

FRANKFORT PLANNING COMMISSION – SPECIAL MEETING
Meeting Minutes
March 9, 2009

Call to Order: 7:00pm.

Roll Call – Present: Ogilvie, Johnson, Clingman, Condon, Duncan, Hommel, Larson, Martin, McLaughlin, and City Superintendent Mills.

Public: Susanne Glynn & Pat Storrer (Council liaisons), Melanie Herren, Lonna Harrison, Bonnie Warren, Randy Gilbert, Ed Moody, Jackie McLaughlin, Jon & Mary Armstrong, Peggy Hawley, JoAnn Holwerda, Bill Higman, Dick & Billie Bayer, Bob Dittrich, Larry Clingman, Doug Coles, J. Douglas Holmes, Joan & Will Wolfe, Faith Sanders, Doug Rath, Myra Elias, and LuAnn Elwell

Quorum present

Approval of Agenda

Moved Hommel, seconded Duncan. Motion passed

Public Input-General Issues

J. Doug Holmes: Requested consideration for the placement of a Liberty pole in City park.

Public Hearings

Chair's Opening Explanation of Special Meeting of the City Planning Commission

Tonight, this special meeting of the Planning Commission has a limited agenda, in order to receive required public input on specific changes proposed to the Municipal Code of the City of Frankfort.

The role of the Planning Commission is advisory, following an affirmative vote on amendments or additions to the Municipal Code; Planning Commission forwards such changes to the City Council for their action. The Planning Commission may deny an amendment or addition to the Municipal Code after public hearing, and that action, along with the reasons for denial, are forwarded to the City Council for their action.

The Planning Commission, acting as the Zoning Commission (see Section 305,306, 308 of the State Enabling Act of 2006, as amended and effective 28 Feb 2009), has the responsibility to create, review, amend, hold public hearings, and then vote to approved, amend or deny changes to the Zoning Ordinances of the Municipal Code. However, the actions of the Planning Commission, acting as a Zoning Commission, are limited to upholding the specific words or intent of the Master Plan, as approved, and understood to be the will of the people. The purpose of the public hearing is to expose any changes anticipated, or proposed, to public scrutiny that may demonstrate the current view of the people.

The Agenda for this Special Meeting will be the consideration of seven amendments, or new additions, to the Zoning Ordinance(s) of the City of Frankfort. Each proposal has been available for public review and in the hands of the Planning Commission for (at least) the last fifteen days. Notices of this Special Meeting were posted on the City Hall Notice Board and Published in the Benzie County Record Patriot at least 15 days before this meeting.

The Planning Commission will begin with the Public Hearing on the "Tree Ordinance" to facilitate public participation. I will introduce the Sections of the proposal under consideration by the Planning Commission, which is Section 2: a new Article 7, added to Chapter 8 of the Municipal Code.

Section 1 is an amendment to Section 4810 and a new Section 4811 to the Municipal Code under the sole authority of the City Council.

1. The proposed Tree Ordinance. Motion to open Public Hearing Moved: McLaughlin Seconded: Duncan Motion passed.

a. Public Comment/Support

Peggy Hawley, 403 Forest: Representing Tree Board. Explained impetus, history and resources consulted for Tree Ordinance process that took over a year and the perceived need to be pro-active in the protection of trees in the City of Frankfort. Proposed ordinance primarily focuses on both new construction and street development. Acknowledged concerns raised by the Planning Commission and hoped they would be answered. Quoted Wade

Trim observation from Vision Fair '...So, green trumps pavement.' "We're all tree people. Remember it takes a generation to replace lost tree cover."

Melanie Herren, 1201 Elm: Mentioned several tree facts. "I support the ordinance. I think a lot of hard work went into it. The reason why I support the ordinance is because of what happen in the back of my yard (Day Ave.). Described washout problems on Day Ave. Documented with **PICTURES OF WASHOUT** to be added to the record.

Joan Wolfe, Michigan Shores: "Trees a very important part of cities. Trees add value to property. People come to cities for their trees."

Doug Coles _____: Questioned how the 40% perimeter was determined and what that means. "We already have Zoning Ordinances that do that."

Ed Duncan, 831 James St.: I don't know what we're talking about. Where is the problem?

Mary Armstrong, 1 Sac: "This only refers to lots over 2 acres. There are no restrictions on property under 2 acres."

