

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
SPECIAL MEETING**

January 19, 2000

MEMBERS PRESENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
Sally Childs
George Carter
Joni Andary

4884 W Curtis St

MEMBERS ABSENT

Also, present: Sheila Rizzo, Woody VanVolkenburg, and Fran Brink.

The Special Meeting was called to order at 8:10PM by Chairman Wiley.

Review of the Zoning Ordinance and Maps were the topic of the Special meeting. Zoning Administrator requested review of the following areas: (see attachment)

- ◆ Section 19.02 referring to ZBA Members for Charter Township's will be changed from a board of three members to a board of five members as stated in Charter Township law. Wade Trim has agreed to bare the cost of this change do error on their part.
- ◆ The R-2 district was discussed in length regarding setbacks. The Commission along with Fran Brink agrees set back conditions should specifically refer to Cedar Grove Estates 1, 2, 3, and Windermere Condominiums. Foot note #6 will be added to Page XV1-3. All set backs will be required to be 12 foot from the road right away. No vehicle will be allowed to park on the sidewalks.
- ◆ Section III page 7 Home Occupation – leave this section as is.
- ◆ Section III page 12 Regulation of Farm Animals – leave this section as is.
- ◆ Section III page 12 Quarries – leave as is.
- ◆ Section III page 13 Site plan review – leave as is. The Commission agrees that site plans should be well thought out. Anyone wishing to have a site plan approved immediately can call for a special meeting. The Commission would than still need sufficient time to review any plan.
- ◆ Section III page 13 Site Plan Data Required – an addition in the first paragraph by the Township Planning Commission **or unless it refers to a specific plan use.**
- ◆ Section III page 18 garage or yard sales – leave this as is. It would be too difficult to track. Zoning Administrator should investigate only if complaints are received.
- ◆ Section 5.02 Permitted Uses and Structures – leave as is.
- ◆ M-80 Commercial/Residential Corridor: The Commission agrees that the Zoning Ordinance and Master Plan do not have to mirror each other. Each case will be consider on a base to base use. The Master Plan would take precedence over the Zoning Ordinance.

- Section 19 on the Zoning Map – leave as is the building requirements will determine the use. Currently this is township property and poses no problems.
- R2 Section 27- leave as is
- R2 Section 25- change beach area to Commercial Recreational match the Fairgrounds.
- R1W Section 29 – currently zoned Forest Recreational change to R2
- R2 section 8 – Add Welch Road to the Map
- R1 Section 30 N-80 Part of the map is listed as Residential change to Aviation.
- R1 W Section 31 – The Commercial district should extend to the curve on both sides in the aviation district with the exception of the institutional portion.
- R2W Section 25 – Countrywood Cabins and Shady Oaks Mobile Home Park were changed to Commercial instead of Commercial/Residential when corrections were made to the map.
- The Golf course north of Country Club condominiums is listed as R-2 change to Recreational Commercial.
- R2 W Section 24 the NE ¼ of the NE ¼ will be changed to Forest Recreation.

Fran Brink will advertise public hearing for amendments and also provide appropriate language for changes. March 13, 2000, is being considered for public hearing.

Zoning Administrator will follow notice requirements.

The February meeting will be canceled unless action is required by the Commission.

The Planning Commission thanked Woody VanVolkenburg for bringing these issues to the board for review. The Township Board will receive a copy of these minutes for their review.

The meeting was adjourned at 10:15PM.

Sheila M Rizzo, Chief Deputy Clerk

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING**

February 28, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Sally Childs
George Carter
Jodi Cornwell
Martin Reinhardt

MEMBERS ABSENT

Al Leonard, Vice Chairman
Joni Andary

Also, present: David Gaines, Ed DeWitt, Sheila Rizzo, and Woody VanVolkenburg.
Attendance: 12

Quarry Ordinance #47 update was the purpose of the public hearing.

The Public Hearing was opened at 7:35PM, by Chairman Wiley.

Chairman Wiley opened the floor to public comments.

Sally Childs:

Where in the ordinance does it address time of operation and noise levels?

Woody:

MSHA restricts noise level. Time of operation will be on a case by case basis.

George Carter:

Ordinance is geared more to procedures for new pits correct?

Woody:

That's correct every year reviews will be made. New licenses will be good for five years. Currently there are five legal sites and three or four "mom & pop" sites that will need to be brought into compliance they will have two – three years to do this.

Art Reed:

Do I have two – three years to come into compliance?

Dave Gaines:

Art Reed has a court order.

George Carter:

When pit owners bring a site plan in for Planning Commission approval, they will stipulate what improvements they will make over a five-year period. Each case will be reviewed individually and each site plan will be different.

Martin Reinhardt:

May we get an assessment of how out of compliance quarry owners are in now?

Carr:

What is the license charge?

Woody:

\$120.00 every five years.

Ken Norris:

Does the fee apply to all pits and what are the permit prices.

Woody:

The cost is set by the Township board and would depend on the reclamation.

Art Reed:

Site plan has to include tree planting what if removal does not comply in three years?

Martin Reinhardt:

Each case will be reviewed on a case by case basis.

