

**MINUTES OF THE MEETING OF THE LEE TOWNSHIP PLANNING
COMMISSION, WHICH TOOK PLACE ON TUESDAY, JANUARY 4, 2005,
LEE TOWNSHIP HALL, MIDLAND, MICHIGAN**

PRESENT: Commissioners – Carol Alexander, Toney Kerns, Darla Rippee, Dale Wolfgang, and Tom York

ABSENT: None

OTHERS PRESENT: Tim Smith, Township Enforcement Officer, and Bruce Bancroft

The meeting was called to order by Chair Tom York at 7:05 p.m.

The minutes of the meeting of December 7, 2004, were reviewed. It was moved by Dale Wolfgang, seconded by Toney Kerns, that the minutes be approved as written. Motion carried.

A meeting has been scheduled with McKenna Associates for January 17 at 12:30 p.m. for final review of the proposed Zoning Ordinance. Carol said McKenna has asked that at least a couple of members of the Township Board attend the meeting. They hope to complete the review that afternoon so the Commission can proceed toward a public hearing. They are still waiting for the proposed Zoning Map, which Tom had obtained. It will be forwarded to the consultants for their review. McKenna has advised that they strongly disagree with some of the proposed changes/deletions suggested by the Commission after some Board members looked at the draft ordinance. He reminded us that Lee needs to have a working ordinance, one that will stand up in court if the need should arise. Some of the proposed changes would compromise the ordinance they have prepared.

ENFORCEMENT OFFICER'S REPORT: Tim Smith reported that, because of the death of Judge Van Dam, the Frederickson case is in limbo pending appointment of a new Judge. Tim gave the Commission a current list of cases in the Township and their status.

The Commission reviewed with Tim the proposed Special Use Permit for Home Occupation form. Two changes were made, and the revised form will be provided to Tim Smith and to Tom York in advance of the next Township Board meeting. Tom suggested a form similar to this be developed and used for regular Site Plan reviews.

Tim mentioned the sign displayed by Carol Wilt on her Olson Road property, which advertised a massage therapy business which was conducted there in the past. The business has been moved to a commercial location. According to Tim, it is Dave Yost's opinion that the obsolete sign is permitted, as the Zoning Ordinance does not say that a residential property cannot display a commercial sign. Carol explained that a zoning ordinance is written so that permitted uses are given. If an ordinance does not specifically say that something is permitted, then it is not allowed. That is the way Zoning Ordinances are written. Lee's is no exception. Permitted uses are listed; no others are allowed. Section 5.15 SIGNS, does not permit such a sign in a residential district. (There was never a Special Use Permit for a home occupation applied for nor approved for the property, so a sign for a home occupation would not be allowed in this situation.)

PUBLIC COMMENTS: Bruce Bancroft stated he is interested in opening a used car lot on property at 1728 South Meridian Road. He would be using an existing garage on the property, which he would lease from the owner. He asked what the procedures would be to accomplish

this. Tom explained that we would first have to know the zoning of the property. Mr. Bancroft did not know the zoning classification, nor did he know how big the piece of property is. If the property is not zoned Commercial, it would have to be rezoned before a business could be established there. If it is zoned Commercial, Mr. Bancroft would have to petition for site plan approval. A special use permit for a home occupation would not be feasible, as Mr. Bancroft indicated he does not plan to live on the property. Tom will check on the current zoning and advise Mr. Bancroft.

The proposed Rental Housing Inspection Ordinance is still with the Township Board, with no apparent action having yet been taken. The Commission feels that this Ordinance would be of significant benefit to the residents of the Township. The reason for the delay in action by the Board is unknown.

Tom met with Ray Beebe with regard to his Dad's request that he be allowed to move a structure onto his property at 2763 West Isabella Road, that would be placed 1/4 mile back in his woods, totally out of sight of neighbors or the road, to be used as a hunting shack. According to Ray, his Dad's intent was to add the structure to the existing mobile home on the property as an addition. Ray understood his Dad had the Township's approval to do that, so he moved the structure onto the property. Tom explained what Mr. Beebe's discussion with the Township actually was, and Ray said he will tear the structure down and get rid of it. Because of the winter weather, he said it would take some time to get it done.

Election of Officers for 2005: Tom was nominated as Chair by Dale Wolfgang, seconded by Darla Rippee, Motion carried. Dale was nominated Vice Chair by Darla Rippee, seconded by Carol Alexander. Motion carried. Carol was nominated as Secretary by Toney Kerns, seconded by Dale Wolfgang. Motion carried.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,



Carol Alexander
Secretary