

**EATON COUNTY  
PLANNING COMMISSION MEETING  
January 9, 2018**

**Call to Order:** Ms. Claudine Williams, Community Development Department Director, called the meeting to order at 7:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI.

**Pledge:** The Pledge of Allegiance was given by all.

**Roll Call:** Brian Ross, Christine Barnes, Tammy Halsey, Jack Owens, John Little, Barbara Rogers, Ben Tirrell, Jeana Rohrs and Tim Cattron

**Staff Present:** Claudine Williams and Brandy Hatt

**Agenda Approval:** A motion was made by **Commissioner Rogers** to approve the agenda for the January 9, 2018 with an amendment to include nominations and elections of Planning Commission Chairperson, Vice Chairperson and Secretary. **Commissioner Barnes** supported. Motion carried.

**Nominations and Elections of Board Chairperson, Vice Chairperson and Secretary.**

Ms. Williams asked for nominations for Chairperson. **Commissioner Owens** nominated Commissioner Ross. **Commissioner Rogers** seconded. **Commissioner Rohrs** moved nominations be closed and a unanimous ballot cast for Commissioner Ross. **Commissioner Cattron** seconded. Motion carried.

Commissioner Ross assumed the responsibility of presiding over the meeting.

**Commissioner Ross** asked for nominations for Vice-Chair. **Commissioner Rogers** nominated Commissioner Rohrs. **Commissioner Barnes** seconded. **Commissioner Barnes** moved nominations be closed and a unanimous ballot case for Commissioner Rohrs. **Commissioner Rogers** seconded. Motion carried.

**Commissioner Ross** asked for nominations for Secretary. **Commissioner Rogers** nominated Commissioner Owens. **Commissioner Cattron** seconded. **Commissioner Barnes** moved nominations be closed and a unanimous ballot cast for Commissioner Owens. **Commissioner Cattron** supported. Motion carried.

**Commissioner Barnes** moved to close elections. Commissioner Cattron seconded. Motion carried.

**Minutes Approval:** A motion was made by **Commissioner Rogers** to approve the November 7, 2017 minutes as printed. **Commissioner Rohrs** supported. Motion carried.

**Public Comments:** None

**DCA-1-18-1:** Request by Steven and Kelly Ainsworth for a District Change Amendment to change the zoning of property located at 7415 Lawrence Highway from Limited Agricultural (LA) to General Business (C-2), in Section 14 of Kalamo Township.

**Staff Report:** Ms. Williams read the staff report into record.

**Commissioner Cattron** stated he read the chart in Article 13 of the Zoning Ordinance. He stated the chart indicates public water is required to re-zone a property to General Business (C-2). Ms. Williams confirmed Commissioner Cattron is correct.

**Applicant Statement:** Mr. Steven Ainsworth stated he and his wife would like to revitalize the property and make it useful to the community. He stated they have had other companies approach them about sharing the property; one of the businesses being an automotive repair facility. He added he is a licensed contractor. Mr. Ainsworth stated the property is not set up for agricultural use. He stated it would work as a storage and shipping business; it even has loading docks from its previous use.

**Commissioner Ross** invited any speaker in favor or opposition to the request to make public comment.

**Speakers in favor:** Mr. Morris Jackson, 7397 Lawrence Highway, Vermontville, stated he lives next door to this property and has no objection to the request. Mr. Jackson stated it was a shock to him to find out the property was not currently zoned commercial as the property taxes reflect it as commercial. Mr. Morris stated in the forty years he owned the previous business on the property they had three to four semi-trucks in and out of the business daily. He added he never received a complaint regarding the operation of his business from the property. Mr. Jackson stated he is in support of the request.

**Speakers in opposition:** None

**Public hearing closed:** 7:18 p.m.

**Commissioner Ross** reminded the Planning Commission when making a motion for a District Change Amendment, specifically a map amendment; items A-G in the Zoning Ordinance Section 13.6 need to be addressed.

