

Birch Run Township Planning Commission Special Meeting Minutes May 8, 2008

Chairman Bill Nelson opened the special meeting of the Birch Run Township Planning Commission with the Pledge of Allegiance at 7:00 p.m. Also present for the Planning Commission were Vice-Chair Bill Hoffman, Secretary Jerry Cook, and Commissioners Wyn Wilson, Dennis Bronner and Jeff Putnam. Absent was Commissioner Bob Scharrer. Present for Birch Run Township were Planner Mark Eidelson, and Zoning Administrator Mike Setzer. Petitioner for site approval Scott Miller was present. There were no other members of the public present.

Moved by Wilson, **supported** by Bronner, to excuse the absent member.

Yeas: Bronner, Wilson, Cook, Putnam, Hoffman, Nelson

Nays: none

Motion carried

Moved by Bronner, **supported** by Cook, to approve the Minutes of the March 17, 2008 meeting.

Yeas: Hoffman, Cook, Bronner, Wilson, Nelson

Abstain: Putnam

Nays: none

OLD BUSINESS: No Old Business was heard.

PUBLIC COMMENT: No Public Comment was heard.

REPORTS: Commissioners representing the Board of Trustees and the Zoning Board of Appeals offered no reports.

NEW BUSINESS:

The Chair read the notice for this special meeting, as published by the Township Clerk. The Commission is asked to review site plan materials submitted by property owner Scott Miller for a proposed development on parcel #05-10-6-22-4006-001, located at 11850 Gera Road. The Commission is being asked if sufficient information has been submitted to move forward with Site Plan Approval, and/or Public Hearing for a Special Use Permit. Also at issue is the permissibility of an "Outdoor Service and Entertainment Area" in the C-1 Zoning District. Should the Commission find the information submitted by Mr. Miller be deemed insufficient, they are asked to offer guidance as to what further information would be required.

After discussion among all parties, there was clear consensus that more information is needed and the Chair tabled the question of Site Plan Approval and/or Special Use, pending receipt of new plans from Mr. Miller. The Commission, Planner and Zoning Administrator provided guidance.

The question came to the permissibility of an "Outdoor Service and Entertainment Area" in the C-1 Zoning District.

Moved: by Wilson, **supported** by Hoffman, That it is a reasonable interpretation of the Zoning Ordinance to consider an 'Outdoor Service and Entertainment Area' as a supplemental Use by Special Use Permit to a Bar/Restaurant in the C-1 District, as presented in Mr. Miller's Site Plan Application of April 3, 2008.

Yeas: Putnam, Wilson, Bronner, Cook, Hoffman

Nays: Nelson

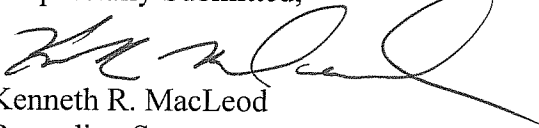
Motion carried

Discussion continued. It was noted that to proceed with the approval process for new plans that continue to show the Outdoor Service and Entertainment Area" a Public Hearing will be required for Special Use. However, if this outdoor area is eliminated, the regular Site Plan Approval process would be in force, as other uses proposed in the plan would be by right.

Moved by Bronner, **supported** by Cook, to adjourn at 10:28 p.m.

Motion carried by voice vote

Respectfully Submitted,


Kenneth R. MacLeod
Recording Secretary

Approved at the meeting held 5/19/08.

Jerry Cook
Secretary

