

OLIVE TOWNSHIP
PLANNING COMMISSION

Regular Meeting
May 8, 2007

The meeting was called to order at 7:30pm by Chairperson Dreyer.

PRESENT

Garry Dreyer
Shane Russell
Andy Machiela
Terry Hossink
Wayne Vander Zwaag
Gregory L. Ransford, Planner

ABSENT

None

Machiela provided a motion to approve the agenda as presented with an amendment to review the Master Plan Schedule item after Special Use Renewals. Motion carried unanimously.

Machiela provided a motion to approve the minutes of the April 10, 2007 meeting. Motion carried unanimously.

At 7:32pm Chairperson Dreyer opened the floor for any citizen comments regarding items not on the agenda.

There were none.

At 7:34pm Chairperson Dreyer recognized Ransford to discuss the Home Occupation Special Use application from Jim Schaddelee.

Ransford explained that Mr. Schaddelee began the business without permission from the Township. In addition, at the time, the use was not permitted. Consequently, related enforcement action began. Court proceedings are currently suspended due to the application. Today, as a result of our recently adopted home occupation text, Mr. Schaddelee may be able to legally conduct the business. He wants to continue the use of a small machine shop with his brother. Ransford also noted that there are two dwellings on the property, which are presumed as legal non-conforming. Mr. Ransford added that the proposed use appears to be compliant with the intent of the new text and believes a recommendation of approval is appropriate with some conditions.

Chairperson Dreyer recognized Mr. Schaddelee to speak regarding the application. Mr. Schaddelee described the use of a small machine shop with minimal noise and no odors.

General discussion was held.

Ransford indicated that he believes conditions should include that the dumpster should be entirely enclosed by a wooden privacy fence or masonry wall of six feet in height, that evergreen trees be planed surrounding the propane tank and ventilation work outside of the building and that the operation must cease entirely in the instance the use expands beyond the home occupation provisions.

Chairperson Dreyer opened the public hearing. There be no comments, Chairperson Dreyer closed the public hearing.

Vander Zwaag asked if we require the applicant to live on the property. Ransford indicated that such was not clear in the Ordinance. General discussion was held.

Russell asked Mr. Schaddelee if he wanted to live on the property. Mr. Schaddelee indicated that his intent is to live there but the market is poor and he hasn't been able to sell his house in Holland.

Dreyer added that he believes the intent of the text is that the home occupation requires the person operating the home occupation to live on the property.

Ransford did some research of the Ordinance and found that within the Definitions section of the Ordinance that the definition of a Home Occupation does require that the property owner lives on site. General discussion was held.

Russell provide a motion to recommend approval of the request with the conditions that the owner operating the business and the property resides on the parcel within one year of the date of approval, that the dumpster is entirely enclosed by a wooden privacy fence or masonry wall of six feet in height and that the northern dwelling is not rented, as it is to be occupied by the owner. Motion carried unanimously.

At 8:00pm Chairperson Dreyer recognized Ransford to discuss the Potter Seasonal Temporary Use Permit Application.

Ransford indicated the proposed plan is identical to the previous two years and the fee is paid.

Motion provided by Terry to recommend approval. Motion carried unanimously.

At 8:01pm Chairperson Dreyer recognized Ransford to discuss the Merryman Dog Kennels Special Use Renewal.

Ransford indicated the fee has been paid and there have been no complaints.

Motion provided by Vander Zwaag to recommend approval. Motion carried unanimously.

At 8:02pm Chairperson Dreyer recognized Ransford to discuss the H&R Sands Special Use Renewal.

Ransford indicated the fee has been paid, however, two violations exist on the property. Most notably, the property owner has created a lake, which is not allowed by their special use permit. In addition, "No Trespassing" signs were not present as required on the site. Ransford indicated that he spoke with Mr. Bud Heyboer regarding the violations and Mr. Heyboer believes a subcontractor of his partner, Mr. Ken Reenders, may have created the lake. Ransford explained that Mr. Heyboer indicated that Mr. Reenders would be present today to explain the site. As noted, no one is present on behalf of H&R Sands.

General discussion was held. Motion provided by Vander Zwaag to recommend denial of the special use renewal. Motion carried unanimously.

At 8:08pm Chairperson Dreyer recognized Elvira Garcia of Kingdom Automotive to discuss the Kingdom Automotive Special Use Renewal.

Garcia indicated that the vehicles in violation have been removed. She explained that they were prepared financially to plant the evergreen trees in accordance with the agreement with the Township but the planting was delayed by the tree provided because it was not the best season to do so. Currently, they do not have the finances but will make sure to get the trees in. They may split the property for money because the business is so slow.

Ransford indicated that in accordance with the agreement, if the Garcias split the property, the nonconforming use of Kingdom Automotive is required to cease. General discussion was held.

Garcia indicated that they have very little trash and now only have a small can as a residence would have for their trash disposal.

Ransford explained that despite the Garcia's having less trash, they agreed to provide a dumpster with enclosure on the property, as shown in the agreement exhibits. In fact, the Garcias are past the deadline for the agreement provisions. As a result, the Planning Commission cannot change any provisions of the

agreement. The Planning Commission can only make recommendations. In the instance the Garcia's do not want to construct the dumpster area, they must renegotiate those terms with the Board of Trustees. General discussion was held.

Russell provided a motion to recommend approval with the condition that the parking of vehicles complies with the agreement, the evergreen trees are planted in accordance with the agreement within 30 days and that the agreement is amended regarding the dumpster as long as no commercial dumpster is on site. Motion carried unanimously.

At 8:28pm Chairperson Dreyer recognized Ransford to discuss the Scott August Lighting Special Use Renewal.

Ransford indicated the fee has been paid and there have been no complaints.

Motion provided by Hossink to recommend approval. Motion carried unanimously.

At 8:30pm Chairperson Dreyer recognized Ransford to discuss the proposed Master Plan schedule.

Ransford explained that he designed the schedule to at least cover those areas already identified by the Planning Commission, Board of Trustees and joint meetings of these bodies as well as from survey comments, as important to the community. Ransford indicated that the schedule is intended to be flexible and is expected to change. General discussion was held.

The Planning Commission agreed that the schedule is sufficient and Ransford will prepare the next meeting.

At 9:00pm Chairperson Dreyer recognized the Commission to discuss the township Drive-around.

General discussion was held regarding coverage areas for each member.

At 9:05 Chairperson Dreyer sought member comment.

General discussion was held regarding the Aram Temple on Port Sheldon. Ransford updated the Commission regarding a recent application from the Temple to construct a smaller building and parking area.

At 9:18pm Hossink provided a motion to adjourn. Motion carried unanimously.

Respectfully submitted,

SIGNED: _____

DATE: _____