proprieties, Tom Fitzpatrick is requesting a re-zoning of 5.25 acres at the northeast corner of 15 Mile Rd. and Northland Drive from the R-R (Rural Residential) zoning to "C" (General Commercial) zoning. He stated he has some potential buyers, but there are no specifics on what type of businesses would be built there. He added that after reviewing the Master Plan, he thought they would be within the guidelines of the Master Plan.

McConnon Opened the Public Hearing

Kerri Hanes of 4926 15 Mile Rd., questioned what type of businesses would they be putting in there?

McConnon reminded the public this is specifically a re-zoning issue, and if this were to be approved then at that time they would have to apply for a Site Plan Review and receive approval on that before they could put anything in there.

No more public comments were made.

McConnon closed the Public Hearing

McConnon opened the Board Discussion

McConnon reviewed one letter and 2 telephone memos from neighbor's objecting to the rezoning (letter and memo's in file).

McConnon questioned Mr. Fitzpatrick if he had any idea of what type of businesses the buyers where contemplating.

Mr. Fitzpatrick replied possibly some type of medical office, restaurant, retail or a multi use office complex for leasing space.

Township Attorney Jim Scales reviewed his memo to the Planning Commission (dated 10/24/07), (memo in file). He also emphasized page 81 of the Master Plan, where the property being discussed is located near the middle of a long stretch of non-commercial property along Northland Drive.

Wood agreed with Mr. Scales stating to rezone within a housing district causes him some unease. Adding he didn't see it to be reasonable due to the Master Plan. Even though Northland Drive will no doubt have more Commercial development in the future, it was not a good spot.

Davis and McAvoy both agreed that under the guidelines of the Master Plan the pattern of Commercial zonings being here and there created more of a "spot-zoning", and the intent of the Master Plan is to keep the Commercial nodes more together.

McAvoy made a motion to recommend to the Township Board to deny the rezoning request due to the area not being close to any other Commercial zones. Wood seconded the motion. All ayes. The motion carried.

Public Hearing:

Rezoning from C-Commercial to LI- Light Industrial, Special Land Use for Open Air Business and Salvage yard.

Representative Todd Dexterhouse, 8701 14 Mile Rd., Rockford, MI 49341 presented his plan to the P.C. to request rezoning for a portion of an 8.81 acre parcel (located along M-57), from the "C" (General Commercial) to the "LI" (Light Industrial). With a rezoning approval, he would like to use the property to sell used cars as well as have a salvage yard to sell used automobile parts.

McConnon added the east 1/2 is the part of the parcel to be rezoned to "LI".

McConnon opened the Public Hearing

Terry Strain of 11751 Redmond, Cedar Springs, MI questioned as to what will happen with junk and fluids from the vehicles going into the ground.

McAvoy asked if the DEQ would have to be involved as well.

Attorney Scales replied he is not aware of any regulated DEQ inspections for a salvage yard.

Jeff Hall of 11665 Redmond, Cedar Springs, MI stated his concern if the rezoning was approved would the business be inspected on a yearly basis. He also added that his house is above the proposed site and he can see down into the yard as it is right now.

Mike Hulst of 11777 Redmond, Cedar Springs, MI also stated his concerns of steel holding water and having the standing water turn into a bedding ground for mosquitoes, and the West Nile Disease being a threat.

McConnon closed the Public Hearing

Township Attorney Jim Scales referred the P.C. members to a memo he sent to them dated 11/9/07 (memo in file). In his review of his memo, he stated the fence is in compliance with the ordinance. He suggested to the Board that in order to get a handle on the proposed business, the board should consider putting certain conditions on various items involved in the operation itself.

McConnon agreed and added it would be a good idea if Mr. Dexterhouse could get a little more clarification on the various items involved and more specific information.

McAvoy and Wood also agreed and said more information would be a good idea and would like to see to it that the concerned neighbors be protected.

Attorney Scales stated it looks as if the applicant has thought the proposed plan out well.

Both Scales and Wood said they would like to see a detailed layout of the plan. Therefore, suggesting Mr. Dexterhouse come back to the P.C. with a site plan and a detailed proposal on how they will meet the requirements of operating a salvage yard.

Davis suggested that it may be a good idea to have Township Fire Chief, Mickey Davis check out the site as well with regards to hazardous materials.

Wood made a motion to table the rezoning and special land use to the next meeting to be held on January 22, 2008 so that the applicant can gather additional information requested by the P.C.. Moeggenberg seconded the motion. All ayes. The motion carried.

Zoning Administrator Report:

Zoning Administrator, Frank Buckley presented a memo from Township Attorney Scales regarding "Extension of Variances" (copy in file). Along with the memo was a copy of a letter from Henry Greeb addressed to Township Supervisor, James McIntyre (letter in file).

There was further discussion on the extension of variances by the Planning Commission.

Member Wood made a motion for a variance renewal granted with a limited extension of one year (a single year) from the Zoning Board of Appeals. Davis seconded the motion. All ayes. The motion carried.

Attorney Scales informed the P.C. that a Public Hearing will need to be held regarding the variance extension limitations motion at the next P.C. meeting in January 2008.

Township Attorney Report:

Attorney Scales reported that back in July, Landon and Holdings withdrew their application for the request of a rezoning at Courtland Crossings.

Township Board Representative Report:

Davis reported the Township Board voted to approve the Township Park.

After further discussion in regards to the park, the Planning Commission decided to hold a Public Hearing at the next meeting in January and have the Township present a site plan for review for

the park and a special land use for athletic fields.

Zoning Board of Appeals Report:

Moeggenberg reported they had a request for a one year variance extension for Henry Greeb which was approved. He also reported they had a variance request for a front yard set back from Nancy Schaap on Shaner Avenue, and that variance was approved as well.

Adjournment:

McAvoy made motion to adjourn the meeting, Moeggenberg seconded the motion. All ayes, the motion carried. Meeting adjourned at 9:15 PM.

Respectfully Submitted,

Kym Steffes,
Recording Secretary