

**Courtland Township Planning Commission
Regular Meeting, Tuesday, May 16, 2006**

The Courtland Township Planning Commission meeting was called to order by Chairman Matt McConnon on Tuesday, May 16, 2006 at 7:00 PM.

Members present: Wood, Moeggenberg, McConnon, McAvoy. Member Davis arrived at 7:05 PM.

Also present: Township Attorney, James Scales

Approval of Agenda: Chairman McConnon reviewed the agenda. Motion by McAvoy to approve agenda, Moeggenberg supported. CARRIED.

Approval of the minutes: Motion by Moeggenberg, Wood supported, to approve the minutes of the March 21, 2006 meeting. CARRIED.

Open Comments: ZBA member Marty Patterson questioned the intent of the recently amended 66 ft. easement ordinance and the 3rd (ZBA) standard of review. This will be covered later in the agenda.

Home Occupation Ordinance: Attorney Jim Scales gathered home occupation ordinance information from surrounding municipalities in northern Kent County, and provided copies to the members. The majority allow only one non-resident employee. Nelson Township provides for major and minor types of home occupations. They also have a "home based" occupation classification, such as lawn care services. Some require Special Land Use designation. Spencer Township requires permits.

Zoning Enforcement officer Don Shaw stated that he believes there are between 100 and 150 existing home occupations and that not all are fully compliant with the current ordinance. Members expressed concerns and questions about existing home businesses and how strictly to regulate future businesses. Permits would allow us to know who and where a business was operating, but would permit fees and site inspections be desirable? Should we restrict home occupations to certain zoning districts and lot sizes? What do we want to promote or protect in the township? We don't want home businesses to be invasive of neighboring properties with excess noise and traffic. Would we be asking for trouble by requiring permits now when we haven't had many complaints about current businesses? Should we include a survey in the township newsletter?

Motion by Wood, McAvoy supported, to table further discussion on this ordinance until some input is received from the township board. CARRIED.

Township Attorney Report: Attorney Jim Scales gave a brief overview of the new Michigan Zoning Enabling Act, which will require only minor amendments to our Zoning Ordinance. Changes have been made in the requirements for publishing notices of requests for rezoning, Special Land Uses and variances. Motion by Wood, McAvoy supported, to direct Jim Scales to prepare the changes to our ordinance required by the new zoning act. CARRIED.

Zoning Administrator Report: Frank Buckley stated that the ZBA is asking the Planning Commission to look at the new setback requirements for 66 ft. easements, which now create double frontage setbacks like a corner lot. ZBA member Patterson asked if the intent was to stop land splits with this change in the driveway ordinance. ZBA member Andersen read the 3rd standard of review which refers to whether the applicant has created the difficulty from which they are now seeking relief. This question makes it very hard to meet all the standards required to grant a variance. Reference was made to the last ZBA application, which was denied, and to the previous application, which was granted. Both dealt with the driveway ordinance. The ZBA will meet with Jim Scales to discuss interpretation of the standards of review.

Township Board Report: None

ZBA Report: The setback request from Henry Greeb (11 Mile Rd.) was denied.

Adjournment: Motion by Wood, Davis supported, to adjourn the meeting @ 8:50 PM.
CARRIED.

Respectfully submitted,

Marilynn Crosby
Township Clerk