

LEXINGTON TOWNSHIP  
PLANNING COMMISSION

REGULAR MEETING

7227 Huron Avenue, Lexington, MI 48450  
June 15, 2016

**CALL TO ORDER:** Chairperson Mike Ziegler called the meeting to order at 7:07 PM.  
**ROLL CALL:** By Vice Chairperson Jane Huepenbecker  
**PRESENT:** Kristie Jahn, Jane Huepenbecker, Thomas Wilson, Michael Ziegler, Chip Milletics, and Alan VanderGraaff  
**ABSENT:** Ruth Merriman (excused)  
**QUORUM** **PRESENT**  
**OTHERS:** Gilberto Llerenas, Rebecca Wagester, Jo Wegert, Michael Deem, Senior Planner with McKenna Associates, Zoning Administrator Davianna McAllister, and Recording Secretary Judy Vandewarker

**PLEDGE OF ALLEGIANCE:** By members and audience

**APPROVAL OF AGENDA:**  
**MOTION** by Jahn, seconded by VanderGraaff to approve the Agenda as presented.  
All ayes, Motion carried

**APPROVAL OF MINUTES:**  
**MOTION** by Huepenbecker, seconded by Jahn to approve the Minutes of the May 18, 2016 Regular Meeting as presented.  
All ayes, Motion carried

**CORRESPONDANCE:** None, however, McAllister stated that the Township Board has dispersed the Master Plan to our surrounding communities who have 45 days to respond before we can hold a public hearing, at the Planning Commission level.

**ZONING ADMINISTRATOR REPORT:** Members reviewed the report for May. **MOTION** by Huepenbecker, seconded by Jahn to approve the report. All ayes, Motion carried.

**PUBLIC COMMENT:** Gilberto Llerenas, when asked by Ziegler if he wished to make a statement at this time, stated he would wait until later in the meeting to speak.

## UNFINISHED BUSINESS:

1. **Schedule B: footnote regarding bluff**— Discussion continued from the last meeting regarding the need to clarify the definition of "bluff". Following a great deal of discussion, **MOTION** was made by Wilson, seconded by Jahn, to add the phrase "from the bluff" to the first sentence of Schedule B footnote #5. All ayes, motion carried.

A second **MOTION** was made by Wilson, seconded by Huepenbecker, to add three diagrams to Section 2.2.0 under Bluff line, which will become figure 21:

- The graphic from the agenda packet "B. BLUFF SETBACK" showing Shoreline, Bluff Line, and Bluff Setback Line
- The graphic showing Bluff, Toe of Slope, and Lake, adding an arrow below the word "Bluff" pointing out the bluff line, and deleting the arrows and dash marks below "Bluff"
- The diagram showing a sloping Bluff edge, Limits of coastal bluff face, and Toe of Bluff.

## NEW BUSINESS:

SLU # 15-01 Heely's Auto - continued SLU condition violation (16-5-27) and Amendment Request

In his defense, Llerenas stated that his business has been busier than he expected, resulting in his taking in more vehicles than he expected when he requested the original SLU. Following a great deal of discussion, during which the commission members stressed that being in violation for four months is a circumstance that cannot be tolerated, and ALL conditions of the SLU must be followed or they risk having the SLU revoked.

Finally, to deal with the violation first, a **MOTION** was made by Wilson, seconded by VanderGraaff, to delay the decision of the Planning Commission to revoke the Special Land Use permit until the next regular meeting on July 20, 2016, (or the next regular meeting that is held) contingent upon Llerenas paying a \$500 civil infraction penalty (\$25.00 x 20 days violation), and bringing into compliance the number of vehicles on the lot to the 45 allowed by the permit, and keeping it there, unless and until the Special Land Use permit is amended. All Ayes, **MOTION** carried.

Discussion followed as to Llerenas' request of 6/7/2016 to increase the number of vehicles allowed on the sales lot from 45 to 100. Wilson stated that the next order of business would be to decide if that change should be deemed minor or major, as a minor change could be approved by the commission that day, whereas a change deemed major would require a public hearing and thus require more time. Therefore, Llerenas was asked if he would like to change his request to ask for an increase of 15 vehicles at this time, rather than the increase to 100 that he requested on 6/7/2016, in order to allow the Planning Commission to consider allowing the total of 60 vehicles as a short term **minor** change, knowing that he can go forward with the request for a 100 vehicle limit in the future. Llerenas agreed to request the 60 vehicle limit at this time.

**MOTION** was then made by Wilson, seconded by Huepenbecker to consider allowing Llerenas an increase of 15 vehicles (from 45 to 60) a minor change of his existing Special Land Use permit. All ayes, motion carried.

VanderGraaff made a **MOTION**, seconded by Wilson, to allow Heely's Auto's Special Land Use permit to be amended to allow 60 vehicles, rather than the original 45 allowed, as long as vehicles are kept on stone or paved surfaces. Heely's must reach compliance within one week. All ayes, Motion carried. Llerenas was reminded that the Planning Commission will have to take further action should the provisions of the ordinance not be followed.

To make further changes to their Special Land Use Permit, Heely's Auto must submit a new and complete application with property dimensions and an adequate site plan, including Green Belt requirements, and which will require a public hearing.

**PUBLIC COMMENT:** None

**ADJOURNMENT:** **MOTION** by Wilson, seconded by VanderGraaff to adjourn the meeting at 8:50 PM.  
Motion carried.

Respectfully submitted,  
Judy Vandewarker  
Recording Secretary  
June 21, 2016

Approved \_\_\_\_\_

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Recording Secretary Judy Vandewarker

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