Bonnie Warren, 509 Corning: "One of the reasons the Tree Board decided to address this problem was the clear cutting on Hanrath. ...We believe this ordinance will make people pay better attention to what the potential damages are..."

Myra Elias, 110 George St.: Requested clarification on property of less than 2 acres. Ordinance covers construction but what if you're not doing that...?

Will Wolfe, Michigan Shores: Member of American Forestry Association. "Every issue of the magazine (AFA) stresses the importance of urban tree preservation. ...very positive financial value..."

Peggy Hawley: "In answer to a couple of questions asked, the issue of 40% in speaking with City Attorney (McKay) we needed to come to some method of measurement so we put a qualifying number. So if you have 10 acres, you can remove 40%, every 5 years. Less than 2 acres and you want to take down that tree that going to cause damage you have no obligation to let the City know if it's under 2 acres and it's your private property ." "The whole thrust of the matter, from our point of view, we were trying to plan ahead to the larger track, where hopefully we'll have some new little developments."

b. Public Comment/Opposed

JoAnn Holwerda, 675 Day Ave.: Opposes the Section 8705 (Construction Tree Protection Requirements for roads, Utilities, Multi-family Developments, Subdivisions, and Site Condominiums) "I think it's very, very strict and I think it's going to be an extreme added cost to the homeowner that will trickle down (expenses)..." "Tree protection plan is very stringent, in my opinion."

Mills: "This is for roads and street construction. Not necessary for single family dwelling."

J. Douglas Holmes, 718 Forest: Concerned with including shrubs in the ordinance. Concerns over waste water run-off and tree trimming expectations.

Randy Gilbert, 819 Leelanau: I'm looking at Section 8706 (variances) What type of variances seems pretty vague. I'd like to see more specifics. ...Under Section 8703.4 c. the number of trees over 6" DBH to be removed and the sketch of the property, drawn to scale seems to create a hardship for the home owner.

Ogilvie: It appears, Section 8703.4 applies to the land over 2 acres. I think the Zoning Board of Appeals would have a say if that presents a hardship to you, as a property owner of not.

LuAnn Elwell, 911 Forest: "Who determines the cost of the permit and the fines?"

Ogilvie: City Council

Dick Bayer, 637 Corning: "It seems to me this whole ordinance that you're proposing is discriminatory for someone that has more than 2 acres of land....I say, if your going to put in an Ordinance like this make it apply the same to people with less than 2 acres." "If they can cut down a tree, then I should too."

Doug Rath, 1540 Pautz: Question the Hanrath example of individual property owners of less than 2 acres, is

this a loophole?

Ed Moody, 722 Leelanau: Too many ordinances already. Trees on public property already protected "Keep off of private property. ...Developers realize the importance of trees. We all realize the importance of trees. I respect the need for them in our community. We don't need an ordinance for that."

Johnson: Enforcement of Section 8705 questions

Hommel: Michigan Shores, can they do something there?

Mills: In a lot of these cases, I'm going to rely on the applicant

Johnson: If this ordinance doesn't go through, will they still come to you (Mills) and ask if they can cut trees?

Mills: Possibly under Land Use Permit

Duncan: So is this primarily for the open areas...Would we be wise to spell that out?

Mills: Northern tier

Condon: Moved to close Public Hearing, seconded Johnson. Motion passes.

McLaughlin: Moved to approve Tree Ordinance as presented. Clingman seconded.

Discussion

Joan McKay, City Attorney: Discussed purpose and addressed questions raised. Suggested looking at ordinance as 3 major parts. Section 8703 (Tree Removal; Permit Required). Only applies to land more than 2 acres, under single ownership, even if there are different property parcels (ie Hanrath). Single ownership is defined as same type of ownership for the entire parcel.

Clingman: What is meant by 40%?

Joan McKay: 40% of land area, over 5 years. Discussed Section 8704 (Standards for Tree & Shrub Removal) and the need to meet Forest Management program. 'If someone wanted to harvest their trees and you had a Forest Management plan you wouldn't need a permit.' Addressed Section 8705 with an example of someone building a house & you don't, you can ask for a variance or extension for over 2 acres of land. Under 2 acres, you don't need a permit but you must comply with standards. Site plan approval, when necessary, and fines as noted, to give teeth to the ordinance. Section 8704 (Standards) statement of this not effecting properties under 2 acres, not quite true. Even without a permit, you would have to comply with Section 8704 which may be more advisory. In Section 8705 (Construction) you would only need this if there is a site plan required. I tried to tie this into the Zoning Ordinance because of the site plan in the Zoning Ordinance.