Art Reed:

What if we are not done in five years?

David Gaines:

You will come back to the Planning Commission and request more time.

Vanslton:

Why has this ordinance been written?

David Gaines:

By court order we must have a Quarry ordinance in place. The Ordinance has been reviewed by DNR, DEQ, MSHA, and the Township Attorneys and has been approved by all agencies. This is a happy medium that will be followed informally.

Ken Norris:

The Planning Commission will do what they want to do but if I sat on the board I would not want to be a policing board. The ordinance should be rewritten more simply.

George Carter:

What specifically?

Ken Norris:

If a pit is in a residential area it's not in compliance anyway.

David Gaines:

You will have three years to come into compliance. The Planning Commission will look at each pit on a case by case basis. The ordinance is open-ended.

Martin Reinhardt:

The pit owners will be involved in the decision making process with the Commission.

Ken Norris:

Pit owners should not be held responsible if land is sold within fifty feet of a pit.

George Carter:

This is one of the reasons an ordinance is being written so everyone knows the rules.

Sally Childs:

Why is the licensee time frame set up like it is?

Woody:

Easier on administration if everyone renews at the same time and to guarantee an evenhanded review process.

George Carter:

Renew every five years pit by pit and eliminate prorating.

Ken Norris:

With the exception of paper work are any of the pits in compliance at this time?

Woody:

I doubt it.

Page 3

February 28, 2000

Woody will have a case by case assessment completed, for the Planning Commissions review, by June 30th, 2000. Martin Reinhardt would like to go with Woody when walk through is conducted.

Supervisor Gaines reminded the Planning Commission that by court order this ordinance had to be written.

Chairman Wiley closed the public hearing at 8:35PM.

Leo Wiley stated that the issue could be debated all night long but that all the channels had been gone through and Quarry Ordinance #47 was a happy medium.

MOVED: by Sally Childs, second by George Carter, to recommend the Township Board approve Quarry Ordinance #47. Motion carried.

The meeting was adjourned at 8:45PM.

Sheila Rizzo, Chief Deputy Clerk

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING/REGULAR MEETING**

March 13, 2000

MEMBERS PRESENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
Joni Andary
George Carter
Jo Diane Cornwell
Martin Reinhardt

4884 W Curtis St

MEMBERS ABSENT

Sally Childs, Secretary

Also, present: David Gaines, Ed DeWitt, James Moore, Sheila Rizzo, and Woody VanVolkenburg.

Attendance: 9

The meeting was called to order at 7:30PM.

The Public Hearing was called to order at 7:40PM. Amendments to the Zoning Ordinance were the purpose of the Public Hearing.

Chairman Wiley requested public comment on the Zoning Amendments with no response the Commission proceeded to approve amendments.

#1 MOVED: by Martin Reinhardt, second by Leo Wiley, to recommend that that the Township Board approves amendments as written. Motion carried.

#2 MOVED: by Joni Andary, second by Jo Diane Cornwell, to approve the January 10, 2000, meeting minutes as presented. Motion carried.

#3 MOVED: by Martin Reinhardt, second by Al Leonard, to approve the January 19, 2000 meeting as corrected. Motion carried. Change to Section 19.02 Wade Trim has agreed to bare the cost of this change “due to” error on their part.

#4MOVED: by Jodi Andary, second by George Carter, to approve the February 28, 2000, meeting minutes as presented. Motion carried.

#5 MOVED: by George Carter, second by Joni Andary, to approve the Zoning Permit Application and send to the Township Board for their information. Motion carried.

#6 MOVED: by Joni Andary, second by Jo Diane Cornwell, to approve changing the Planning Commission Meeting date from the second Monday of each month to the fourth Monday of each month as per David Gaines memo dated March 10, 2000. Motion carried.

#7 MOVED: by Al Leonard, second by George Carter, to approve Planning Commission by-laws and recommend that the Township Board also approve by-laws as written. Motion carried.

Chairman Wiley publicly thank Deputy Clerk Rizzo for the effort and research put into the rewriting of the by laws.

#8 MOVED: by Joni Andary, second by Al Leonard, to allow Sheila Rizzo to attend the EUP Regional Planning Commission Meeting March 23, 2000. Motion carried.

#9 MOVED: by George Carter, second by Joni Andary, to appoint Sally Childs as Secretary to the Planning Commission. Motion carried.

Supervisor Gaines requested the Commission research Zoning Ordinance regarding Township building inspector. Deputy Clerk Rizzo will rewrite the sample ordinance to reflect a "new Ordinance." Woody VanVolkenburg will research particulars Pertaining to the posting of the building inspector for guidelines on public hearing and bring back to the commission at the March 27, 2000, meeting.

The Commission received a recommendation from the Township Board requesting more Clarification of the Quarry Ordinance. The Commission has appointed Joni Andary and Martin Reinhardt to the committee along with Township Board Members Vicki Ulrich and Ed DeWitt. Attorney Dyke Justin and Fran Brink will be notified requesting there Presence also. Meeting dates will be determined at a later time. Several Quarry owners were present at the meeting and presented written input regarding Ordinance #47 for the Commissions consideration.

