

Planning Commission

Regular Meeting Minutes Thursday, September 3, 2015 7:00 p.m., Council Chambers



City of South Haven

1. Call to Order by Paull at 7:00 p.m.

2. Roll Call

Present: Heinig, Miles, Peterson, Webb, Paull
Absent: Frost, Smith, Stimson, Wall

Motion by Heinig, second by Miles to excuse those who did not answer the roll call.

All in favor. Motion carried.

3. Approval of Agenda

Motion by Heinig, second by Peterson to approve the September 3, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – July 9, 2015

Motion by Heinig, second by Peterson to approve the July 9, 2015 regular meeting minutes as written.

All in favor. Motion carried.

5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

6. New Business – Site Plan Review

Vernon Julian requests site plan approval to operate an impound lot in the industrial zone. There will be no new construction and the applicant intends to use an existing building on the True Blue property at 1301 M-43. The only improvement will be a 15,000 square foot fenced area for vehicles that are impounded.

Anderson reviewed the background of the request, noting that this is an allowed use in this zone with planning commission review; that she has received no comments or complaints from the neighbors. Anderson believes the Planning Commission should waive the paving requirement; the city engineer agreed that would be unnecessary and would create more pervious surface in that zone. One point Anderson needs clarification on; the lot line on the aerial photo and drawing do not seem to agree with one another. Anderson wondered if the fence is on the property line and if the fenced area is rectangular.

Anderson noted that someone from the neighboring business came in and mentioned to us that there was an impoundment yard being operated. That was how the city found out about it; Anderson believes the applicant was unaware that he needed this review. Discussion ensued regarding the neighboring business and their complaint.

Paull asked if Anderson had gotten the clarification on the questions she had; Anderson responded that she had not and that she hoped for the applicant to clarify that tonight.

Peterson questioned, "The neighboring business told you about it but they were cool with it?" Anderson responded that, yes, the neighboring company just wondered if the impoundment yard was using part of the fence that belonged to Do-It. Anderson said that she told the complainant that such issues needed to be cleared up between the two parties but the use did need planning commission approval.

Vernon Julian, After Hours Towing, 1301 M-43 Highway #10. Julian stated he did have the property surveyed and the fence belongs to True Blue Farms, the fence is very close to the property line, and that he attached additional fencing to the existing fence.

Paull asked about the discrepancy between the drawing and the aerial view to which Julian responded that he is not sure about the reason the fence runs on an angle. The aerial looks straight but if you look at the survey it goes on an angle, which he attempted to indicate with his drawing. Julian also pointed out that it appears that the side property lines on several of the Blue Star Highway properties run on a similar slant. Anderson noted that may be due to the way Blue Star Highway curves in this area.

Paull asked what the parking lot surface is right now to which Julian responded that it is gravel and grass; Julian has been told that a bunch of fill was brought in there at one time.

Heinig asked if the shape of the fenced area is a rectangle. Julian explained that it should have been but it is off a little bit; the front part facing Blue Star is narrower than the rear part. Peterson said it is mostly rectangular and noted that he drove out and looked at it. Julian explained that he just made the fenced enclosure based on the size of the fencing which he got at a good price. Julian noted that if the county cooperates, most cars will be a sixty (60) to ninety (90) day turnaround but in some cases Van Buren County will come and get the vehicles so it is not a real eyesore for anyone else.

Anderson asks that there be two stipulations if the request is approved: 1.) Waive the paving for the parking area and 2.) If this area is enlarged in the future the applicant needs to come back to the Planning Commission for further approval.

Heinig motion to approve the site plan with the stipulation that hard surfacing and landscaping be waived and any expansion of the lot be returned to the Planning Commission for further approval. Second by Miles.

All in favor. Motion carried.

7. Other Business – None

Paull explained that at a recent Zoning Board of Appeals (ZBA) meeting no one was present to discuss it from the applicant's side which made it difficult to make a decision since no one was there to make the argument or answer questions. The ZBA changed their bylaws to simply state that the applicant or a representative need to be present or the request would be set aside until the next meeting. Paull asks that on the next agenda we consider this for discussion. The members agreed.

Anderson said the ZBA voted to add that; the by-laws may be revised at any time.

8. Commissioner Comments

Peterson: No comment.
Webb: Happy Dave Paull was here.
Heinig: No comment.
Miles: No comment.

9. Adjourn

Motion by Heinig, second by Peterson to adjourn at 7:16 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary