

**PLANNING COMMISSION**  
**Minutes for Town Hall Meeting of**  
**September 10, 2008**

**PRESENT** Chairperson Carol Kooistra, Mary Eley, Tom Thompson, Sue Hertel, Jan Deur, Brian Lernowich, and Matt Cross.

**ALSO PRESENT** Zoning Administrator Don Sandel and 23 interested parties.

**CALL TO ORDER** Chairperson Kooistra called the September 10, 2008 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

Chairperson Kooistra explains that the Township recently conducted a survey of NC district property owners and unfortunately, the survey did not provide a clear-cut result. Because this issue is so vital to the residents of this area and the future growth of out township, the Planning Commission has invited you here tonight to discuss this issue in-depth and gather your input on the final zoning decision.

**SURVEY RESULTS**

46 sent out  
21 received back

10 said **YES** to change  
7 North of Michillinda Road  
3 South of Michillinda Road

11 said **NO** to change  
3 North of Michillinda Road  
8 South of Michillinda Road

Commissioner Eley did a brief presentation. She explained that currently the Whitehall Road corridor is zoned Neighborhood Commercial; however, there are several residences located there which makes them nonconforming and according to ARTICLE III, GENERAL PROVISIONS, SECTION 3.23 NON-CONFORMING BUILDINGS, STRUCTURES AND USES only the following could be done without requesting a variance from the Zoning Board of Appeals:

- B. Expansion and Substitution of Nonconforming Buildings or Structures.
1. Nonconforming uses including buildings and structures may be maintained and repaired to be kept in sound condition and may be restored or rebuilt provided, however, that the restored or rebuilt building or structure is on the original footings and foundations or on new footings and foundations constructed exactly where the footings and foundations of the nonconforming structure were located. Restoration or rebuilding is permitted whether the nonconforming building or structure is damaged by fire, wind, act of God, or other casualty or is demolished and regardless of the cost of such rebuilding or restoration.

Unfortunately if the zoning is changed to Residential the existing commercial uses will have the same problem.

**COMMENTS/CONCERNS**

**Parcel owners South of Michillinda Road voiced the following:**

- What would the new zoning be if changed and what will the minimum parcel size be?
- Why stop progress?
- What happens if has a business and its sold does it remain a business?
- It makes no sense to change zoning south of Michillinda Road.

- This area is not suitable for residential.
- Why does cut off have to be Michillinda Road and not at the old railroad tracks?

**Parcel owners North of Michillinda Road voiced the following:**

- What happens if is a business and the zoning changes to residential?
- Commercial property can be worth a lot of money.
- It doesn't make sense to divide at Michillinda Road.
- Believes the survey results are incorrect.
- Keep zoned as Neighborhood Commercial (NC) and the surveys not responded to should be considered as leave it Neighborhood Commercial (NC).
- Wants zoning changed to residential.
- Wants zoning to remain Neighborhood Commercial (NC).
- Wants zoning changed to residential.
- Consider who actually lives there, not just owns property or operates businesses.
- Doesn't agree that Michillinda Road should be the cut off.
- Why does change have to be made, business uses should be able to be businesses and residential be residential.

**CORRESPONDENCE RECEIVED**

1. Lester Hammond, 5010 Whitehall Road, letter read by Chairman Kooistra, states he owns the parcel directly north, abutting Michigan Adventure and this area in no way could be considered a desirable, residential area to raise a family.

**COMMISSIONERS COMMENTS**

Commissioner Thompson believes spot zoning could be done even though it's not the best thing if it serves a good purpose.

Commissioner Deur believes a mixed use zoning would be consistent with the Master Plan.

Commissioner Hertel thanks audience for participating and states this issue will not be taken lightly.

Commissioner Lernowich thanks audience and states this is a lot to think about, we may need to have another Town Hall meeting.

Commissioner Eley states we need to direct growth, believes if left Neighborhood Commercial (NC) it can't ever go back but if changes to residential it can always be changed back to Neighborhood Commercial (NC) and explains that the Joint Planning Commission plan indicates only certain hubs for commercial along the Whitehall Road corridor.

Commissioner Cross thanks audience and states all comments and concerns will be taken into consideration.

**OPTIONS**

1. Do nothing.
2. Rezone all of Whitehall Road corridor to residential.
3. Rezone North of Michillinda Road to Dame Road from Neighborhood Commercial to Residential and leave South of Michillinda Road Neighborhood Commercial or maybe zone as indicates in the master plan as mixed use.

4. Rezone North of Michillinda Road with a moratorium of two (2) years giving commercial parcel owners time to do expansion, sell property and giving new owner time to build a business.

Consensus was to appoint a subcommittee to meet and discuss options and report at the October meeting with a recommendation or if necessary a special meeting may be scheduled at that time.

Subcommittee: Commissioner Eley (as chair of subcommittee), Commissioners Cross and Thompson.

**ADJOURNMENT**

**The September 10, 2008 Town Hall meeting adjourned at 8:00 p.m.**

Respectfully Submitted,

Sally Garvey, Recording Secretary