

Nelson Township  
Planning Commission Meeting  
2 Maple Street  
Nelson Twp/Sand Lake Municipal Building  
Sand Lake, MI 49343  
7:00 P.M.

Chairman Grifhorst called the planning commission meeting to order at 7:00 P.M.

Present: McKown, Dignum, Litwinchuk, VanEnk, Hoffman.

Absent: Stolk

Also present Zoning Administrator Jerry Gross, Township attorney Ross Leisman and four citizens.

### Minutes

January 19, 2011 planning commission minutes were accepted as presented.

### Special Land Use for J & R Auto Recyclers, Inc. – 15730 Northland Drive, Cedar Springs, MI. 49319.

- At this time Mr. Grifhorst gave this opportunity to Jason Fisher to explain his special land use application. Jason explained they were seeking a special land use to expand their 30-year family business and bring their outdoor storage into compliance with the township zoning ordinance. The company prides themselves on their proactive approach to environmental practices. All dismantling will continue to be completed indoors, along with proper recycling of all fluids.
- Public Hearing was opened at 7:13 P.M.

### Special Land Use for J & R Auto Recyclers, Inc. – 15730 Northland Drive, Cedar Springs, MI. 49319.

There was no public comment. Public Hearing was closed at 7:15 P.M.

The Special Land Use for J&R Auto Recyclers was offered by McKown, seconded by Dignum with the following recommendations:

- Submit lease documents
- Remove from yard semi-trailers within one-year from the date of the final building inspections
- All vehicle dismantling and fluid removal shall take place within a fully enclosed building.

Yes 6 No 0 Absent 1. Motion passed

May 18, 2011

## **Proposed Amendment to the Township Zoning Ordinance Section 3.7 Dwellings, Except in Mobile Home Park**

Chairman Grifhorst opened the public hearing at 7:13 on **Crawl Space Requirements**.

John Wier – 16100 Myers Lake Ave commented that a 32” crawl space is not practical. Jerry Gross stated fire safety was a major concern; 32” is inadequate space for repairs.

The public hearing closed at 7:45 pm.

The proposed language to change the minimum crawl space from 4’ to 32” was offered by Litwinchuck and seconded by VanEnk. Yes 3, No 3. Absent 1. Motion failed.

## **Natural River Overlay**

**Amend Chapter 11 – NR Natural River Overlay – Public Hearing Opened 7:46 pm.**

### **Public Comments:**

John Wier, 16100 Myers Lake Ave stated that during the Master Plan reviews there was strong community commitment to protect the natural river overlay districts.

Hoffman reported as requested from the last planning commission meeting all parcels that are within 300’ from Duke & Cedar Creek were identified as a tool for proposed building sites and land division applications. The Zoning Administrator presented a list of 63 parcels that were identified by the Kent County Aerial maps dated April 12, 2010.

After the planning commission discussed all the proposed changes to the Natural River Overlay district, Hoffman made the motion to approve the changes, supported by Litwinchuck. Yes 4, No Dignum, McKown. Absent 1. Motion passed. Public hearing was closed at 8:15.

## **Section 4. Amendments to Chapter 2, 3, 4, 15 and 19 – Uniformity of Names**

A motion by McKown to send the recommend proposed changes to the township board. Seconded by Dignum. Yes 6, No 0, Absent 1.

## **Section 2.2 Amendments to Chapter 13 – Planned Unit Developments (Township Board Public Hearing)**

Section 2. Amendments in Chapter 13 – Planned Unit Development (Township Board Public Hearing) is hereby amended by the amendment of Section 13.6(I) pertaining to residential planned unit development (PUD). Dignum made the motion with support from McKown. Yes 6, No 0. Absent 1. Motion passed.

## Medical Marihuana

The proposed Medical Marihuana zoning ordinance will come before the Planning Commission at their August 17, 2011 meeting.

Mike Baczewski 5555 - 22 Mile Road inquired an opinion from the commissioner's on a Judgment concerning his property dispute. Chairman Grifhorst said he needs to contact his attorney.

Without objection the Planning Commission meeting was adjourned at 9:10 P.M.

Laura Hoffman  
Secretary

Attached are copies of J&R Auto Salvage approved by the Planning Commissioner's on May 18, 2011.

Overlay district submitted at the May 18 2011 planning commission meeting.

**Final as Approved by the  
Planning Commission  
on May 18, 2011**

TOWNSHIP OF NELSON

COUNTY OF KENT MICHIGAN

Minutes of a regular meeting of the Planning Commission of the Township of Nelson, held at the Township and Village Hall, 2 Maple Street, Sand Lake, Michigan, on the 18th day of May, 2011 at 7:00 p.m.

PRESENT: Members: VanEnk, Litwinchuk, Dignum, Grifhorst, McKown, and Hoffman

ABSENT: Members: Stolk

The following preamble and resolution were offered by McKown and seconded by Dignum.

