



# CASS COUNTY PLANNING COMMISSION

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*Dan Stutsman • David Kring • Jayne Bailey • Richard Palmisano • Annie File  
Roseann Marchetti • Samuel Barrera • Dianna McGrew • Tyler Augst*

**Wednesday, May 22 at 4:00 PM**

**Cass County Building**

**120 N. Broadway**

**Conference Room 210**

**Cassopolis, MI 49031**

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes — April 24, 2024
5. Public Comment
6. New Business
  - a) La Grange Township short-term rentals
  - b) Milton Township rezoning
7. Old Business
  - a) Master Plan
8. Other Business
9. Adjournment

CASS COUNTY PLANNING COMMISSION  
April 24, 2024

The regular meeting of the Cass County Planning Commission was called to order by chairman Dan Stutsman at 4:00. Roll call was taken. In addition to Stutsman, commissioners present were: Roseann Marchetti, Annie File, Richard Palmisano, Dianna McGrew, Tyler Augst, Dave Kring and Jayne Bailey. Commissioner absent was: Sam Barrera.

Visitors present were Jerry Marchetti, Ontwa Township Supervisor, two Pokagon Township Delegates and Sandi Seanor, Member of Ontwa Township Planning Commission.

Marchetti made MOTION to accept the agenda with no changes, Kring was in support and the motion passed.

For approval of the March 27, 2024 minutes, File made the MOTION to accept minutes as written, Kring offered a second and the motion carried.

Lynn Schantz, visiting Pokagon Township delegate, announced that she would be running for District 4 Cass County Commissioner. Jerry Marchetti offered a much appreciated thanks to county and township commissioners for helping the business of the county to run smoothly.

Sandi Seanor presented changes to the Ontwa Township Zoning Ordinance that in general, removed building code references. It was noted that these changes are being made before the Update to the Master Plan for Ontwa Township. Kring made the MOTION to accept changes in zoning to Residential Dwelling (Section 3.26). Second by Palmisano. Motion passed.

Next MOTION was made by Marchetti to accept PA-116 application for tax parcel # 14-110-013-230-00 in Pokagon Township. File gave support and the motion carried.

MOTION offered by Kring in support of tax parcel # 14-120-209-016-00 of Porter Township to be rezoned from Mobile Home Park to Lake Residential Zoning Classification. Second was given by McGrew and the motion carried.

Marchetti mentioned that Silver Creek Township may still be interested in joining the County's Master Plan. (There is still enough time to decide as the cut-off date is May 10.)

MOTION brought forward by Augst to set Wednesday, June 26 as the open house date for the public to hear about the Master Plan. It will be held at the Road Commission building at 6:00. (Regular meeting will be held on the same date and locale as the open house but at 4:00, the usual time.) Second was made by Palmisano. Motion passed.

All comments on the Draft Survey Questionnaire for Cass County Master Plan as brought forth by McKenna must be sent or emailed to Chairman Stutsman by May 15. He will compile and present these comments for the regular May meeting, Wednesday, May 22.

MOTION was made and duly supported to adjourn meeting. Meeting ended at 4:35.

Jayne K. Bailey

4/10/2024  
7:00 Mtg.

Planning Mtg: LaGrange Township  
Minutes

- ✓ Call to order 7:03
- ✓ Pledge : Guests : Ted Gogol -
- ✓ Roll Call - Jason R. Stump - Paul F. \* Quorum ✓ Outlaw Absent:
- Agenda: published meeting.
- Minutes: Prior = None
- Public Comment: 7:10 - None
- Short Term Rentals - Discussion to 7:25

Motion to Approve Short term rental J. Roberts

Second by S Przybysz

Unanimous Vote ; Roberts  
Przybysz  
File

= 7:27 motion to Approve Verbage on Document  
for Short Term Rentals

\* Note Admin fee <sup>or</sup> Registration fee cost to be determined  
by township Clerk + Treasury on Township board  
4

7:29 Motion Adjourn Roberts  
Second File

Adjourned 7:30

LaGrange Township Regular Meeting  
April 15, 2024

Supervisor Wright called the meeting of the LaGrange Township Board to order at 7:00pm. The meeting was held at the Twp Hall. Pledge of allegiance was given in unison. Roll Call found Supervisor Rob Wright, Treasurer Naomi J. Criswell, Clerk Tasha E. McCoy, Trustee John Juroff, and Trustee Paul File present.

