

CITY OF CASEVILLE

PLANNING COMMISSION

SPECIAL MEETING

October 8, 2020 7:30 p.m.

Members present: Dave Havrilla, Patricia Des Jardins, Teresa Calkins, Charlotte Ignash, Jerald Ignash, Jessica Sancrant, Joanne Vander Meulen and Jamie Learman.

Also present: Terry Kelly

Special Meeting called to order by Dave Havrilla.

The Pledge of allegiance was recited.

MOTION was made by Des Jardins and second by C. Ignash to approve the minutes of December 9, 2019. 8-0 Approved.

Public Comments –

Dena Withey requested approval for storage use for their building.

Louis Johnson said the building goes along with the image of the area and he supports the Witheys.

Walter Tripp agrees with Louis Johnson and has no problem with their commercial building or any commercial building on the street.

Todd Talaski had conversations when this building was started. He stated the City attorney questioned this building. He said judge ruled the City is not following the ordinances. He said we are going backwards trying to fix this.

Jan Prill asked why there wasn't any paperwork to look at and questioned if there was a valid building permit. She also asked why they are still building. She also questioned parking.

Terry Kelly said he felt Judge Prill ruled this was not a retail space, rather a storage building which needs Planning Commission approval.

Warren Kappen said this building was started a year ago and is illegal. He said he tore a building down on his property to clean things up. He feels the Withey building is oversized for the lot and was deemed illegal by Judge Prill.

Member Comments -

Dave Havrilla read four letters of support for the project.

Charlotte Ignash said a day was not enough notice for this meeting.

Jerald Ignash also thought this was being done in a hurry.

Jamie Learman commented that this meeting was requested last month due to court timelines. The City attorney wanted a chance to review the order from the court case. The order was filed September 21 and the City received it October 7. The City attorney reviewed it and said the Planning Commission could proceed. The meeting was set so the Withey's would know the Planning Commission's decision prior to the "21 days to appeal" expiring on October 12.

Todd Talaski gave a letter to Dave Havrilla from Kappen's attorney, Francis Keating, regarding his concerns with this building, which Dave read aloud. (This email was sent at 3:37 p.m. to Jamie Learman on this day. He left work at 3:00 p.m. and had not received it prior to this meeting.)

Charlotte Ignash asked many questions about ordinances that apply.

MOTION was made by Calkins and second by Des Jardins to approve the use of the building as storage under 1273.03(p).

Jerald Ignash offered an amendment second by Vander Meulen to add the restriction of site plan review by Zoning Administrator after the Withey's add the trailer on the lot drawing. Amendment approved 8-0.

Roll call vote on Motion with amendment Aye – Havrilla, Des Jardins, Calkins, Learman, Sancrant, Vander Meulen and Charlotte Ignash. Nay – Jerald Ignash. Motion with amendment passed 7-1.

Next meeting scheduled for October 28, 2020 4:15 p.m.

MOTION was made by J. Ignash and second by Sancrant to adjourn the meeting at 9:25 p.m., all ayes, motion carried

Jamie Learman, Secretary

Dave Havrilla, Chairman