

Planning & Zoning Commission Meeting

- Discuss the Property on Legion Road rezoning request

August 19, 2024

8:00 pm – Meeting Called to Order by Ron Cooper

Meeting was called to order late as we were waiting for Attorney Dan Kramer to arrive. Then at 7:25 PM an accident occurred at the intersection of Walker and Rt 47 and Clerk and Highway Commissioner assisted KCSO for traffic control until site was cleared.

Those in attendance included:

Planning Commission Chair – Jake (Ronald) Cooper

Planning Commission members – Pat Lippold, Mike Homerding,

Township Clerk Steve Grebner

Guests included Steve Gengler, Doug Westphal

Minutes of last meeting (April 2024) were read and discussion occurred on whether to amend the minutes to reflect the correct day of the Zoning Planning meeting. It was decided to approve the minutes as written and make a motion changing the date officially. So, motion to approve meeting minutes was made by Mike Homerding and seconded by Pat Lippold. Motion carried by unanimous voice vote.

All members thought it would be a good idea for transparency to actually make a true motion to officially change the day of the committee meetings. Second motion was made to officially change the day of the Monthly Zoning Planning Committee meeting to the 3rd MONDAY of each month was made by Mike Homerding and seconded by Pat Lippold. Again, this motion had no more discussion and passed unanimously by voice vote. Minutes of the April Meeting were left to read as written (although struck through and new day was written in red to indicate the official change)

Subject of this meeting was to take under consideration the request for rezoning of the Leo Phillips Property off Legion Road.

There was a review of the documents provided regarding the change in zoning for the subject property. There were concerns mentioned regarding the points of entrance and egress for any new homes on both Legion and East Highpoint Road. There are also questions regarding the comment made at the County ZPAC meeting regarding a 40-foot easement to the township by the owner for improvements for road and drainage for the frontage of the property. As Clerk Grebner was at the ZPAC meeting, he referred the comment that the owner's son was potentially interested in building a home back there but no real time frame for that. There was some discussion at that ZPAC meeting regarding how any new homes would access their property as Maple Lane is a private road and not the responsibility of the Township. For those reasons and others, without any representation present to answer these questions, it was agreed to table this until such time as the owners or their representatives could be present to answer these and any other questions.

As an overall statement Chairman Cooper asked a very salient question. "What is our recourse as a committee that, if we approve the change in zoning with the information presented at that time, something significantly changes to ensure the wishes of the residents of the township are sufficiently protected?" While no one thinks that any person is intentionally misleading anyone but sometimes the optics look a little problematic.

That can be discussed with county zoning board at some future date.

Motion to adjourn was made by Pat Lippold, seconded by Mike Homerding and passed unanimously.

Meeting Adjourned 8:34pm

Next scheduled meeting is September 16th 2024 at 7:00 PM at township building.

Respectfully submitted by Steve Grebner Kendall Township Clerk