

## **Ovid Township Planning Commission**

Branch County, Michigan

Meeting Minutes

May 3, 2016

The **Ovid Township Planning Commission** met on Tuesday, May 3, 2016 at Ovid Township Hall. Andy AcMoody called the meeting to order at 7:30 p.m.

**Members Present:** Andy AcMoody, Sean Groves, Chris Donbrock, Ron Sampsel, and Cheryl Downs

**Members Absent:** None

**Others Present:** Charlotte Knisely, Christine Forrister, Russ Jennings

**Approval of Agenda:** Sampsel moved to approve the agenda as presented. Groves supported the motion. MOTION CARRIED.

**Approval of Minutes:** Donbrock moved to approve the minutes from the April 5, 2015 Planning Commission meeting. AcMoody supported the motion. MOTION CARRIED.

**Old Business:** None.

**New Business:** Planning Commission members discussed the possibility of reopening the Bella Vista PUD agreement for possible changes and amendments. Board members reviewed a memo from owner of the Bella Vista Golf Course, Ron Carey, regarding his request to amend the PUD. Carey's memo covered issues with docking privileges, golf cart usage from Lake Drive/Par Place, and swimming restrictions. Groves stated that, in his opinion, certain parts of the existing PUD, such as the swimming restrictions, appear to be unenforceable. Groves added that some restrictions of the PUD are open to interpretation, such as a restriction allowing a path large enough for foot traffic only. Sampsel agreed, stating the PUD does not provide size limitations or required dimensions defining a foot traffic only path. AcMoody stated the first item in Carey's memo, pertaining to docking privileges and existing deeds, is not the purview of the Township. Groves agreed, stating that existing deeds can only be altered through legal procedures that include deed holders. Groves stated the PUD does not include any penalty structure for violation of restrictions. Board members discussed the option of having the Zoning Administrator present some changes as amendments, which is allowed under the terms of the PUD. AcMoody stated the Township Board has

jurisdiction to reopen the PUD if they find there is evidence enough to warrant review. AcMoody asked board members if the PUD should be reopened for potential changes. Sampsel made a motion to recommend the Ovid Township Board not reopen the Bella Vista PUD, and to have the Zoning Administrator write an amendment to remove swimming restrictions. Motion was supported by Groves. MOTION CARRIED.

**Zoning Administrator Comments:** Zoning Administrator, Russ Jennings, presented his report for the month of April, 2016. Eight permits were issued Two violations have been corrected and one violation still to be corrected once owner is back from Florida. Jennings said a ZBA meeting is scheduled for May 19<sup>th</sup> at 6:30 pm.

**Public Comment:** Christine Forrister stated that golf cart usage in the area covered by the Bella Vista PUD is a problem, and that traffic and congestion in the area is only getting worse.

**Adjournment:** AcMoody made a motion to adjourn the meeting. Motion was supported by Donbrock. MOTION CARRIED. Meeting adjourned at 8:40 p.m.

Respectfully submitted by:

Cheryl Downs, Secretary

Recorded by: Charlotte Knisely