

# **Birch Run Township Planning Commission Special Meeting Minutes March 13, 2006**

The Special Meeting of the Birch Run Township Planning Commission was called to order by Chairman James Totten, at 7:00 p.m. with the Pledge of Allegiance.

The Roll was called. Members present were; Chairman James Totten, Secretary Gerald Cook, Commissioners Bob Scharrer, and Dennis Bronner. Absent were Vice Chairman Caleb Hart, Commissioners Jeff Putnam and Wyn Wilson. A quorum was present.

Also present were; Michael Setzer, Zoning Administrator, Michael Kern, owner of Dixie Motor Speedway, and four members of the public.

**Moved** by Bronner, **supported** by Cook, to excuse the absent members.

**Yeas:** Totten, Bronner, Scharrer, Cook

**Nays:** none

**Motion carried**

**Moved** by Bronner, **supported** by Scharrer, to appoint Gerald Cook Secretary for the March 13, 2006 meeting.

**Yeas:** Totten, Bronner, Scharrer,

**Nays:** Cook

**Motion carried**

**Moved** by Scharrer, **supported** by Bronner, to approve the minutes of the February 20, 2006 Regular Meeting.

**Yeas:** Totten, Scharrer, Bronner, Cook

**Nays:** none

**Motion carried**

**Public Hearing:** Request #31306, pertaining to Parcel #05-10-6-17-4003-000, Special Use Permit # 2002-003. The property is commonly known as Dixie Motor Speedway. The hearing was opened by the Chairman

at 7:05 p.m.. Petitioner, Michael Kern requests an amendment to the Special Use Permit pertaining to "Operating Schedule".

The Chairman read the Public Notice for this hearing, as published, and reviewed the amendment requested. Mr. Kern is requesting elimination of current date restrictions, limiting racing dates to mid April to the end of September. He also requests that operating hours for practice days be changed from 12:00 noon to 6:00 p.m. to 2:00 p.m. to 8:00 p.m..

Public comment was entertained. Providing comment were; Gail L Kross of 9033 Canada Road, and Mark and Cindy Major, of 8782 Canada Road. All speakers spoke against approval of the Petitioner's request.

The Public Hearing was closed at 7:41 p.m.

Commissioner Wyn Wilson joined the meeting at 7:43 p.m.

**Moved** by Bronner, **supported** by Scharrer, to accept the proposal to eliminate start and ending month and allow one practice day per week between the hours of 2:00 p.m. to 8:00 p.m.. Practice days shall not exceed the number of scheduled race dates.

**Yeas:** Bronner, Scharrer

**Nays:** Totten, Cook, Wilson

**Motion Failed**

**Old Business:** There was no discussion at this time

**Public Comment:** Chairman Totten read a letter, from Gail and Gary Kross regarding Dixie Motor Speedway. There was no further public comment.

**Reports:** The Zoning Administrator updated the Commission on the latest information regarding Meijer.

**New Business:** No new business was discussed.

**Other:** The Zoning Administrator informed the Commission that a letter has been sent to the Moose Lodge, advising that the Site Plan previously

approved by the Commission had expired due to the fact that construction has not started within one year of approval.

At the request of Commission members, the Chairman reopened discussion of Special Use Permit 2002-03, and Request# 31306.

**Moved** by Bronner. **Supported** by Wilson, to table continued discussion of Request #31306 to the Regular Meeting, April 17, 2006.

**Yeas:** Totten, Wilson, Scharrer, Bronner, Cook

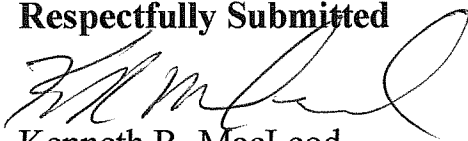
**Nays:** none

**Motion carried**

**Moved** by Wilson, **supported** by Cook, to adjourn at 9:16 p.m.

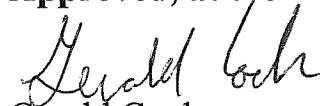
**Motion carried,** by voice vote

**Respectfully Submitted**



Kenneth R. MacLeod  
Recording Secretary

**Approved, at the meeting on,** March 20th 2006



Gerald Cook  
Secretary