Public Comment opened at 7:01pm. Cass County Commissioner Mary Howie greeted the Board with a reminder of the Cass County Tire and Hazardous Materials Pick up Wednesday, April 24<sup>th</sup> between 3:00pm and 6:00pm at the Cass County Road Commission: 340 N. O'Keefe Street, Cassopolis, MI 49031.

Ted Gogol greeted the Board concerning short-term rentals in the Township. The neighbors of parcel ID 14040-011-004-00 reported Blight of rodents from property, vehicles, boats and other nuisances. The property address is 23224 Engle Street and it is a rental property. Discussion followed concerning the blight. Public Comment closed at 7:07pm.

Supervisor Wright made a motion to approve previous meeting minutes of March 18, 2024, seconded by Trustee File, motion approved at 7:07pm.

Treasurer's Report was presented to the Board. Clerk McCoy made a motion to approve the Final Settlement for Summer 2023 Taxes, the Final Settlement for Winter 2023 Taxes, and the Final Settlement for 2023 IFT Taxes, seconded by Supervisor Wright, motion carried at 7:08pm.

Communications were read by Supervisor Wright.

Trustee File made a motion to approve the Current Month Warrant Report totaling \$52,953.47, seconded by Trustee Juroff, motion carried at 7:13pm.

Unfinished Business: A proposed Resolution Confirming Appointments of Member Representative to the Michigan Township Participating Plan was not fulfilled. LaGrange Township is not appointing a representative for MTPP.

Fire/Ambulance Report: There was a Joint Meeting between Jefferson Township Board, Central Cass Fire Board, Village of Cassopolis Clerk and Treasurer and the LaGrange Township Board at 5:30pm on Monday, April 15, 2024. The purpose of the Joint Meeting was to clarify and document the fire districts within each township and to review the mechanism for funding of the Central Cass Fire Department. Fire Chief Locke informed the Board that there have been 24 runs in April by Cass Fire Dept.

Zoning Administrator Report: None.

ZBA/Planning Commission Reports: Trustee File discussed a recent LaGrange Township Planning Commission meeting on April 10, 2024 at 7:00pm. The PC decided on a proposal for a simple short-term rental agreement which was discussed by the Board. Trustee File made a motion to recommend the short-term rental agreement to include a \$100.00 one-time fee to register a short-term rental in LaGrange Township to the Cass County Planning Commission, seconded by Trustee Juroff and approved by roll call vote: 5 Yes, 0 No, 0 Absent, and 0 Abstained at 7:33pm.

Electrical/Mechanical/Plumbing Reports were provided to the Board.

Supervisor Wright made a motion to approve the Cass County Road Commission countywide dust control program for 2024, seconded by Clerk McCoy and approved by roll call vote: 5 Yes, 0 No, 0 Absent, and 0 Abstained at 7:36pm.

Supervisor Wright made a motion to approve the Ambulance Services Agreement with SMCAS, seconded by Treasurer Criswell and approved by roll call vote: 5 Yes, 0 No, 0 Absent, and 0 Abstained at 7:42pm.

Additions: Remaining LaGrange Township ARPA Funds were discussed by the Board. Treasurer Criswell made a motion to approve a roof estimate from John Richey for the LaGrange Township Townhall, seconded by Trustee File and approved by roll call vote: 4 Yes, 1 No, 0 Absent, and 0 Abstained at 7:49pm.

With there being no further business to come before the Board at this time, Treasurer Criswell made a motion to adjourn, seconded by Supervisor Wright, motion carried, meeting adjourned at 7:49pm.

Respectfully Submitted,           *Tasha E. McCoy*           Tasha E. McCoy, LaGrange Twp. Clerk

# Lagrange Township:

4/10/24  
Planning  
Mtg

Section: \_\_\_\_\_

## Short Term Rentals

### Purpose:

LaGrange Township finds that short-term rental properties bring many benefits to the Township & community, and as such, hereby expressly permits short-term rental properties.

As defined as rental periods of less than 28 days."

### A) Permissible Zoning Districts.

"Short-term rentals are permitted in all areas of the Township, where residences are permitted."

### B) Zoning Compliance Permit.

The owners of short-term rental properties shall register with the Township within 45 days of operating their short-term rental. (Question to Township of Fee Cost or Admin Cost Fee to register)

1. The property owner shall provide and certify to be true the following on a form provided by the Lagrange Township:

A) Name, address and telephone number of the owner and any local agent of the dwelling to be used as a short-term rental.

B) Property owner must certify that smoke alarms and carbon monoxide detectors shall meet current Township code requirements for residential rental properties."