Condon: If you build on 2 acres of land, Section 8705 does not apply to you but the 40% still applies to you.

Joan McKay: If you're building a house, you have something like 90 days and you don't need a land use permit.

Condon: ...and then you said there was significant fines for not building on your own property.

Joan McKay: The City Council sets the fines once they adopt the ordinance.

Ogilvie: when you go back to the original statement under Section 8701(Purpose & Intent). You say the purpose is to 'protect and encourage the protection of trees and shrubs on privately owned land...Most of the city owned land is under 2 acres. Average lot size in the City is under 1 acre. "The issue I finally come to is how can we discriminate between properties less than 2 acres and more than 2 acres?"

Joan McKay: Zoning Ordinances by their definition do get to restrict private property. Ordinances must be rational. Every regulations draws lines. It must treat similar situations equally. Two acres is arbitrary. Tree Board felt larger properties would logically have more trees and the City wants to preserve them. All lines are arbitrary.

Ogilvie: Someone in small City lot might choose to remove all of their trees. Why are we not as concerned with possibility?

Joan McKay: When the Tree Board presented this to City Council, they felt it went too far.

Ogilvie: Now we come to the question of enforcement. How are you going to enforce such a specific ordinance?

Joan McKay: Mills won't likely drive up and down the City streets but I suspect the Tree Board will keep up with this. There's always an enforcement issue.

Duncan: We need the simplest plan so that someone doesn't come in and just clear cut.

Condon: We all love our trees. The issue becomes when you start talking about personal property.

Johnson: I do think we need some ordinance to prevent clear cutting. I think that was the main concern but I don't think we need all of this.

Call Vote: Ayes: Clingman, Duncan, and McLaughlin Nays: Ogilvie, Johnson, Martin, Condon, and Hommel

Motion is defeated.

McLaughlin: I make a motion to approve the Tree Ordinance with these suggested changes Section 8701, add over 2 acres, after privately owned. Under Section 8703.1 remove 'under single ownership'. In Section 8703.2 item e. add 'and or utility company'. And finally in Section 8704, move #3 to Section 8705.2, rename a. and change each letter by the one next.

No Second. Motion dies.

2. Amendment to Section 8119, Article 1, Zoning Ordinance.

Chair: Section 8119 Amendment and Adoption. Sets forth the required actions of notification and public hearing to change the Zoning Ordinances of the City meeting the new requirements of the State of Michigan Zoning Enabling Act of 2006, as amended.

Motion to open Public Hearing Condon. Seconded Johnson. **Motion passes.**

Discussion: None. Motion to Close Public Hearing McLaughlin Seconded Hommel **Motion passes.**

Motion to adopt the proposed amendment to Section 8119, as presented. Ayes: All Nays: None

Motion passes.

3. Amendment to Article 2, Planning Commission of Chapter 8.

Chair: This Article allows the creation of a Planning Commission, the composition, and authority to act in the public interest. It also includes provision regarding the composition of the Planning Commission, its method of appointment and the mandated actions to create and maintain a Master Plan for the municipality. Specifically, in Section 8202 the membership of the Planning Commission includes 9 members and may include up to two members who are not qualified electors of the City.

Motion to open Public Hearing Johnson. Seconded Condon, **Motion passes.**

Discussion

Duncan: Is (allowing non-electors as members of the pc) that done because there might be some experts close by?

Ogilvie: Yes, and additionally, that's because the surrounding areas, Crystal Lake township, Gilmore township and the Village of Elberta, all have a vested interest in decisions made in Frankfort. Including members from one (or more) of these other municipalities might aid the process. It might also be the first steps toward a Joint Planning Commission.

Mills: (Creation (and appointment) of a Joint Planning Commission) is still up to the discretion of the City Council.

JoAnn Holwerda: The Inter-governmental meetings have emphasized the need to work together.

Susanne Glynn, 105 Forest: Need to work together surrounding residents consider Frankfort home, supporting businesses, library and other City amenities.

Motion to Close Public Hearing McLaughlin Seconded Condon. **Motion passes.**

Ogilvie asked for a motion to approve Amendment to Article 2, Planning Commission of Chapter 8, (___(?))___ moved, (___(?))___ supported. **Call for a vote on the motion.**

Ayes: All Nays: None Motion passes.