Supervisor Gaines submitted a memo to the EDC Board requesting them to approach the County EDC for an easement to township property which is N & W of A & L Metal. A copy of the memo was cc to the commission for there consideration. Commission Member Reinhardt on behalf of the Commission will work with Assessor VanVolkenburg and bring findings back at the March 27, 2000, meeting.

#10 MOVED: by George Carter, second by Joni Andary, to allow Chairman Wiley to attend the April 6, 2000, Zoning Lawsuit meeting in Gaylord on April 6, 2000. Motion carried.

#11 MOVED: by George Carter, second by Leo Wiley, to allow Al Leonard attend Basic Training for Planning Commissioners and ZBA March 28, 2000, in Gaylord MI. Motion carried.

The meeting was adjourned at 8:45PM.

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

March 27, 2000

4884 W Curtis St

MEMBERS PRESENT

Al Leonard, Vice Chairman
Jo Diane Cornwell
Sally Childs
Martin Reinhardt

MEMBERS ABSENT

Leo Wiley, Chairman
George Carter

Also, present: Sheila Rizzo and Jim Moore.

Attendance: 4

The meeting was called to order at 7:30PM, by Vice Chair Leonard.

MOVED: by Sally Childs, second by Martin Reinhardt, to accept the March 13, 2000, meeting minutes with change to the Secretary appointment of Sally Childs who declines position. Motion carried.

MOVED: by Jodi Cornwell, second by Al Leonard, to approve the agenda with addition of Township Board minutes regarding zoning amendments. Motion carried.

The Pizza Patch site plan was discussed. Concerns regarding exiting and entering were reviewed by the committee Bill from meridian Consultants stated that at this time they are not sure if the State will approve exiting and entering onto M-80 he should receive a response back from the State in about two weeks. Entering and exiting off Riley will be the contingent plan. Sally advised the cistern on property be checked for any possible contamination. Sally further stated that the site plan for the Pizza Patch is the best she has seen.

MOVED: by Sally Childs, second by Jodi Cornwell, to approve the Site Plan presented by Meridian Consultants for the Pizza Patch. Motion carried.

Discussion was held on addition to Planning Commission's agenda regarding the Township Boards March 20, 2000, meeting minutes requesting the committee consider the rezoning of the "pie shaped property south of the rail road spur and north of Fair Road" from light industrial too residential. Martin Reinhardt, Sheila Rizzo, and Jim Moore explained to the Commission the reason for rezoning. The Commission having a better understanding of the need for change were in agreement.

MOVED: by Sally Childs, second by Jodi Cornwell, to recommend that the Township Board approve zoning amendments with addition of pie shaped property south of the rail road spur and north of Fair Road be rezoned from light industrial to residential on the zoning map. Motion carried.

CORRESPONDENCE RECEIVED

McDonald Land Division
MTA News letters

The meeting was adjourned at 8:30PM.

Sheila Rizzo, Chief Deputy Clerk

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

April 24, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
Jo Diane Cornwell
Sally Childs
Joni Andary
James Moore

MEMBERS ABSENT

Martin Reinhardt

Also, present: Sheila Rizzo, Woody VanVolkenburg, and Linda Peters.

Attendance: 4

The meeting was called to order at 7:45PM, by Chairman Wiley.

#1MOVED: by Sally Childs, second by Al Leonard, to accept the March 27, 2000 meeting minutes with one correction to show Joni Andary absent for the meeting. Motion carried.

#2MOVED: by Joni Andary, second by Jodi Cornwell, to approve the April 24, 2000 meeting agenda. Motion carried.

PUBLIC COMMENT

Pastor Bywater was present at the meeting to have questions answered regarding property he is looking into to build a new church. The property is approximately 5.34 acres east of Country Club Drive and North of M-80. Pastor Bywater was asking for preliminary approval to move forward with the purchase of the property. He is concerned that he may not be able to build a church and doesn't want to invest money in the property. Questions were asked regarding height restrictions, the Commission were unable to answer why the restriction is written in the Zoning Ordinance. Chairman Wiley requested a copy of the airport flight plan, which will be available at the next meeting. Deputy Clerk Rizzo will contact Fran Brink. The Commission requested that Woody and Pastor Bywater work together on what will be needed to submit to the Commission.

NEW BUSINESS:

Construction Code Ordinance #11A was discussed regarding procedures for building inspector.

#3MOVED: by Jim Moore, second by Sally Childs, to recommend that the Township Board repeal K.C.T. Ordinance #11 while transferring responsibility for the administration and enforcement of its building code to the County of Chippewa under the provisions of the State Construction Code Act of 1972, Act 230 of the Public Acts of 1972, as amended. Motion carried.

The Commission scheduled June 12, 2000 tentative date for Public Hearing.

Joni Andary volunteered to be assigned Secretary for the Commission since Sally Childs declined the position.

#4MOVED: by Sally Childs, second by Jodi Cornwell, to appoint Joni Andary Secretary for the Planning Commission. Motion carried.

Chief Deputy Clerk Rizzo updated Commission Members Zoning Ordinance books with the recently adopted amendments.