### C) Short-term Rental Regulations.

**Dwellings used as a short-term rental are subject to the following requirements and standards.**

1. Street Address. Must have a street number marker visible from the road.

2. Occupancy. Must not exceed the maximum allowed as per the rental agreement & as advertised.

3. Parking. The property owner must provide sufficient parking spaces to accommodate all renters' vehicles on their property. Any street parking is prohibited, where not allowed by law.

4. Compliance with Township regulations:

The short term rental property owner, renter, and renters guests of short-term rental shall comply with all applicable Lagrange Township regulations and ordinances, including but not limited to ,building codes, fire codes, noise, and garbage disposal.

### 5) Notice of Violation:

Should the property owner/local agent be notified that a renter or renters guest has violated any provision of this ordinance or any other ordinance or code adopted by Lagrange Township, the short-term rental property owner or local contact shall

notify the renter of such violations as soon as possible and take action as necessary to prevent a reoccurrence .

Any reoccurrence of more than 2 violations within a calendar year period shall be investigated by the Township zoning administrator.

\* moved and approved as presented by Lagrange Township planning board  
w/ Quorum of members  
4/10/24



# Cass County Planning Commission

## Checklist



Dear Local Government Official:

When you send the Cass County Planning Commission material for their review, please use the attached checklist and include it with the other documents that you submit. Thank you.

**WE NEED A MEMBER OF YOUR PLANNING COMMISSION TO ATTEND THE COUNTY PLANNING COMMISSION MEETING TO FURTHER EXPLAIN THE REQUEST AND TO ANSWER QUESTIONS.**

- Signed cover letter requesting review and summarizing the process which has already occurred.
- Copy of the public hearing minutes.
- Copy of section of Township Land Use Plan that applies to/supports action.
- Copy of section of zoning ordinance, including amendments or supplements, which apply to/support action.
- For an initial zoning ordinance: 8 copies on loan with map(s).
- For text changes (amendments or supplements): those portions affected or a comprehensive summary of the changes and, if affected, the map.
- For petitions for rezoning, a copy of the petition with the map(s) showing: zoning of adjoining properties within 300 ft. for which action was taken and the parcel(s) of consideration and roads need to be clearly identified and labeled. If not included on the petition, the cover letter should indicate acreage, existing zoning, requested zoning, existing use and proposed use.
- Does the action taken by the Township concur with the Township Ordinance, Zoning Map and/or Land Use Master Plan for that property? If not, is the request eligible for Zoning Board of Appeals action?
- If any provision of public services is or will be involved, include correspondence from the affected unit expressing its awareness.

Date:

5/17/2004

Signed:

*John D. [Signature]*



# Milton Township

32097 Bertrand St., Niles, MI 49120 Phone (269)684-7262 Fax (269)684-1742  
Email: [milton@miltontwp.org](mailto:milton@miltontwp.org) Website: [www.miltontwp.org](http://www.miltontwp.org)

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May 17, 2024

Cass County Planning Commission  
120 N. Broadway, Suite 200  
Cassopolis, MI 49031

Re: Map Amendments

Dear PC Members:

On May 7, 2024, the Milton Township Planning Commission held a Public Hearing for two rezoning applications. The first was located at 71138 Brush Road requesting a rezoning from Agricultural to Rural Residential and which included three parcels. The second was 71477 Fir Road requesting a rezoning from Agricultural to Rural Residential.

We ask that you review this information at your next Planning Commission meeting and send us a letter giving your opinion on the subject matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eileen Glick'.

Eileen Glick  
Zoning Administrator

**Milton Township  
Planning Commission Meeting  
May 7, 2024**

**Call to Order/Pledge of Allegiance**

1. The meeting was called to order at 7:04 PM by Chairperson Shirk
2. The Pledge of Allegiance was recited
3. Members present: Shirk, McDonald, Kraft, Egert, Harrison, Gilley (Sokol absent)

**Approval of Agenda**

Kraft made a motion to approve the agenda. Egert seconded. There was no discussion; the motion carried.

**Approval of Previous Minutes**

Egert moved to approve the prior meeting minutes with a correction to the Township Board Report that repairs were approved for Bush Road only, not Klein/Broderick. Harrison seconded, including changes. The motion carried.

**Anyone wishing to speak to the Planning Commission (limited to three minutes per person):**

None.

