

**MUSKEGON CHARTER TOWNSHIP  
PLANNING COMMISSION MINUTES  
PC-16-06  
June 13, 2016**

**CALL TO ORDER**

Vice-Chair Bouwman called the meeting to order at 7:02 PM.

**ROLL**

Present: Borushko, Bouwman, Wood, Singerling, Hower

Absent:

Excused: Frein, Nolan

Also Present: Planning, Zoning and Development Director Lorraine Grabinski, Fire Inspector Nicolai, Recording Secretary Robyn McKenna and seven (7) guests.

**APPROVAL OF AGENDA**

**Motioned Hower, supported Singerling to approve the agenda.**

**Motion carried.**

**APPROVAL OF MINUTES**

**Motioned Singerling, supported Wood to approve the minutes of May 9, 2016 as presented.**

**Motion carried.**

**COMMUNICATIONS**

**Staff Report**

Vice-Chair Bouwman thanked Ms. Grabinski for the report.

**Township Board Minutes May 2, 2016 and May 16, 2016**

**Memo from Attorney Hughes Re: Sign Regulations**

**Letter from Residents Regarding Wesco Parking Lot**

Christina Ramones/John Ramones – 1809 Ada Ave. - discussed their concerns regarding parking lot lights and vehicle headlights shining into their homes. They also discussed requiring Wesco to install privacy fencing on the east and south sides of the parking lot. Staff will work with Wesco to address concerns.

**Information only, no action taken.**

**OLD BUSINESS**

**None**

**NEW BUSINESS**

**SPR16-06 – 2574 McLaughlin  
Charter Development LLC**

Representatives from Charter Development LLC were not present. Ms. Grabinski advised the plan is to add two (2) additional classrooms on the northwest section of the school. She advised that the parking lot is a separate parcel from the school and she has recommended that they combine the two (2) lots. The addition meets all setback requirements and the Fire Inspector has approved the site plan.

**Motioned by Singerling, supported by Hower to approve the site plan as presented contingent on combining the two (2) lots.**

**Motion carried.**

**SU16-03 – 3289 Apple Ave.  
Request for Used Vehicle Sales**

**The Special Use Hearing opened at 7:25 PM.**

The Special Use Hearing was published in the Muskegon Chronicle on May 29, 2016. Twelve (12) notices were mailed to property owners on May 27, 2016. There was one (1) response – a neighbor adjacent to the rear of 3289 Apple Ave. who had concerns with the prior special use permit conditions being met, contamination and seepage into the groundwater from impounds and fencing, but he was not against a special use permit for vehicle sales.

Eric Cunningham – 3289 Apple Ave. – All Pro Towing – Mr. Cunningham advised he has applied for a Class B Used Car Dealership License and the license is contingent on the Special Use approval. He would be selling used vehicles; but mostly motorcycles. The repair shop is being phased out on regular repairs; doing more with specialties. Ms. Grabinski advised she inspected the site to verify that the requirements from the 2015 towing special use were completed. The required fence has not been completed on the east side and the holding area has “ground asphalt” – which our Building Inspector states is not the same as asphalt. Discussion followed on what is and what is not asphalt. In addition, the holding area contained over the maximum of thirty (30) vehicles. Discussion followed on the total number of vehicles allowed – impound and for sale.

**Motioned Hower, supported Singerling to close the Special Use Hearing at 7:39 PM.**

**Motion Carried.**

Mr. Cunningham was advised to address the outstanding issues with the existing Special Use, determine the total number of vehicles and to work with Staff to comply.

**Motioned Wood, supported Singerling to table until next meeting – July 11, 2016.**

**Motion Carried.**

**New Business continued  
SU16-04 – 1845 Barbara  
Request for Auto Repair Shop**

**The Special Use Hearing opened at 7:44 PM.**

The Special Use Hearing was published in the Muskegon Chronicle on May 29, 2016. Thirty-one (31) notices were mailed to property owners on May 27, 2016. There was zero (0) response.

Representatives from 1845 Barbara were not present. Ms. Grabinski advised the applicant – Adam Miller, would like to conduct an auto repair at this address. He would have one (1) bay and the work would be by appointment. The parking is adequate, the outside surface is asphalt and he would not have any outside storage of liquids. The request needs to be approved by Fire Inspector Nicolai.