The Commission received information about the volunteer dinner for township committee members.

CORRESPONDENCE RECEIVED

Department of Agriculture – Right to Farm
Andrew Gable – Quarry Ordinance

The Commission discussed the letter received from Andrew Gable and agrees with their concerns regarding safety and dust.

Chairman Wiley informed the Members about training he recently attended on Avoiding Zoning Lawsuits. He stated that the class was very informative.

The meeting was adjourned at 8:45PM.

KINROSS CHARTER TOWNSHIP

PLANNING COMMISSION

May 22, 2000

4884 W Curtis St.

MEMBERS PRESENT

Leo Wiley, Chairman
Joni Andary, Secretary
Sally Childs
Jim Moore

MEMBERS ABSENT

Al Leonard, Vice Chairman
Martin Reinhardt
Jodi Cornwell

Also, present: Sheila Rizzo and Woody VanVolkenburg.

The meeting was called to order at 7:55PM by Chairman Wiley.

Quorum not present Chairman Wiley requested Woody VanVolkenburg, Zoning Administer discuss issues he had with the commission:

- Woody brought to the commission's attention that the township has no ordinance in place regarding peddlers' selling goods. The commission at this time does not feel it is necessary to put such an ordinance in place but will keep it in mind.

Sally Childs arrived at 8:05

- Woody spoke on behalf of Pat Topi who is requesting a "restrictive" license for a junkyard on his property. This would enable Mr. Topi to process junk vehicles in a more timely fashion.
- Fran Brink was notified regarding height restriction on Church steeples. The 30' height restriction on residential buildings was put in the ordinance due to the airport. EDC Director Noel was contacted and stated that the height of the church steeple would not be a problem as long as it does not exceed the treetops.
- Several complaints have been received regarding dangerous buildings. Woody will be working on updating the ordinance this fall. Request was made of the Commission to schedule a work meeting the second Monday every 3 – 6 months to update ordinances.

#1 MOVED: by Jim Moore, second by Sally Childs, to approve the April 24, 2000 meeting minutes. Jim Moore requested that the spelling of Correspondence be corrected on the minutes. Motion carried as corrected.

Chairman Wiley requested an addition to the agenda regarding his seat on the DPW Advisory Committee.

#2 MOVED: by Jim Moore, second by Joni Andary, to approve the May 22, 2000 meeting agenda with addition. Motion carried.

NEW BUSINESS:

Kenneth Turicchi submitted application for a home business. He intends to make and sell Bar B-Q sandwiches. The Commission tabled the issue pending Mr. Turicchi receiving a permit from the Health Dept.

Ronald Keesler submitted application for a home business. He intends to sell Blynds he will order through a catalog and ship direct to purchaser. No products will physically move through the home. All procedures and paper work are in order according to Zoning Administer VanVolkenburg. The Commission reviewed the information and made the following motion.

#3 MOVED: by Jim Moore, second by Sally Childs, to approve Mr. Keeslers home business. Motion carried.

A platted lot split application was received from Lois Strauser and Tom McClendon on lots 314 – 317. The parties intend to swap evenly two pie shaped parcels of land to improve the lay out of their property.

#4 MOVED: by Sally Childs, second by Joni Andary, to approve Lois Strauser and Tom McClendons lot split on parcels 314 –317. Upon roll call vote three members present voted yea and one member present voted nay. Resolution duly adopted.

#5 MOVED: by Joni Andary, second by Sally Childs, to approve format of Business Registration Form and Sign Permit Application. Motion carried.

Chairman Wiley requested that, due to a conflict of interest, another commission member take his seat on the DPW Advisory Committee. Members present were unable to fill the obligation. Request was made that the Chief Deputy Clerk contact members that are absent from the meeting and see if they are interested.

The meeting was adjourned at 9:00PM.

Pertinent information regarding this meeting is attached to these minutes.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING**

June 12, 2000

4884 W Curtis St.

MEMBERS PRESENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
James Moore
Sally Childs
Jodi Cornwell
Martin Reinhardt

MEMBERS ABSENT

Joni Andary, Secretary

The Construction Code Ordinance #11A Public Hearing was called to order at 7:30PM. No written or public comments were received.

The purpose of the Public Hearing was to transfer authority and liability of building inspections to Chippewa County. Committee member Reinhardt asked that if the township wanted to hire a building inspector could this be done? Jim Moore stated that the township does not have enough work at this point to hire their own inspector. Should the township have the need in the future we would simply follow the proper channels to obtain authority. Persons interested in the position would need the required license. With no further discussion the Commission made the following decision.

MOVED: by Sally Childs, second by Al Leonard, to recommend that the township board transfer responsibility for the administration and enforcement of its building code provisions to the County of Chippewa known as ordinance #11A. Motion carried.

At 7:50PM resident Rick Burnhardt requested a copy of the construction code ordinance.

Assessor Woody VanVolkenburg discussed a problem he was having with a property owner building across a lot line of another property he owns. Woody informed the Commission that he has come up with a solution that would not interfere with the current zoning ordinance. The Commission should receive formal information at the next regular meeting. Martin Reinhardt asked how the township-zoning ordinance coincided with the tribe. Woody stated that he is working with the tribe to draft ordinances that will fit in with the townships. Martin requested to work on this matter with Woody.