**Community Reports**

1. **Zoning Administrator**
  - a. 17 permits issued year to date, relatively slow. Most permits in GlenAyre and Reserve, one new also in Pine Ridge.
2. **Township Board Representative (April 16<sup>th</sup> Meeting Review)**
  - a. Work for new stoplight at 12 and Gumwood set to occur between April 1<sup>st</sup> and June 28<sup>th</sup>.
  - b. There will be a fee for Construction Board of Appeals, \$500 per instance.
  - c. An RFP for carpet cleaning has been issued.
  - d. Building loan to be repaid in four more years, payoff one year ahead of schedule.
3. **Zoning Board of Appeals Representative – None**

**Public Hearing**

1. **Rezoning for 3 parcels: 14-070-023-012-00, 14-070-023-011-05, 14-070-023-011-50, located at 71138 Brush Rd, Niles, MI**
    - a. Larry and Cynthia Grover requested rezoning from Agricultural to Rural Residential, lots of 10, 8 and 2 acres.
    - b. Zoning Administrator recommended approval, confirmed rezoning request aligned with Future Planning Map.
    - c. John Smith (neighbor) spoke in support of the application
    - d. No persons spoke in opposition
    - e. McDonald made a motion to approve, Egert seconded. Roll call vote for approval:
      - i. Gilley – yes
      - ii. McDonald – yes
      - iii. Egert – yes
      - iv. Harrison – yes
      - v. Kraft – no
      - vi. Shirk – yes
- Motion passed, 5-1

**2. Rezoning for 1 parcel: 14-070-022-010-00 located at 71477 Fir Rd, Niles, MI**

- a. Becky Gushua (65790 Conrad Road, Edwardsburg) presented for petitioner, Linda Brodzinski, requesting rezoning from Agricultural to Rural Residential, lot of 20 acres.
- b. Zoning Administrator recommended approval. Future Planning Map had this area within Single Family Residential.
- c. Christopher Kidney (14698 Stonington Court, Granger, IN) spoke in support of the application citing desirability of larger lot sizes.
- d. Zon Robbin (30217 Stratford Court) spoke in opposition, concerned about smaller lots of Rural Residential causing well problems.
- e. Gary Ludwig spoke in opposition complaining person farming the land had brush pushed up against his yard that was never removed.
- f. Egert made a motion to approve, Gilley seconded. Roll call vote for approval:
  - i. Gilley – yes
  - ii. McDonald – yes
  - iii. Egert – yes
  - iv. Harrison – yes
  - v. Kraft – yes
  - vi. Shirk – yesMotion passed, 6-0

**Old Business**

1. Master Plan

- a. An additional meeting was held since April, draft changes had been made to Chapters 10 and 11.
- b. A draft future planning map was reviewed with 8 proposed changes to the current Future Planning Map. Five changes were agreed to with another 3 removed or tabled.
- c. A review of changes to Chapters 9-11 was started with progress made midway through Chapter 9. A companion PowerPoint summarizing the changes guided the discussion. The remainder of Chapter 9 and Chapters 10 and 11 will be reviewed at the June meeting.
- d. McDonald will distribute the draft plan with all changes along with the associated PowerPoint.
- e. McDonald will distribute the draft future planning map.
- f. Eric Renken was advised of the delay in Master Plan development and will be advised of a new schedule when a draft is completed.