4. Amend Section 8115.05, Public Hearing, of Article 1, Zoning Ordinance, of Chapter 8 of the Frankfort Municipal Code be amended, as it applies to Special Uses.

Chair, introduction: This amendments relates, once again (as in #2 above) to the strict compliance with the notification and public hearing requirements imposed by the new State of Michigan Zoning Enabling Act of 2006, as amended. It provides specific details of timing and notice publication.

Motion to open Public Hearing Condon, Seconded McLaughlin, **Motion Passes.**

Discussion

Ogilvie: The original draft of this proposed Amendment contained a typographical error. Some copies may have that error. Therefore, to clarify what we are voting on, please refer to the "(a) Notification Requirements. The Planning Commission shall hold a public hearing on an application...." is the corrected wording. This amendment will change the current Public Hearing requirements for a special use permit hearing within 65 days of filing and notice given not less than 15 days before public hearing.

Motion to close Public Hearing Hommel Seconded Duncan **Motion passes**

Motion: I move to adopt Section 8115.05: Public Hearings with the change Notification Requirements. The Planning Commission shall hold a public hearing on an application. Motion by Duncan, Seconded Johnson, **Motion passes.**

5. Add Section 8115.10 Special Uses, Termination.

Chair introduces the proposed Amendment. A new subsection allowing the Planning Commission to rescind a special land use permit, based on a hearing. If the special use is rescinded, the land use would return to all the requirements of the underlying zoning district.

Motion to open Public Hearing Duncan, Seconded Hommel, **Motion passes Discussion.**

JoAnn Holwerda: Question, did anyone have the authority to rescind before?

Ogilvie: No

Duncan: Have there been significant problems with this?

Mills: No, but there could be.

Motion to close Public Hearing Hommel, Seconded McLaughlin, **Motion Passes.**

Motion by McLaughlin to approve adding Section 8115.10 Special Uses Termination to the Zoning Ordinance Chapter 8, Seconded Johnson, **Motion passes.**

6. Amend Section 8102 Definitions, Article 1/Professional Services and Uses

Chair introduces the proposed Amendment. This amendment seeks to add a definition of professional service under the section of the Zoning Ordinance that defines certain terms used in the zoning ordinances, including occupations, uses, heights, widths, grade, and the like. The proposed definition has been drafted by the City Zoning Attorney, Mr. Doren.

Motion to open Public Hearing Condon, Seconded Larson. **Motion passes.**

Ed Moody: Basically a question, no article shall be sold but includes Beauty Shops, does that mean no shampoo or other products can be sold?

Ogilvie: No, this is not about sales or products. The definition seeks to clarify what is a “professional” occupation. The first question is, then, is this an inclusive definition, or do we wish to modify or expand it as it's been defined by our Zoning Attorney? Is it an enforceable definition?

Thelma Ryder-Novak, 1019 River Rd.: Is this a lead in to the McKay (Mix) property across from the Elementary School?

Ogilvie: It's hard to answer that question accurately in light of the general nature of this definition. A simple answer is “yes” it will impact the proposed amendment to Special Uses. I emphasized the need for a definition for professional services as it applies to Special uses in Residential neighborhoods.

Thelma Ryder-Novak: If you allow the definition, can you not allow the ordinance?

Ogilvie: Yes, the ordinance uses a definition. However, the creation of an ordinance does not guarantee that the Planning Commission will grant a Special Use Permit. That Special Use permit (application) has to come before the Planning Commission and meet (all the other) certain requirements.

Myra Elias: I just wondered about including massage therapists. They are licensed by the State of Michigan and are similar to a doctor.

Ogilvie: They may be ... de we wish to define this definition by (those occupations) licensed by the State of Michigan, or create our own definition of professional services.

McLaughlin: We're defining White collar vs. Blue Collar work or professionalism.

Susanne Glynn: Massage parlor had a very different connotation years ago.

Lonna Harrison, 715 Leelanau: Photographer not needed to be licensed.

Ogilvie: Well, we specifically asked Mr. Doren to look at licensed professionals for his definitions.

Randy Gilbert: Frankfort has a Master Plan process that is not even remotely close to being finalized. Frankfort has a downtown commercial district that has many places for sale or lease so there is no pressure to expand that area. People invested in the residential neighborhoods. Our community simply does not have, from a growth perspective, a need to expand. Frankfort already has an ordinance for home based businesses. Planning Commission has a continued responsiveness to growth while allowing the residential areas to flourish.