The meeting adjourned at 8:00PM.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

June 26, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
Joni Andary, Secretary
Sally Childs
Martin Reinhardt
James Moore

MEMBERS ABSENT

Jodi Cornwell

Also, present Woody VanVolkenburg, Sheila Rizzo, and Linda Peters.

The meeting was called to order at 7:30PM by Chairman Wiley.

MOVED: by Sally Childs, second by Al Leonard, to approve the June 12, 2000 Public Hearing minutes as presented. Joni Andary was absent and abstained from voting. Motion carried.

MOVED: by Joni Andary, second by Sally Childs, to approve the May 22, 2000 meeting minutes as presented. Al Leonard and Martin Reinhardt was absent and abstained from voting. Motion carried.

MOVED: by Sally Childs, second by Joni Andary, to approve the June 26, 2000 meeting agenda. Motion carried.

PUBLIC COMMENT:

On behalf of Kathy Noel Linda Peters briefed the Commission on C.A.N.P.E.T. The company will distribute propane, wholesale, by rail. The site plan will be completed soon and they will be requesting a special meeting of the Commission.

NEW BUSINESS:

Woody VanVolkenburg presented Robert and Ruth Labonbards Declaration of Restrictions and Conditions.

MOVED: by Sally Childs, second by Al Leonard, to approve the Labonbard declaration and deed restrictions as presented. Motion carried.

CORRESPONDECE:

Reid - Quarry

The Planning Commission requested an update on Quarry Ordinance #11A. Woody VanVolkenburg, Joni Andary, and Martin Reinhardt explained that the Sub Committee should be finished with the revisions by the end of June. The ordinance will be presented back to the Planning Commission at the next regular meeting in July.

Tribal Land Use

The meeting was adjourned at 8:35PM.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
SPECIAL MEETING**

July 10, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
Sally Childs
Jodi Cornwell
Martin Reinhardt
James Moore

MEMBERS ABSENT

Joni Andary, Secretary

Also, present: Woody VanVolkenburg, Sheila Rizzo, and Kathy Noel

The meeting was called to order at 7:35 PM. The purpose of the special meeting was to review CANPET Energy Group, Inc. site plan and special use permit.

CANPET is leasing property from the County EDC this business will be located on M-80. The company will distribute propane wholesale by truck and rail to larger companies. The Commission had concerns regarding trains entering the area Kathy Noel stated the speed of any train will be a maximum of 35 miles per hour. The County EDC will advertise the rail back in service through local papers, schools, TV, radio, and caution lights. Another area of concern is the contamination on the property. The Army Corp of Engineers is currently cleaning up the contamination that is about 30 feet underground. All storage tanks CANPET owns will be above ground and will not effect the property any further. After clean up is complete DEQ will inspect before giving their stamp of approval. The site plan submitted was satisfactory with one exception, the ingress and egress. The State is currently reviewing the ingress and egress onto M-80 as of this date no decision has been made. Information pertaining to this business is attached to these minutes.

#1 MOVED: by Jim Moore, second by Sally Childs, to approve CANPET special use permit. Motion carried.

#2 MOVED: by Jim Moore, second by Sally Childs, to approve CANPETS site plan pending approval of egress and ingress by the Dept. of Transportation. Motion carried.

The meeting was adjourned at 8:40PM.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

July 24, 2000

4884 W Curtis Street

MEMBERS PRESENT

Al Leonard, Vice Chairman
Joni Andary, Secretary
Martin Reinhardt
James Moore

MEMBERS ABSENT

Leo Wiley, Chairman
Sally Childs
Jodi Cornwell

Also, present: Sheila Rizzo, Woody VanVolkenburg, and the Township EDC Board.

The meeting was called to order at 7:36PM, by Vice Chairman Leonard.

The EDC Board discussed with the Planning Commission property North & West of A & L Metal that they are in the process of developing. Township EDC Board is currently working on receiving an easement from the County EDC. The road that will be put in on the two track will be done up to specs with the hope that the County Road Commission will take the road over. The property will be developed light industry with businesses such as is stated in the Zoning Ordinance page XIV1. Members feel the marsh area should be developed into a green belt. The EDC Board will continue to promote this property and keep the Commission up to date. Members were reminded that the railroad, on Kincheloe, will be back in production August 1, 2000. Martin Reinhardt requested he would like more research into the green area. EDC Board excused themselves from the meeting.

MOVED: by Jim Moore, second by Martin Reinhardt, to approve the June 26, 2000 Regular Meeting and the July 10, 2000 Special Meeting minutes as presented. Joni Andary was absent for the July 10, 2000 meeting and abstained. Motion carried.

MOVED: by Joni Andary, second by Martin Reinhardt, to approve the meeting agenda. Motion carried.

PUBLIC COMMENT:

Woody VanVolkenburg updated the Commission regarding the Reid Quarry being back in business. Woody stated that the Quarry was in operation on Saturday which is a violation of the court order. Mr. VanVolkenburg stated that he has turned the issue over to the Townships Attorney for review.

Harley Feole requested a rezoning of his property.

MOVED: by Joni Andary, second by Martin Reinhardt, to schedule a Public Hearing at the August 28, 2000 regular meeting at 7:30PM to discuss the rezoning of the Feole property. Motion carried.

Initially the Feole property was zoned residential commercial and is now zoned residential at the request of Fran Brink from Wade Trim who was contracted to help update the ordinance. Commission Members requested Woody VanVolkenburg contact Fran and request why she felt this property should be zoned residential.

Supervisor Gaines requested the Commission look into an article in the May 2000 Mika Meyers Beckett & Jones titled "New Litigation Tactics by Mobile Home Park Developers Demand Prior Land Use Planning" Supervisor Gaines wants the Commission to research the issue and be sure that Kinross Charter Township has covered this in the zoning ordinance and master plan. Commission Members will research and discuss their findings at the August 28, 2000 meeting.

Adjourned 9:00PM

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING/PUBLIC HEARING**

August 28, 2000

MEMBERS PRESENT

Al Leonard, Vice Chairman
Joni Andary, Secretary
Jodi Cornwell
James Moore

4884 W Curtis St

MEMBERS ABSENT

Leo Wiley, Chairman
Sally Childs
Martin Reinhardt

Also present: Sheila Rizzo, and Woody VanVolkenburg.
Attendance: 20

Feole rezoning request was the purpose of the public hearing.

The meeting was called to order at 7:36PM, by Vice Chairman Leonard.

MOVED: by Joni Andary, second by Jodi Cornwell, to approve the July 24, 2000 meeting minutes as presented. Motion carried.

MOVED: by Joni Andary, second by Jim Moore, to approve the August 28, 2000 meeting agenda as written. Motion carried.

The Public Hearing was called to order at 7:40PM by Vice Chairman Leonard. During the updating of the Zoning Ordinance property along M-80 was rezoned residential.

PUBLIC COMMENTS REGARDING FEOLE PROPERTY:

- Harley Feole requested his property at 6431 W M-80 be rezoned back to commercial residential.
- Rick Southwell – was the property zoned commercial residential prior to the update and was Mr. Feole notified of the change? I am concerned about the egress ingress onto M-80 especially in the winter time also drainage problems that a business may cause on the property.
- Jim Moore - yes the property was zoned commercial/residential prior to the update everyone was notified about the rezoning. Public Hearings were held.
- Dick Donaldson- what right does the township have in zoning taxable property. The public should be notified when changes effect them.
- Woody VanVolkenburg – the property is classified according to how it is being used on tax statements. Rezoning property is different.
- Jim Moore – State law requires notice in the paper.
- Dick Donaldson – Are individual residents notified by mail regarding rezoning requests?
- Jim Moore- everyone within 300feet was notified by mail.
- Mary Cobb – my land is 44 foot short. How will this effect my property and when will I get my land back? The township should survey my property again.

- Woody VanVolkenburg – the problem is discrepancies according to surveyors.
- Gail Miller – If the homes along M-80 were zoned commercial/residential and Feole wants his property zoned that why can't he have it?
- Jim Moore – Mr. Feole can still have u-haul rentals and excavating equipment on his property just no commercial businesses.
- John Pierce – when the rezoning took place was commercial zoned property taken into consideration.
- Commission members showed where commercial property was located on the map.
- John Pierce – looks like we have enough property zoned commercial in the township.
- Rick Southwell – What about the value of Mr. Feole property?
- Woody VanVolkenburg- yes it would reduce the value of the property. If it were zoned commercial/residential Mr. Feole could sell at a higher price.
- Harley Feole – My property has been zoned commercial/residential since 1970 and I want it back one way or the other.
- Shirley Bartlett – When was the property rezoned?
- Jim Moore – Sept. of 1999
- Joni Andary – Any changes that were made the public was notified I don't recall anyone attending any of the hearings to oppose our decisions.
- Shirley Bartlett – I want it left residential.
- Jim Moore – how many people here tonight live within the effected area?

Five residents attending the meeting, one that notified the Commission by mail, and one that notified the Commission by phone oppose the rezoning back to commercial residential.

Vice Chairman asked if anyone else had anything to add. No further discussion.

MOVED: by Joni Andary, second by Jim Moore, to close the Public Hearing at 8:05PM. Motion carried.

NEW BUSINESS:

Commission Members discussed Ordinance and Master Plan review workshops to be held monthly.

MOVED: by Jim Moore, second by Jodi Cornwell, to approve workshop meetings the second Monday of each month beginning October 9, 2000 7:30PM – 9:00Pm. Motion carried.

A decision will be made at the next meeting regarding Mr. Feole's rezoning request. Mr. Feole will be notified in writing of the Commission decision.

The meeting was adjourned at 8:45PM.

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

September 25, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
Sally Childs
Jodi Cornwell
Martin Reinhardt
James Moore

MEMBERS ABSENT

Joni Andary, Secretary

Also present: Woody VanVolkenburg and Sheila Rizzo.