**New Business**

None

**Board Member Comments**

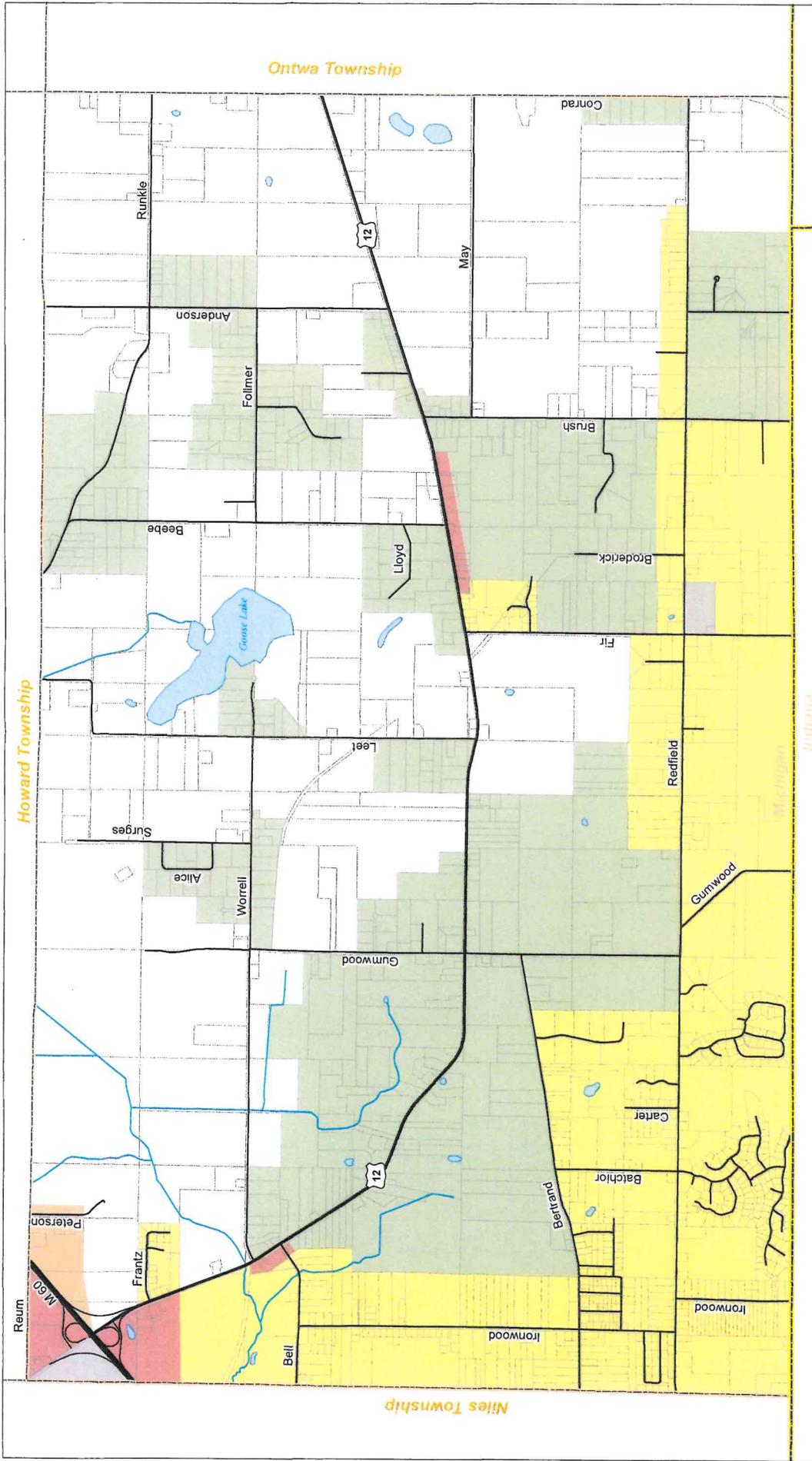
None

**Announcements**

None

**Adjournment**

Egert motioned to adjourn. Gilley seconded. Motion carried. The meeting adjourned at 9:00 PM.



# Milton Township Master Plan

Cass County, Michigan

## Map 11. Future Land Use

### Future Land Use

- Agricultural Production
- Rural Residential
- Single Family Residential

- Medium-Density / Multi-Family Residential
- Commercial
- Industrial



Source Data:  
State of Michigan Center for Geographic Information, Cass County

- f. When all of the required improvements have been completed, the obligor shall send written notice to the Zoning Administrator of completion of the improvements. Thereupon, the Zoning Administrator shall inspect all of the improvements and approve, partially approve, or reject the improvements with a statement of the reasons for any rejections.
- g. If partial approval is granted, the cost of the improvement rejected shall be set forth. Where partial approval is granted, the obligor shall be released from liability pursuant to relevant portions of the performance guarantee, except for that portion sufficient to secure completion of the improvements not yet approved.
- h. The Zoning Administrator shall maintain a record of required performance guarantees.

### **Section 18.06 Zoning Ordinance Amendments**

1. Amendment to this Ordinance may be initiated by the Township Board on its own motion or, in the manner and pursuant to the procedure hereinafter set forth, may be initiated by any person, firm or corporation filing an application therefore with the Township Board. The Planning Commission may, at its discretion, also initiate amendments to this Ordinance through the Zoning Administrator and also recommend Ordinance amendments to the Township Board for adoption.
2. The following guidelines shall be considered by the Planning Commission, and may be used by the Township Board in consideration of amendments to the Zoning Ordinance:
  - a. Text Amendment:
    - 1) The proposed text amendment would clarify the intent of the Ordinance.
    - 2) The proposed text amendment would correct an error in the Ordinance.
    - 3) The proposed text amendment would address changes to the State legislation, recent case law or opinions from the Attorney General of the State of Michigan.
    - 4) The proposed text amendment would promote compliance with changes in other County, State or Federal regulations.
    - 5) In the event the amendment will add a use to a district, that use shall be fully consistent with the character of the range of uses provided for within the district.
    - 6) The amendment shall not create incompatible land uses within a zoning district, or between adjacent districts.
    - 7) The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
    - 8) As applicable, the proposed change shall be consistent with the Township's ability to provide adequate public facilities and services.
    - 9) The proposed change shall be consistent with the Township's desire to protect the public health, safety, and welfare of the community.
  - b. Map Amendment (Rezoning): In making its recommendation to the Township Board, the Planning Commission shall consider the following criteria:
    - 1) Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Milton Township Master Plan; or, if conditions have changed significantly since the Master Plan was adopted, the consistency with recent development trends in the area.
    - 2) Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the

proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.

- 3) Whether, if rezoned, the site is capable of the accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks, and road lighting.
  - 4) Other factors deemed appropriate by the Planning Commission.
- c. Conditional rezoning agreements are prohibited.
  - d. Consideration of Amendment by Township Board: Upon receipt of a report and summary of hearing comments from the Planning Commission as provided for in the Michigan Zoning Enabling Act, as amended, the Township Board may modify the proposed amendment or adopt it as presented by the Planning Commission. The modified language shall be referred back to the Planning Commission for additional comment.
3. Amendment Procedure
- a. Filing of Applications: All petitions for amendments to this Ordinance shall be in writing, signed and filed with 12 copies provided to the Zoning Administrator, who will forward them to the Planning Commission.
  - b. All petitions for amendments to this Ordinance, without limiting the right to file additional material, shall contain the following:
    - 1) The petitioner's name, address and interest in the petition as well as the name, address and interest of every person, firm or corporation having a legal or equitable interest in the land.
    - 2) The nature and effect of the proposed amendment.
    - 3) If an individual property or several adjacent properties are proposed for rezoning, a location map, showing the location of the properties generally in the township, a legal description of the land(s) proposed for rezoning, the present zoning classification(s), the zoning classification of all abutting districts, and all public and private rights-of-way and easements bounding and intersecting the land under consideration.
    - 4) Any changed or changing conditions in the area or in the municipality which make the proposed amendment reasonable and necessary to the promotion of the public health, safety and general welfare.
    - 5) All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.
  - c. The Zoning Administrator, after examining the submitted materials and approving the application as to form and content, shall refer the request to the Planning Commission for study and recommendation to the Township Board.
  - d. Before submitting its recommendations to the Township Board, the Planning Commission shall hold at least one (1) public hearing. Notice of the public hearing shall be provided as set forth in Section 18.07.
  - e. The proposed amendment shall be forwarded to the Cass County Planning Commission for review. The County shall be provided at minimum of thirty (30) days to review the proposed amendment unless the County has, by resolution, waived its right to review Township Ordinances and amendments as outlined in the Michigan Zoning Enabling Act, as amended.
  - f. The Township Planning Commission will transmit the rezoning request together with its recommendation and the comments of the County Planning Commission to the Township



# Milton Township

32097 Bertrand St., Niles, MI 49120 Phone (269)684-7262 Fax (269)684-1742  
Email: milton@miltontwp.org Website: www.miltontwp.org

## Application for Rezoning

Property Location/Address: **71477 Fir Road**

Parcel/Property ID#: **14-070-022-010-00**

Name of Owner: **Barry & Linda Brodzinski** *Estate*

Name of Applicant: **Linda Brodzinski**

Phone: **269-845-0576**

Address of Applicant: **71477 Fir Road**

Applicant's Interest in the Property if not the Owner: \_\_\_\_\_

Signature of Applicant: *Linda Brodzinski* Date: *04/10/2024*

Reason for Rezoning Request, Including a Description of the Proposed Uses for the Property:

**Would like to divide approximately five acres with the house from the 20 acre parcel. Cannot divide property into two ten acre parcels because it would not meet the 1-4 ratio requirement.**

Description of Sewage Disposal and Water Supply Facilities and Proposed Surface Drainage:

\_\_\_\_\_

Please attach a legal description of the property and a site plan drawn to scale showing the dimensions of the property and the location of all existing improvements. (Note: Fees as listed on the Milton Township Schedule of Fees must accompany this application.)