Ogilvie: Yes, we have a Master Plan and a Zoning Ordinance. What we are discussing is a definition within our existing Zoning Ordinance, not a new Master Plan or a change in Zoning Ordinance. The addition of an additional definition that helps better determine how the Zoning Ordinance applies is the issue under discussion, not the City Master Plan process.

Ed Duncan: I'd like to add pastor to the list.

Thelma Ryder-Novak: I'm wondering why you're naming specific professionals instead of quantifying say the number of college years.

Ogilvie: Actually, we seek to define “professional services” and this is not for Special Uses purposes, alone; it is a definition of what is contained and possible within our Special Use Zoning Ordinances. In fact, it is a much broader category than just in residential areas. This is a general definition of what constitutes professional within the City.

McLaughlin: Why do we need to define what professional is?

Ogilvie: Because there is nothing in our current Zoning Ordinance that defines what professional is.

McLaughlin: So at this point and time, it needs to be defined, so we can go on to the next amendment (8105.03) so the definition will fit what the Zoning Ordinance amendment's stating.

Ogilvie: Yes, but we could pass this section and not pass the next and we could still have a definition in our Zoning Ordinance that defines a professional service.

McLaughlin: But primarily, the only reason we need to define that is the following action. We have no other area within the city, unless we choose to define it within the Master Plan process, which we need to specify what we

mean by professional service. We have no professional service zone. In the downtown business area, it doesn't matter what your profession is. We have no need to define it.

Ogilvie: We have a Major Medical zone within our City limits. What happens if a doctor comes to us and wants to use one of the houses, along Park or Maple, as his professional office, because of its' proximity to the hospital?

McLaughlin: We're in a Master Plan process and that needs to be a part of the Master Plan process, not a precursor to a Zoning Ordinance (8105.03) that we may or may not approve later on.

Clingman: I'm not happy with the wording because of the massage issue. I know there is a state requirement and license for massage. Therefore, I'm not happy with the wording, the way it is.

Motion to close Public Hearing McLaughlin, Seconded Hommel. Motion to close the public hearing passes.

Condon: I think we need to amend this proposed amendment. I agree that massage therapist needs to be moved up to be considered a professional service in our community. And, we need to put pastor in it, too.

Ogilvie: Let me understand what is being proposed. Ms. Condon is amending the proposed definition of a professional service by striking the (entire) whole last sentence ("Professional service does not include a trade, massage, tattoo artist or a fortune teller.") and move massage therapist and pastor...into the definition of a professional service? ***VERY CONFUSING HERE**

Martin: ***(couldn't hear this over table discussion)**

Larson: These are essentially low impact businesses.

Motion: Condon moved to amend the proposed Amendment to the Zoning Ordinance at Section 8102, to have the definition include massage therapist and Pastor. Seconded Larson.

Mills: This could also include Surveyors, Civil Engineers...Then you're talking about another level like massage therapists, beauticians, and photographers, although beauticians do have a license.

Condon: I remove my motion. Larson, withdraws second.

Ogilvie: Is there another motion?

Johnson: What is the motion?

Ogilvie: Motion/Professional Service: An attorney, doctor, dentist, accountant, architect, engineer or other similar profession licensed by the state and requiring advanced education, such as, photographer, beautician, instructor of music or art, massage therapist and pastor. Professional service does not include a trade, tattoo artist or a fortuneteller.

Johnson: I'll support that. **Discussion: none**

Call Vote Ayes: Condon, Clingman, and Johnson, Nays: Duncan, Martin, McLaughlin, and Hommel

Abstaining: Ogilvie, Motion fails.

7.) Amend Section 8105.03 by adding (f) Uses permitted After special Approval in R-1 and R-2 Residential Districts.

Chair introduces the proposed amendment to allow Professional Service as a Special Use in the R1 and R2 Residential Districts of the City.

Motion to open Public Hearing McLaughlin, Seconded Clingman. Motion passes.

a. Public Comment/Support

Ed Moody: I don't see a problem with that because we already have those mixed uses along that corridor. I don't have a problem with those low impact uses or professional service along that corridor.

