

Birch Run Township Planning Commission Regular Meeting Minutes February 16, 2009

Chairman Dennis Bronner called the regular meeting of the Birch Run Township Planning Commission to order at 7:00 p.m. with the Pledge of Allegiance. Also present for the Commission were Secretary Jerry Cook, and Commissioners Wyn Wilson, Bob Scharrer, Jim Parker, and Bill Nelson. A quorum was present. Also present was Zoning Administrator Mike Setzer. Fifteen members of the public were present.

Moved by Cook, **supported** by Scharrer, to nominate Wyn Wilson as Vice-Chair of the Birch Run Township Planning Commission to complete the term ending March 31, 2009. No other nominations being heard, Mr. Wilson is elected as nominated.

Moved by Nelson, **supported** by Wilson, to approve the Minutes of the January 12, 2009 meeting as presented.

Ayes: Nelson, Wilson, Scharrer, Parker, Cook, Bronner

Nays: none

Motion carried

PUBLIC HEARING

The Chair opened the public hearing at 7:05 p.m. Alfred and Dianna Kloss are requesting a Special Use Permit (#02-2009) to open a Bed and Breakfast at 7273 Birch Run Road, parcel # 5-10-6-19-3003-005. Notice was published in the January 21, 2009 edition of *The Birch Run/Bridgeport Herald* and mailed to all property owners within 300 feet of the subject property.

Mr. Kloss made a presentation to the Commission.

Speaking in support of the Special Use Permit were:

Wanda Desander
Ed Carey

7199 Birch Run Road
7270 Birch Run Road

Speaking in opposition of the Special Use Permit were:

Robert Seeley
Shelly Becker
Valentina Seeley

11745 Elms Road
address not given
11745 Elms Road

The Public Hearing was closed at 7:29 p.m.

Zoning Administrator, Mike Setzer, presented staff comments based on The Birch Run Township Zoning Ordinance # 2004-02, current construction codes, and consultation with the Village Police Chief and Birch Run Township Fire Department Assistant Chief. Mr. Setzer cited specifically Articles 4, 5, 14, and 21 of The Zoning Ordinance. Six conditions to the Special Use Permit were recommended, which will be found in the Commission's motion. Staff recommends approval of the Special Use Permit.

Commissioner Wilson addressed the Chair. He reported that he has a cousin who works with Mr. Kloss, but is not involved in this project. Mr. Wilson requested the opinion of the Commission regarding possible conflict of interest.

Moved by Scharrer, **supported** by Cook, that Commissioner Wyn Wilson vote on Special Use Permit Request #02-2009.

Ayes: Parker, Scharrer, Nelson, Bronner

Nays: Cook

Abstain: Wilson

Motion carried

Moved by Scharrer, **supported** by Cook, to approve Special Use Permit # 02-2009 for a Bed and Breakfast at 7273 Birch Run Road, parcel # 5-10-6-19-3003-005, with the following conditions:

- 1.) Compliance with the criteria as found in Article 21 of the Township Zoning Ordinance. (Definition of Bed and Breakfast)
- 2.) Compliance with the ordinance which are referenced in Article 14; Article 4/ site plan review, Article 5/ special land uses and a specific land use standard of Article 14, Section 14.01, which applies directly to a Bed and Breakfast.
- 3.) Signage must be approved by the Building Department.
- 4.) Approved window ladders must be provided for each sleeping room on the second floor.
- 5.) Fire extinguishers must be provided as required by law.
- 6.) All code inspections must be approved prior to issuance of the Special Use Permit.

Ayes: Cook, Parker, Wilson, Scharrer, Nelson, Bronner

Nays: none

Motion carried

OLD BUSINESS

Discussion was held regarding Escape Ramps for Artificial Water Bodies, Wind Turbines and Outdoor Wood Burning Stoves, and these items were tabled.

REPORTS

Township Board Representative Bill Nelson reported on activity of the Board.

Zoning Board of Appeals Representative Dennis Bronner had no new information to report.

OTHER

Moved by Wilson, **supported** by Cook, to amend the By-Laws of the Birch Run Planning Commission, that the terms of office for the Chair, Vice-Chair, and Secretary shall be April 1 to March 31.

Ayes: Wilson, Scharrer, Nelson, Cook, Parker, Bronner

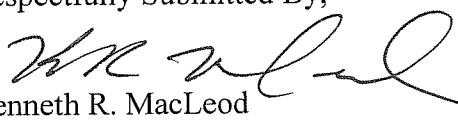
Nays: none

Motion carried.

Moved by Nelson, **supported** by Wilson, to adjourn at 9:28 p.m.

Motion carried by voice vote.

Respectfully Submitted By,


Kenneth R. MacLeod
Recording Secretary

Approved at the meeting held 3-16-09

Jerry Cook
Secretary