### For Office Use Only

Date of Review by Zoning Administrator/Application Complete: \_\_\_\_\_  
Recommendations: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_  
Date of Planning Commission Review: \_\_\_\_\_  
Recommendations: \_\_\_\_\_  
Date of Board Action: \_\_\_\_\_  
Reason for Board Action: \_\_\_\_\_  
Approved/Denied and Date: \_\_\_\_\_

# **NOTICE OF PUBLIC HEARING**

## **Proposed Property Rezoning**

MILTON TOWNSHIP, CASS COUNTY, MI  
32097 Bertrand Street  
Niles, MI 49120

**To: The residents and property owners of Milton Township, Cass County Michigan and any other interested parties.**

**PLEASE TAKE NOTICE** the Milton Township Planning Commission will hold a Public Hearing during its regular monthly meeting on Tuesday, May 7, 2024, at 7:00 p.m., at the Milton Township Hall, 32097 Bertrand Street, Niles, MI 49120, for the purpose of considering a rezoning of parcel 14-070-022-010-00 located at 71477 Fir Rd, Niles, MI, pursuant to Chapter 18, Section 18.06 (b) of the Milton Township Zoning Ordinance.

**PLEASE TAKE FURTHER NOTICE** that the items to be considered at said Public Hearing and Meeting location include, in brief, the following: The consideration, and taking of, Public Comments reference a rezoning application submitted by Linda Brodzinski, to rezone her parcel from the Agricultural District to the Rural Residential District.

Legal Description:

14-070-022-010-00 – 20.19 acres – Beginning on the North and South ¼ line at intersection of Michigan-Indiana State line, thence east on state line 1334.6 ft, thence north 660 Feet, thence west 1331.3 Feet, thence south 660 feet to point of beginning except highway Sec 22 T8S R16W

**PLEASE TAKE FURTHER NOTICE** that written comments will be taken from any interested persons concerning these proposed map amendments, at the Milton Township Hall, at the address above, at any time during regular business hours up to the night of the meeting. Any persons interested in this rezoning are invited to attend the Public Hearing. Copies of the Application to Rezone and applicable maps are available for inspection at the Milton Township Hall during regular business hours. If you are planning to attend this hearing, and require auxiliary aids or services, should contact the Township Clerk by calling 269-684-7262 as soon as possible.

Milton Township Planning Commission



# Milton Township

32097 Bertrand St., Niles, MI 49120 Phone (269)684-7262 Fax (269)684-1742  
Email: milton@miltontwp.org Website: www.miltontwp.org

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## STAFF REPORT

### 71477 Fir Rd. Rezoning Request

Linda Brodzinski has submitted an application for rezoning, requesting the parcel located at 71477 Fir Road be rezoned from the Agricultural Production zoning district to the Rural Residential zoning district. A map amendment (rezoning) is allowed in Section 18.06 b. of the Milton Township Zoning Ordinance.

**Background.** The applicant's husband recently passed away, and she wishes to sell off a portion of her property. The only way to split the property is to have it rezoned. According to our future land use map, applicant could rezone the property to single family residential, however, applicant wishes to sell the agricultural portion of her property, therefore she needs to keep it in a district where farming is allowed. The rural residential district would allow her to split the house off the property leaving the rest for farming.

**Review Standards.** When reviewing an application for rezoning, the following criteria must be considered by the Planning Commission pursuant to Section 18.06(b) of the Milton Township Zoning Ordinance. The standards are as follows:

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Milton Township Master Plan; or, if conditions have changed significantly since the Master Plan was adopted, the consistency with recent development trends in the area.

**Remarks:** The current Township Master Plan was updated in July of 2019. This plan establishes general land use patterns to guide future development of the township. The Master Plan recognizes that the proximity of the Michigan/Indiana border is causing an increase in residential development. The future land use map indicates that the property is within the Single Family Residential designation. Our Master Plan states that "it must be understood that the future land use designations on the map are meant to be seen as general with indistinct edges. Along the margins, where two or more designations adjoin, either land use may be appropriate in keeping with the predominate conditions of the area."

Parcels North of Redfield are anticipated for residential development at densities of an average of one unit per two acres. This designation is intended to serve as a transitional zone from the agricultural zoned district and increasing residential development to the south of the Township. Therefore, the Planning Commission may find that the rezoning request is consistent with the Master Plan.

2. Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.

**Remarks:** There will be no significant environmental impacts from the purposed use

3. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks, and road lighting.