Attendance: 7

The meeting was called to order at 7:40PM, by Chairman Wiley.

MOVED: by Jim Moore, second by Al Leonard, to accept the August 28, 2000 meeting/public hearing minutes as presented. Motion carried. Martin Reinhardt and Sally Childs abstained from voting since they were not present for the meeting/public hearing.

MOVED: by Sally Childs, second by Jodi Cornwell, to approve the September 25, 2000 meeting agenda. Motion carried.

PUBLIC COMMENTS:

Harley Feole questioned the Commission regarding his rezoning request. Mary Rawlings, and Ryan Hoag were also present to ask questions about the rezoning of their property on M-80. Commission member Reinhardt asked Zoning Administer Woody VanVolkenburg if the Feole issue could be considered a "takings" Woody explained that it would only be considered a "takings" if Mr. Feole was running a commercial business during the time that the ordinance update and rezoning of the township took place. Mr. Feole stated again that he wanted his property rezoned back to Commercial Residential and that the township had no right to rezone his property. Commission member Sally Childs explained that during the zoning ordinance update numerous workshops had taken place all meetings held were open to the public. The township followed all guidelines within the scope of the law. It is unfortunate that Mr. Feole did not get the information regarding the rezoning however the township does not have to notify each property owner individually but we did advertise in the two local papers.

NEW BUSINESS:

MOVED: by Martin Reinhardt, second by Sally Childs, to table Feoles rezoning decision until the commission receives an answer from the township attorney regarding “takings”. Motion carried.

The Commission requested Zoning Administrator Woody VanVolkenburg contact township attorney for legal opinion regarding “takings” issue. Pending answer back from attorney the Commission hopes to answer Mr. Feoles rezoning request at the October 9, 2000 workshop.

MOVED: by Sally Childs, second by Al Leonard, to approve KCT Special Use Application with stipulation that penalty clause/warning is added to application and procedures. Motion defeated.

Further discussion after motion was made Commission member Sally Childs questioned penalties if applicant did not follow procedures. Request by Commission was made that penalty clause and warning to applicant be put on the application and procedure sheet then brought back to the Commission for review and approval.

Administrator VanVolkenburg informed the Commission that Thompson JunkYard license was up for renewal. He stated that Mr. Thompson called and said he was ready for renewal. Woody will do a site check and inform the Commission of his findings.

CORRESPONDECE:

MTA News

Bertram – quarry excavation

Lawson – land division FYI

Rose – land division FYI

The meeting was adjourned at 9:10PM.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING**

October 23, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Joni Andary, Secretary
James Moore
Jodi Cornwell

MEMBERS ABSENT

Al Leonard, Vice Chairman
Sally Childs
Martin Reinhardt

Also present: Woody VanVolkenburg, Sheila Rizzo, Mr. & Mrs. Ross

The meeting was called to order at 7:45PM by Chairman Wiley.

MOVED: by Jim Moore, second by Jodi Cornwell, to accept the September 25, 2000 (Andary abstained not present 9/25/00) and October 9, 2000 meeting minutes as presented. Motion carried.

MOVED: by Jim Moore, second by Jodi Cornwell, to approve the October 23, 2000 meeting agenda. Motion carried.

NEW BUSINESS:

Mr. & Mrs. Ross submitted a site plan for the Kinross Hospital.

MOVED: by Jim Moore, second by Joni Andary, to accept the Kinross Hospital site plan as presented. Motion carried.

The 2001 – 2002 budget was discussed. The Commission would like to change consulting services to 3000.00, publishing to 2,000.00, and clerical to 800.00.

MOVED: by Jim Moore, second by Joni Andary, to approve submitting the 2001 – 2002 budget to the township accountant. Motion carried.

The commission reviewed changes made to the Special Use Application.

MOVED: by Jim Moore, second by Jodi Cornwell, to accept the Special Use Application as presented. Motion carried.

Aileen Lindows request for zoning variance located at 17455 S Wilson Rd in Kinross, Mirth request will be added to changes.

CORRESPONDENCE:

Dyke Justin – Takings issue

Public hearing notice – KCT zoning Ordinance and map amendments

MTA – Sept. 29, 2000 issue

Federal Communications Commission Antenna Structure Registration

Forrest & Quade land division

The meeting was adjourned at 9:05PM.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
ZONING WORKSHOP**

November 13, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Joni Andary, Secretary
Jodi Cornwell
James Moore

MEMBERS ABSENT

Al Leonard, Vice Chairman
Sally Childs
Martin Reinhardt

Also, present: Woody VanVolkenburg.

The meeting was called to order at 7:45PM by Chairman Wiley.

The Commission began review of Garage sales. Zoning Administrator stated that garage sales would be hard to track. The Commission agreed to leave this portion of the ordinance as is.

Commission members will research and think about Conservation Development part of the ordinance.

Rezoning of the M-80 Corridor will be dealt with during the Public Hearing on November 27, 2000.

Discussions regarding Civil Infractions were tabled. Zoning Administrator VanVolkenburg felt Chief McKee should be present for his input.

Public Hearing/Regular meeting will be held November 27, 2000 at 7:30PM.

