

**VILLAGE OF SCHOOLCRAFT  
PLANNING COMMISSION  
JANUARY 14, 2008**

The Regular Meeting of the Planning Commission was called to order by Chairperson Tim Brown at 7:03 p.m.

**ROLL CALL:**

Present: Chairperson Tim Brown, Commissioners Harden, Gunnett, Vestal, Rozeboom (7:05p.m.), Robinson and Pfof.

Absent: None.

Also Present: Nate McNeal, Jerri French, Curtis Burns.

**APPROVAL OF MINUTES:**

Motion by Harden, seconded by Pfof, to approve the minutes of the Regular Meeting of December 10, 2007, with the following corrections: Reflect the addition of Mr. Darrell Harden to the Roll Call under Also Present: Change all wording in new business from septic installation to septic inspection. All aye.

**PUBLIC HEARING:**

None.

**UPDATE ON VILLAGE ACTIVITIES:**

- a) Meeting minutes of the Village Council of December 3, 17, 2007, were acknowledged for file.
- b) Meeting minutes of the DDA of October 4, 2007, were acknowledged for file.
- c) Commissioner Gunnett briefed the Planning Commission on the status of the proposed Sanitary Sewer Project.

**UNFINISHED BUSINESS:**

The memorandum from Village Manager Cheri Lutz regarding checklist requirements for site plans was discussed. The requirement for septic inspection will be removed; the requirement for detailed floor plan will remain.

**NEW BUSINESS:**

Mr. Nate McNeal of Bud's Bar appeared before the Planning Commission to request site plan approval for the re-striping of his parking lot.

Mr. McNeal had the following comments:

- He stated that he was not aware that re-striping of a parking lot required site plan approval.
- He stated that the zoning ordinance was reviewed prior to the re-striping, and that the parking lot is in compliance.
- He stated that eight (8) additional parking spaces were created.
- He stated that Ms. French is in violation of the Village's ordinance.

Ms. Jerri French had the following comments:

- She stated that she pays taxes on an eight (8) foot easement.
- She stated that the site plan for 123 S. Robinson Street was approved by the Village Council.
- She stated that she is not willing to compromise with Bud's Bar regarding the parking issue.
- She stated the use of her parking lot changed without her permission.

Chairperson Tim Brown had the following comments:

- He stated that the easement between Bud's Bar and 123 S. Robinson Street is for multiple uses for both parties.
- He stated that the Planning Commission does not have the right to determine the rights of easement, and that it is a civil matter between the two parties.
- He suggested that both parties resolve the issue through their attorneys.
- He stated the Planning Commission did not recommend approval of the proposed site plan for 123 S. Robinson Street because they did not approve retail use in the establishment.
- He stated that the Planning Commission would not restrict parking because the nature of the business, and the two parties need to resolve their easement issues through their own attorneys.

Commissioner Darrell Harden had the following comments:

- He stated the Planning Commission does not have the authority to determine easement rights.
- He asked if there could be a compromise between the two parties.
- He stated that he was not comfortable reviewing the site plan until the easement issue is resolved.
- He stated that Section 1-25 of the Zoning Ordinance addresses the prevention of conflict among the use of land and buildings.

Commissioner Gunnett had the following comment:

- He stated that the fact that Ms. French has marked off spots for parking does not guarantee a right to park in those spots.

Commissioner Robinson had the following comment:

- She questioned how the Planning Commission could best resolve approval of a site plan that is a hazard.

Commissioner Pfof had the following comment:

- She stated that the Planning Commission is aware that there is a conflict between the two parties regarding easement rights.
- She stated she is not comfortable with a Planning Commission decision until the easement issue is resolved.

Motion by Commissioner Rozeboom, supported by Commissioner Pfof, to recommend approval of the site plan based on the fact that they have met the requirements of the zoning ordinance for parking while acknowledging the easement conflict that exists between the two adjacent parties involved, and

the provision that the dumpsters located behind the bicycle shop be screened by June 1, 2008.

Ayes: Gunnett, Pfof, Rozeboom, Brown.

Nays: Vestal, Harden, Robinson.

Motion carried.

**ADJOURNMENT:**

The meeting was adjourned at 8:10 p.m.

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Cheri M. Lutz, Recording Secretary

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Tim Brown, Chairperson