

Memo

To: Northfield Township Board
From: Howard Fink
Date: 2/25/2016
Re: Informal Requests to the Planning Commission

Dear Planning Commission,

At the last Planning Commission meeting discussion ensued on informal requests made to the planning commission and how that communication is received and processed. Specifically, the issue of Living Waters request was addressed. Please allow this memo to serve as some background information, an explanation of the process staff followed, and our procedures moving forward.

On Friday, January 15th, I received an email from an Elder of Living Water Church which requested a Change in the General Commercial Ordinance by Living Water Church. The document is addressed to the Planning Commission and was sent to me as an avenue for it to be distributed to the full Commission. The document (attached) outlined the Church's desire to purchase the property at 200 Barker Road for use as a ministry center. Specifically, the document states:

Living water intends to purchase 200 Barker Road for use as a ministry center. One condition of our purchase is that Northfield Township approve of the use of this property as a church. The property is zoned General Commercial. We therefore request the zoning ordinance be changed to permit churches or provide for conditional use by churches. If the zoning is changed to allow for conditional use, then Living Water requests approval for such use based on the following rationale:

It is clear that Living Water recognizes that the underlying zoning does not permit churches and has requested that the planning commission review the ordinance and potentially allow churches in General Commercial. They further acknowledge if that if the planning commission changes the ordinance, they would be requesting either a site plan approval or conditional use approval, which ever applies.

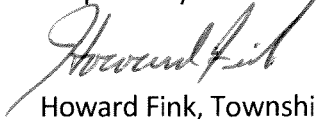
This request is not a rezoning application, but a request for the Planning Commission to review and possibly change the ordinance. One of the functions of the Planning Commission is to discuss debate, review and sometimes change ordinances to achieve a larger vision for the community. This type of request to alter a zoning ordinance does not have a formal procedure in our process, as it does not constitute an actual development request. In this instance, the request is

simply correspondence that is proper to be distributed to the Planning Commission and consultant planner. Once the Planning Commission and consultant planner review the correspondence, it is then the commission's pleasure on how to proceed.

Zoning and Planning Process can often be confusing to petitioners. In this instance, Ignoring the request would be problematic, as there is a clear desire on the part of the Church to actively pursue a process to locate in Northfield Township. While I am NOT offering legal advice, practically speaking, I would be uncomfortable denying this correspondence a path to the planning commission. In my opinion, not providing the correspondence could be construed as preventing due process.

Moving forward, it may be appropriate to create a more formal application and process for requesting a change in an ordinance. I defer to our Planner if this is a necessary change and what such a process should look like.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Howard Fink".

Howard Fink, Township Manager