The meeting was adjourned at 9:00PM.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING/REGULAR MEETING**

November 27, 2000

4884 W Curtis St

MEMBERS PRESENT

Leo Wiley, Chairman
Joni Andary, Secretary
Jodi Cornwell
Jim Moore
Sally Childs
Martin Reinhardt

MEMBERS ABSENT

Al Leonard, Vice Chairman

Also present: Woody VanVolkenburg, Sheila Rizzo, David Kauer, Ed DeWitt and Mr. & Mrs. Feole.

The meeting was called to order at 7:30PM by Chairman Wiley.

#1 MOVED: by Jodi Cornwell, second by Joni Andary, to accept the October 23, 2000 regular meeting and the November 13, 2000 regular zoning workshop meeting as presented. Motion carried. Martin Reinhardt not being present at either meeting abstained.

#2 MOVED: by Joni Andary, second by Martin Reinhardt, to approve the November 27, 2000 meeting agenda as presented. Motion carried.

Chairman Wiley opened the public hearing regarding the zoning map and text amendments.

PUBLIC COMMENTS:

David Kauer- which areas of the M-80 Corridor will be rezoned?

Jim Moore- 330 feet from the centerline on both sides of the road from M-80 between Mac Trail and Kallio Rd.

Sally Childs arrived at 7:40PM.

Discussion was held on Home Occupations regarding out buildings. Some Commission Members felt that out buildings would create too many problems and there is not enough time or manpower to in forces the issue. By striking No accessory building shall be used the Commission can than determine each case individually.

#3 MOVED: by Martin Reinhardt, second by Sally Childs, to approve striking the last sentence in sec 3.13 Sub Sec 2 "No accessory building shall be used in the home occupation. Motion carried.

#4 MOVED: by Sally Childs, second by Joni Andary, to add a footnote to sec 16.02 stating that “the front yard setbacks in the R-2 district be measured from a point at the edge of the pavement” Motion carried.

#5 MOVED: by Jim Moore, second by Martin Reinhardt, to approve insertion of language in zoning ordinance sec 3 Sub sec 12 to prevent farming in an R-2 District. Motion carried.

The M-80 Corridor rezoning was discussed. The Commission stated that they would not spot zone this area.

#6 MOVED: by Jim Moore, second by Joni Andary, to deny the request to spot zone the Feoles property. Motion carried.

#7 MOVED: by Jim Moore, second by Sally Childs, to rezone the M-80 Corridor from residential or commercial to commercial residential 330 feet centerline both sides of M-80 between Mac Trail and Kallio Road excluding township owned property zoned Commercial Recreation. Motion carried.

The map will also need to be marked recreational on township property.

Martin Reinhardt questioned when the next Quarry Sub Committee meeting would be held. Ed DeWitt stated that the issue has been placed on the back burner at this time. Martin Reinhardt then stated that he officially resigns from the Sub Committee.

Needed changes were then presented by Woody VanVolkenburg regarding the zoning map. R2W Sec 27

#8 MOVED: by Jim Moore, second by Sally Childs, to approve map change to the SE ¼ of sec 27, R2W to residential zone. Motion carried.

#9 MOVED: by Jim Moore, second by Martin Reinhardt, to approve changing R1W Sec.34 from forest recreation to R1 residential. Motion carried.

#10 MOVED: by Jim Moore, second by Sally Childs, to approve the change of R1W Sec 18 North of Welch Road the area shown as forest recreational, the southern 1/2 should be changed to R-1 since year around residences only are located there. Motion carried.

#11 MOVED: by Jodi Cornwell, second by Martin Reinhardt, to approve changing R2W Sec. 21 change this section from Agriculture to R-1 Residential. Motion carried.

#12 MOVED: by Jim Moore, second by Jodi Cornwell, to approve rezoning old Mac trail Market property on corner of Mac Trail and Ploegstra to commercial residential. Motion carried.

Leo Wiley offered to sit on the DPW Advisory Board as Commission Liaison member.

#13 MOVED: by Sally Childs, second by Joni Andary, to approve subscribing to Zoning Bulletin Biweekly through Quinlan Publishing Group for one year at a cost of 89.00 dollars.

The public hearing was closed at 9:40PM

COORESPONDENCE:

Concerned Citizens of Kinross Charter Township – regarding Ordinance #47

The meeting adjourned at 9:45PM.

Joni Andary, Secretary

**KINROSS CHARTER TOWNSHIP
PLANNING COMMISSION
WORKSHOP MEETING**

December 11, 2000

4884 W Curtis Street

MEMBERS PRESENT

Jodi Cornwell
Jim Moore
Sally Childs

MEMBERS ABSENT

Leo Wiley, Chairman
Al Leonard, Vice Chairman
Joni Andary, Secretary
Martin Reinhardt

Also present: Chief McKee, Sheila Rizzo and Woody VanVolkenburg.

With no quorum present Commission Members briefly discussed Civil Infractions with Chief McKee. When the Commission reconvenes after the holidays they will notify Chief McKee of the meeting in which further discussion and action will be taken.

Adjourned at 8:00PM

Joni Andary, Secretary