**Commissioner Owens** stated the property does not have access to public utilities. He stated he is hesitant to approve General Business Zoning on this property because of the additional allowed uses. **Commissioner Owens** stated there are a broad scope of businesses that can be operated in the Limited Agricultural Zoning District. **Commissioner Barnes** agreed with Commissioner Owens. **Commissioner Ross** also agreed with Commissioner Owens; however in addition **Commissioner Ross** stated he did not have an issue with rezoning the property to Local Business (C-1).

**Commissioner Rogers** stated the previous business had been operated from the property for several years. She asked how a similar business could be operated from the property without re-zoning. **Commissioner Tirrell** stated it would not be impossible. He said he has frequented the business in the past and thought the property was zoned commercial. **Commissioner Tirrell** stated he believes Local Business (C-1) Zoning is more appropriate for the property. **Commissioner Ross** stated he believes the Planning Commission is always concerned when a business is approved that it may grow beyond the zoning district it is located in. **Commissioner Rohrs** stated she believes the current owners of the property purchased it believing the zoning of the property was commercial.

**Commissioner Rogers** stated the Planning Commission could approve to rezone the property to Local Business (C-1).

**Commissioner Halsey** asked if a home could be constructed on the property if it were rezoned to commercial. Ms. Williams said no, homes are not a permitted use in a Commercial Zoning District. Ms. Williams added there may not be room on the property for a home do to the location of the existing buildings and sanitary services for those buildings.

**Commissioner Owens** stated in the application, the applicants indicated they would prefer General Business (C-2) Zoning, but would settle for Local Business (C-1) Zoning. He asked Ms. Williams if the Planning Commission could consider Local Business Zoning for the property. Ms. Williams said yes, Local Business has a lesser impact and the public notices were sent as required.

**Commissioner Ross** asked Ms. Williams what the property is Master Planned for. Ms. Williams said the property is Master Planned for Primary Agricultural.

**Commissioner Ross** asked if the original business was approved as a home business. Ms. Williams said no, there has never been a home located on this property. She stated the Planning Commission may wish to review the property history located in the Staff Report.

**Commissioner Rogers moved to approve DCA-1-18-1 (Steven and Kelly Ainsworth)** to change the zoning of property located at 7415 Lawrence Highway from Limited Agricultural (LA) to Local Business (C-1), in Section 14 of Kalamo Township as it is in compliance with Items A-G from Article 13.6 of the Eaton County Ordinance:

- A. Identifiable conditions related to the application that have changed which justify the proposed amendment are: the property should have been rezoned to commercial at the time the previous business was approved to operate with a Conditional Use Permit.
- B. An error in the original Ordinance existing because the property should have been re-zoned to Local Business rather than allowed operation with a Conditional Use Permit.
- C. Rezoning this property will not create any precedents or effects; the business will be operated in the limited area of the property.
- D. This change will not adversely affect the environmental conditions or the value of the surrounding property; there have been semi-trucks and farm trucks in and out of this property for years.
- E. No impact.
- F. The district change does not comply with the adopted Eaton County Master Plan; however there is a grocery store located down the road along with another commercial business. Kalamo Township is in favor of the request.
- G. This property could not be put to a reasonable economic use in the current zoning district. The property needs to be re-zoned to commercial to use the buildings.

**Commissioner Barnes supported.**

A roll call was taken with eight (8) voting aye and one (1) voting nay. Motion carried.

**Other Business: Commissioner Ross** stated the committee appointments are on the 2018 Planning Commission Roster at their seats. He stated he will be getting with staff to fill any vacancies on sub-committees. **Commissioner Ross** encouraged Commissioners Halsey and Little to contact him if they wish to be appointed to any of the sub-committees of the Planning Commission.

**Reports:** Ms. Williams informed the Planning Commission the Zoning Ordinance Committee will meet on January 17<sup>th</sup> at 3:00 p.m. to further discuss the potential solar energy language.

Ms. Williams stated the Eaton County Board of Appeals did not meet this evening due to lack of business.

**Upcoming Cases:** Ms. Williams informed the Planning Commission are no applications to be heard at their February 6, 2018 meeting.

**Public Comment: none**

A motion was made by **Commissioner Barnes** to adjourn the meeting. **Commissioner Owens** supported. The meeting adjourned at 7:33 p.m.