**Motioned Hower, supported Singerling to close the Special Use Hearing at 7:50 PM.**

**Motion Carried.**

The Special Use Hearing Summary was reviewed and all requirements were met.

**Motioned Singerling, supported Borushko, to recommend approval to the Township Board contingent on Fire Inspector approval.**

**Motion carried.**

**Public Hearing  
Zoning Ordinance Amendment - Zoning Board of Appeals Section 58-145**

**The Public Hearing opened at 7:51 PM.**

The Public Hearing was published in the Muskegon Chronicle on May 29, 2016.

Ms. Grabinski advised this is an amendment to the Zoning Board of Appeals Section 58-415 of the Zoning Ordinance. It will eliminate the "use variance" section of the ordinance. The State changed the law and use variances are no longer allowed. The Zoning Board of Appeals application and applicant information forms have been amended.

**Motioned Hower, supported Wood to close the Public Hearing at 7:54 PM.**

**Motioned Singerling, supported Borushko to recommend approval to the Township Board.**

**Motion carried.**

**OTHER**

**Parking/Storage Ordinance Discussion**

Ms. Grabinski advised a resident was sent a violation notice for storage of at least seven (7) trailers on a vacant lot. Section 50-237 states no vehicle (which trailer is part of the definition) shall be stored or parked unless located in the driveway, side or rear yard or within a completely enclosed garage. Also, no more than two (2) trailers may be parked or stored on any property unless parked or stored within a completely enclosed private garage. There is an exception for when the adjacent land is divided from the main building parcel by a road, alley or public right-of-way; if both parcels are titled to the same owner. This is a unique situation because the vacant lot and the residence share a common owner. There are multiple owners on the vacant lot with storage on it. They do not want to combine the two (2) lots because the vacant lot is in multiple names, and the adjacent home is in just the brother's name. The property owner came to the Township Board to discuss the issue, and the Board advised him to speak with the Planning Commission about the possibility of changing the ordinance to address this issue. Discussion was held regarding the ordinance restricting storage on a vacant lots adjacent to property owners; combining the parcels; changing the ordinance for special circumstances; parcels are not separated by a road, alley or public right-of-way; ordinance violation – limited to two (2) trailers parked or stored.

Tim Crouch – 2226 Marvin – Mr. Crouch discussed receiving a citation for firewood on a vacant lot.

Tempenny Sutton- 2112 McLaughlin – Mrs. Sutton discussed the multiple owners of the vacant lot; the vacant lot is over five (5) acres and the trailers are 300' from the road. They have stored trailers on this lot since 1993 and never had an issue. They are repairing their garage and needed the trailers to store personnel belongings. They live on a corner and their side yard is on the west side of their home – which there is not much room. They drove around the Township and seen a lot of things in front yards – she provided pictures.

The Commission suggested the property owners apply for a variance with the Zoning Board of Appeals.

**Private Drive Ordinance/Willowstone Site Condo Discussion**

Ms. Grabinski advised that Willowstone Dr. is a private road off of Walker Road. It was built to County specifications and Muskegon County Road Commission is not accepting any roads. When the site condo (Willowstone Estates) was approved Phase I included eleven (11) homes – which was never completed. Currently there are two (2) homes built and the rest of the lots went up for tax sale. There has been some inquiries on the lots and now the Township has to address the road issue. A private road is restricted to four (4) houses. Discussion was held regarding private road vs private drive; covenants; special assessments for maintenance/repair; written agreements when developments are completed. Commission asked Staff to amend the ordinance to define private road vs private drive and define restrictions and distinguish the difference between them.

**Temporary Sign Ordinance – Joint Meeting Discussion**

The Township Board has proposed a joint meeting on Monday, July 25, 2016. Some Commissioners had a conflict with the date. Staff will check with the Township Board for a Thursday in July.

**PUBLIC COMMENT**

Opened at 7:19 PM  
None

**NEXT MEETING**

The next scheduled meeting for the Planning Commission is on July 11, 2016 at 7:00 PM in the Board Room at Town Hall.

**ADJOURNMENT**

**Motioned Hower, supported Wood to adjourn at 8:55 PM.**

**Motion Carried.**

Respectfully submitted,

*Sandi Frein*  
*Recording Secretary*