JoAnn Holwerda: I'll echo what Ed (Moody) said because you already have that with the dentist office...

b. Public Comment/Opposed

Lonna Harrison: Remember many of the existing and non-conforming businesses in that area are grandfathered in. The hours of operation listed (8am-6pm, Monday-Saturday) amount to 60 hours a week. Current businesses are open 40 hours a week, Monday through Friday, and I don't have a problem with that. The 8:00am time is when the kids are headed to school with lots of school traffic. This would be nine months out of the year. Parking is going to be a huge issue because of the (M)-22 corridor, there's no additional space for parking

Randy Gilbert: Planning commission has a responsibility, while not being punitive, to control the balanced growth of the city. Zoning changes you are considering will not only influence the downtown district but also affect the integrity of existing R-2 neighborhoods. Non-conforming uses were allowed as a courtesy to those owners. It was set up if they were to stop doing business they would revert to the R-2 zoning. That has not changed. How many requests has the Planning Commission received for the zoning change? Was there a growth pressure change? Judging by the number of for rent and sale signs downtown, there's an obvious lack of growth pressure. I think that you're going through these hoops to deliver something that has been turned down twice. We don't need to dilute the downtown business district.

Pat Storrer, 424 Corning: I agree with all of those statements, in particular Mr. Gilbert. I'm speaking as a member of the public. The Planning Commission is in the midst of state mandated Master Plan process. There was a series of public hearings last year on what people want for Frankfort in the Master Plan. Community commonality achieved at the Vision Fair was remarkable and empowering. Our consultant have told us, very clearly, the Master Plan is to reflect the people's vision of land use and how the city should both look and operate for now and in the future. The ordinances are derived from the Master Plan and a the 'how' the Master Plan is achieved. In deference of the Master Plan process, this ordinance should be a part of the Master Plan discussion.

Ogilvie: Introduced & read for the record letter of correspondence from Kelly & Carolyn Thayer, 731 Leelanau Ave. Attached for final copy...

Motion to close the Public Hearing. McLaughlin, Seconded Condon. Motion passes.

Discussion: none

Motion to deny the amendment to Section 8105.03 McLaughlin, Seconded Larson

Hommel: Rising to a point of order concerning the main motion. How can we vote on an ordinance that doesn't have a supporting definition?

Chair: Ruled that Mr. Hommel has a valid point of order. The main motion under consideration presumes a definition that is not now part of the Zoning Ordinance. Consideration of the motion presumes that it is capable of being enacted.

Johnson: I make a motion that this amendment be tabled and referred to Subcommittee on Ordinances for reconsideration. Seconded Hommel. Motion to table passes: _(#)_____in favor, (#)_____opposed.

Public Input-Agenda Items Only

Susanne Glynn: Wished to recognize all of the efforts the Tree Board went through and their dedication of the protection of trees. I just hate to see it dissipate completely. Part of the problem in trying to define professional services is we should come at this from the angle of what not to have in that corridor.

Randy Gilbert: I'm very against the timing of the ordinance. If our community takes change, just for the sake of change, that's not progress. We've established an area that says, this is commercial, with people already investing in those places and we need to protect them. The same applies to residential neighborhoods, where people have also invested in that area and need to be protected. Why we would sprawl this out prematurely?

JoAnn Holwerda: I am not against the tree ordinance or the protection of the trees. I just want this to go back to

the drawing board and take out the valid concerns that people have.

Ed Moody: Keep off of private property. Homeowners do their own landscaping with trees and shrubs that make good use of the property, allow them to handle it. It works out in the end to be an equal situation.

Lana Harrison: Harmonious tone of the neighborhood. ...children walking to school with current businesses there. If businesses are allowed on the corridor (M22), I'd like to see that harmonious tone be included.

Katie Condon: Reminding folks to fill out the survey. It's on the City's website www.frankfortmich.com

Bruce Ogilvie: Sub-Committee on Ordinances looked very carefully at what is occurring in an R-2 District. The committee learned that various persons are running businesses out their houses which are incompatible with residential uses. They pile up, and store their unused materials in residential sections. Repairing cars often blocking alleyways in the process. Some persons are not respectful of their neighbors sensitivity or views; and, that's why zoning and enforcement of zoning happens to come about. We can start enforcing junk ordinances, abandoned car ordinances and business location ordinances. This amendment to special uses was a soft way to bring that about. Some persons don't treat this (particular) residential neighborhood in a reasonable manner. This was a first attempt to bring reality to this particular area.

Motion to Adjourn Hommel. Seconded Condon. Motion passes. Meeting is adjourned at 9:45pm.

Next Meeting: Tuesday, 4/14/09, 7:00pm Regular Meeting