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AMENDING SPECIAL LAND USE FOR  
(J & R AUTO RECYCLERS, INC. – 15730 NORTHLAND DRIVE)**

WHEREAS, the Township granted special land use approval to operate a junkyard on a parcel of land at 15730 Northland Drive in the Commercial District on or before February 14, 1984; and

WHEREAS, J & R Auto Salvage, Inc., the current operator and lessee of the automotive recycling facility located at 15730 Northland Drive, has now applied for an additional special land use so as to expand the automotive recycling facility by the addition of an 182' x 80' cold storage area to the main operations building of the automotive recycling facility; and

WHEREAS, the C Commercial District authorizes a special land use for junkyards, under Section 9.3(M) of the Zoning Ordinance, when authorized by the Planning Commission; and

WHEREAS, the Township Planning Commission has held a public hearing on the application, after the giving of public notice, and has considered the application and related materials, together with comments and other information from the public.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

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1. **Special Land Use.** Upon the terms and subject to the conditions of this resolution, the Planning Commission hereby grants and approves a special land use for the following amendments to the previously approved special land use for the automotive recycling facility:

(a) The addition of a 182' x 80' cold storage space to the main operations building of the automotive recycling facility, as shown on the site plan submitted by the applicant and reviewed by the Planning Commission on May 18, 2011.

2. **Lands.** The lands comprising the special land use are identified as Parcel No. 41-03-18-400-033, and are legally described as follows:

PART OF SW 1/4 SE 1/4 & PART OF SE 1/4 SW 1/4 COM AT NE COR OF SW 1/4 SE 1/4 TH S ALG E 1/8 LINE 328.65 FT TH W A PT 328.65 FT S & 1221.18 FT E FROM NW COR OF SW 1/4 SE 1/4 TH S PAR WITH N&S 1/4 LINE 330 FT TO S LINE OF N 658.65 FT OF SW 1/4 SE 1/4 TH W ALG SD S LINE 1403.5 FT TO ELY LINE OF NORTHLAND DR/STL US 131-80 FT WIDE/ TH NELY ALG ELY LINE OF SD DR TO S 1/8 LINE THE E ALG S 1/8 LINE TO BEG SEC 18 T10N R10W 19A M/L

3. **Terms and Conditions on Special Land Use.** The special land use for the addition of an 182' x 80' cold storage area to the main operations building of the automotive recycling facility is expressly subject to all of the following terms and conditions:

(a) **Site Plan.** The special land use covered by the terms of this resolution shall comply in all respects with the site plan submitted by the applicant for this special land use, except as the site plan may have been modified by the terms of this resolution, and in that case, the terms of this resolution shall control.

(b) **Demonstration of Authority.** As JCF Properties, LLC is listed on the tax rolls as the owner of Parcel No. 41-03-18-400-033, J&R Auto Salvage shall submit its lease documents, and any and all other documents demonstrating that J&R Auto Salvage has the authority to place an addition onto the main operations building of the automotive recycling facility before a building permit is issued.

(c) **Compliance with Existing Special Land Use.** Except as expressly provided otherwise herein, the terms of the existing special land use for the automotive recycling facility are incorporated herein by reference and remain unchanged.

(d) **C Commercial District Provisions and Special Use Provisions.** Except as to matters otherwise stated in this resolution and as to matters otherwise approved by the Planning Commission in site plan review and approval, the special land use shall comply with the minimum provisions of the C Commercial District and with the Special Use provisions of the Zoning Ordinance regulating special land uses for junkyards.

(e) **Removal of Semi-trailers from Yard.** J&R Auto Salvage shall remove or caused to be removed from the yard of the automotive recycling facility the semi-trailers that are currently being used for storage of salvaged auto parts within one year from the date of the final inspection of the 182 x 80 addition approved herein.

(f) All vehicle dismantling and fluid removal shall take place within a fully enclosed building.

4. **Findings under Section 19.4.** In considering the requested special land use, the Planning Commission makes the following findings under the general standards for special land use:

(a) If the addition of the cold storage space to the main operations building of the automotive recycling facility is designed and constructed in compliance with this Resolution, it will be harmonious and appropriate in appearance in relation to the existing or intended character of the immediate area.

(b) The special land use would be adequately served by essential facilities and services such as streets, police and fire protection and the like.

(c) The special land use would not create excessive additional requirements at public cost for public facilities and services.

(d) If the addition of cold storage space to the main operations building of the automotive recycling facility is designed and constructed in compliance with this Resolution, there would not be traffic congestion resulting from the addition.

(e) The special land use, if operated in compliance with this Resolution, would not involve activities, equipment or conditions that would be detrimental to other persons, property or the general welfare by reason of noxious or offensive odor, fumes, glare, vibration or vehicle traffic.

(f) The conditions set forth herein with regard to the special land use are determined to be those conditions which are necessary to insure that public services and facilities affected by the special land use will be capable of accommodating increased public service demands caused by the special land use, to protect the natural environment and to conserve natural resources and energy, to insure compatibility with adjacent land uses and to promote the use of land in a socially and economically desirable manner.

AYES: 6

NAYS: 0

ABSENT: 1

RESOLUTION DECLARED ADOPTED.

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Laura Hoffman, Planning Commission Secretary

## Cedar Creek Overlay District

20-400-013  
016  
017  
024

29-200-002  
005  
007  
008  
009  
018  
020  
021

29-300-001  
012  
014  
019  
029\*

29-400-012

30-176-004\*

30-200-021

30-451-001  
002

30-476-001  
021  
015

## Duke Creek Overlay District

05-151-006

06-152-001  
002  
003  
004  
005  
006

007

06-155-001  
007

06-176-001  
005  
006  
007  
008

06-200-019  
021  
023  
024

06-300-005

06-400-027  
039  
040  
041  
053

07-100-001  
002  
021  
022  
023  
024  
025  
026  
027

07-300-004  
013

18-100-017