

**Highland Township Planning Commission**  
**Record of the 1370th Meeting**  
**Highland Township Adult Activity Center**  
**April 8, 2021**  
*Electronic via Zoom Platform*

**Roll Call:**

Scott Green  
Eugene H. Beach, Jr.  
Grant Charlick (absent)  
Kevin Curtis  
Chris Heyn  
Beth Lewis  
Roscoe Smith  
Scott Temple (absent)  
Russ Tierney (absent)

Also Present:

Lisa G. Burkhart, Zoning Administrator

Visitors: 5

Chairman Scott Green called the meeting to order at 7:30 p.m.

*Public Hearing:*

**Agenda Item #1:**

Parcel #	11-30-101-001 (portion of)
Zoning:	LV, Single Family Residential
Address:	Vacant W. Highland Road
File#:	RZ, 21-03
Request:	Rezone the north 4 acres from LV to C2, General Commercial
Applicant:	Bryson, Jeffrey
Owner:	Bryson, Jeffrey

Mr. Beach introduced the request for rezoning of a portion of a vacant parcel at the southeast corner of West Highland Road and South Tipsico Lake Road, parcel 11-30-101-001, from LV, Lakes and Villages Single Family Residential District to C2, General Commercial Zoning District. The parcel is adjacent to an existing daycare center. The request is for rezoning of the northern four-acres of the parcel. This property was presented for rezoning about 15 years ago and was denied at that time. The Master Plan designation is for small lot residential land use.

The applicant, Jeffrey Bryson was present. He explained that he had purchased the property with the intent of building a few homes. He does not believe the frontage on M-59 is desirable for homes, and noted that adjacent property in Livingston County is zoned for commercial land use. He noted that property to the east of this site was recently rezoned for C-3, Low-impact Commercial Zoning District. He believed his request was reasonable, and has not included the entire acreage in his request.

Mr. Green opened the public hearing at 7:35 p.m.

Mark and Caroline Platt; 4565 Pommere have reviewed the maps. Mr. Platt noted that the property due west of the site in Hartland Township is zoned for agricultural land use. The parcel is basically surrounded by residential property within Highland Township.

Mr. Bryson noted that the adjacent property is a daycare center, not residential use, which he considers a commercial land use.

Caroline Platt noted that the property kitty-corner across M-59 and Tipsico Lake Road appears to be zoned in a less intense commercial category than is this request. She is most concerned about high traffic generating uses or uses that might use outdoor loudspeaker systems like a gas station. She has no issue with the existing daycare center.

Mr. Green reviewed the Highland Township use list and pointed out differences that would be allowed in C-2, but not in C-1. For instance retail uses are allowed in C-1, but not automotive dealerships, banquet halls or larger retail such as grocery stores. He directed interested neighbors to review the use list on the Township website.

Mr. Scott Millard, 4458 Pommere notes that students from the existing daycare center walk through the field to access the school bus at Tipsico Lake Road. Mr. Millard mows the path for the students. He is also concerned about the excess light pollution from the LaFontaine dealership.

Mr. Beach noted that daycare centers are allowed by ordinance within a residential zoning district and should not be equated to commercial land use.

Ryan Dolley, 415 S. Tipsico Lake Rd (corner at Pommere) He is concerned about any uses that would disrupt the pickup location for the school bus, and any use that generates excess noise and light. He would not object to all commercial uses, just those that create a burdensome impact on the neighborhood.

Mr. Bryson answered that he is trying to be considerate and respects the concerns and needs of neighboring residents. He would not consider a gas station.

Mr. Green closed the public hearing at 7:40 p.m.

Mr. Green noted his concern that the zoning decisions made today would run with the land and invest future owners in the right to develop in accordance with the Zoning Ordinance. Mr. Bryson's good intent might not be honored by future property owners.

Mr. Smith noted that the Planning Commission has successfully maintained residential land uses at the gateways to the Township. He noted that even Livingston County has maintained greener land uses on the south side of the intersection.

Mr. Beach agreed, and noted that the Highland Recreation area on the east end of M-59 also provides a greenway when entering the Township. He noted that the daycare center should not be considered commercial, and the first commercial activity encountered along Highland Road is the Pond Place and LaFontaine dealership, nearly half mile to the east. He believed that a creative design approach could yield an attractive, more dense residential development with open space along the frontage of Milford Road. He further noted that the jump to C-2 from residential is problematic and would represent spot zoning.

Mr. Curtis believed it was important to maintain the gateway, and thought special use concepts should be explored. He was concerned that the new homesites might be considered less marketable as they would now be adjacent to commercial land uses.

Mrs. Lewis and Mr. Heyn were also concerned that the request was not consistent with the Master Land Use Plan and agreed that the Township should maintain the gateway.

Mr. Beach moved in case RZ, 21-03, for parcel 11-30-101-001 for the north four-acres of a ten-acre vacant parcel at West Highland Road and South Tipsico Lake Road to recommend denial of the request for rezoning from LV, Lakes and Villages Residential Zoning District to C-2, General Commercial Zoning District. The following facts and rationale are offered in support of the motion: a) the proposed rezoning request would constitute spot zoning and a deviation from the Master Plan; b) prior rezoning history resulting in denial of previous requests; c) a desire to preserve the scenic gateway at the Township borders and d) the residential nature of the surrounding properties. Mr. Smith supported. Mr. Beach noted that a “yes” vote is for a recommendation of denial of the request. Beach-yes; Lewis-yes; Smith-yes; Heyn-yes; Curtis-yes and Green-yes. Motion carried. (6 affirmative votes.)

**Agenda Item #2:**

- Committee Updates
- Zoning Board of Appeals:
- Township Board:
- Highland Downtown Development Authority:
- Planning Director’s Update

Committee updates were discussed.

**Agenda Item #3:**

Mr. Curtis moved to approve the minutes of March 4, 2021 as presented. Mrs. Lewis supported the motion which passed by voice vote.

Mr. Green moved to adjourn the meeting at 8:19. The motion was supported by Mr. Curtis and the motion passed by voice vote.

Respectfully submitted,

A.Roscoe Smith, Secretary

ARS/ejc