**Remarks:** The site would easily accommodate the uses allowed under the Rural Residential zoning district.

4. Other factors deemed appropriate by the Planning Commission.

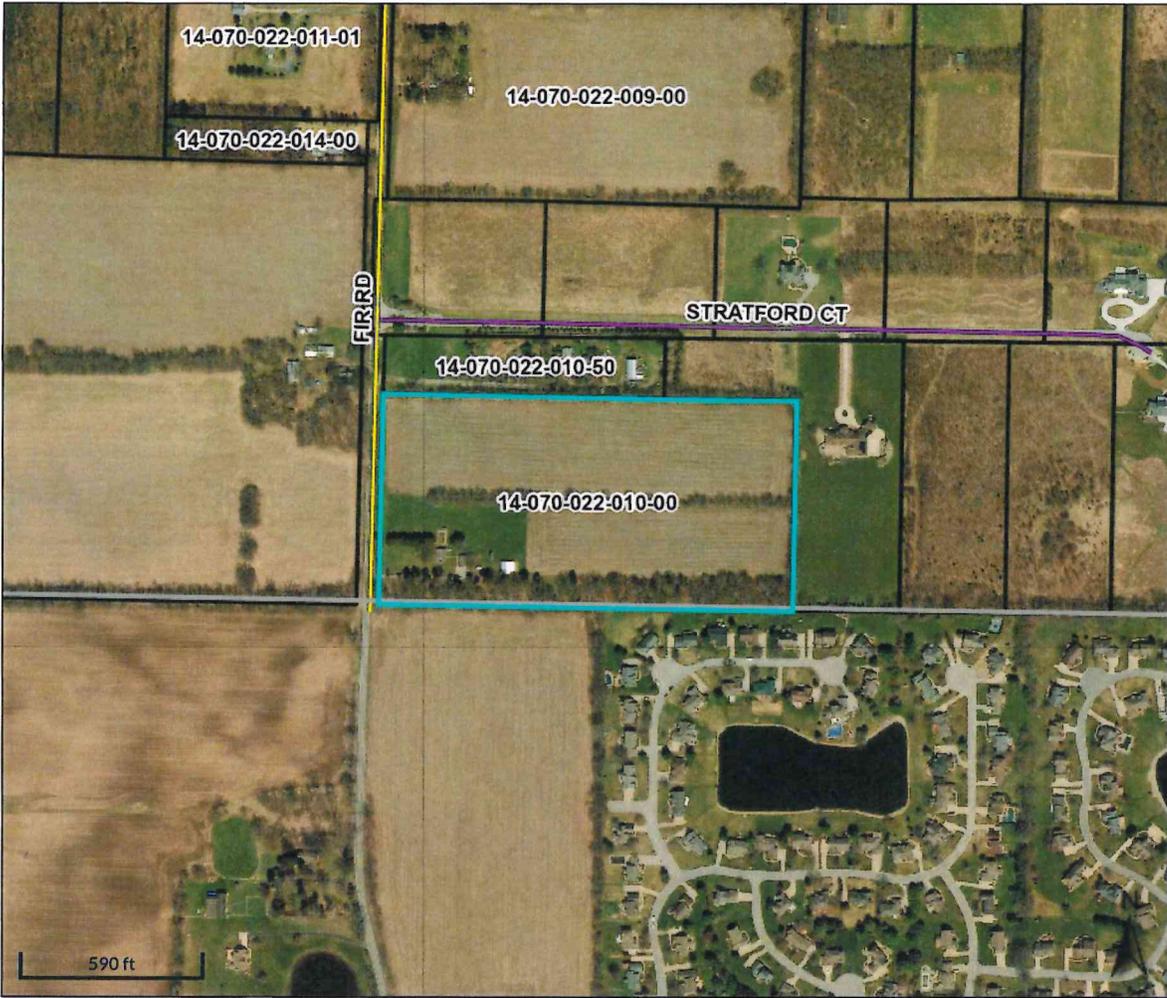
**Remarks:** Applicant's husband has recently passed away and applicant wishes to sell some of her land.

### **Recommendation**

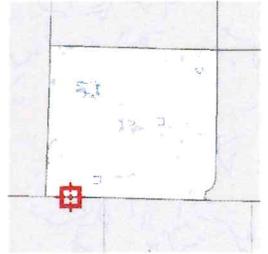
At the May 7, 2024, Public Hearing, the Planning Commission should listen carefully to comments from the applicant and public, regarding the request. Subject to those comments, it is my recommendation that the Planning Commission recommend approval of the proposed rezoning to the Township Board. The Planning Commission may rely on the findings in this report as justification in making this recommendation.

NOTE: No Letters of support or opposition have been received as of the date of this report.

Eileen Glick  
Zoning Administrator



**Overview**



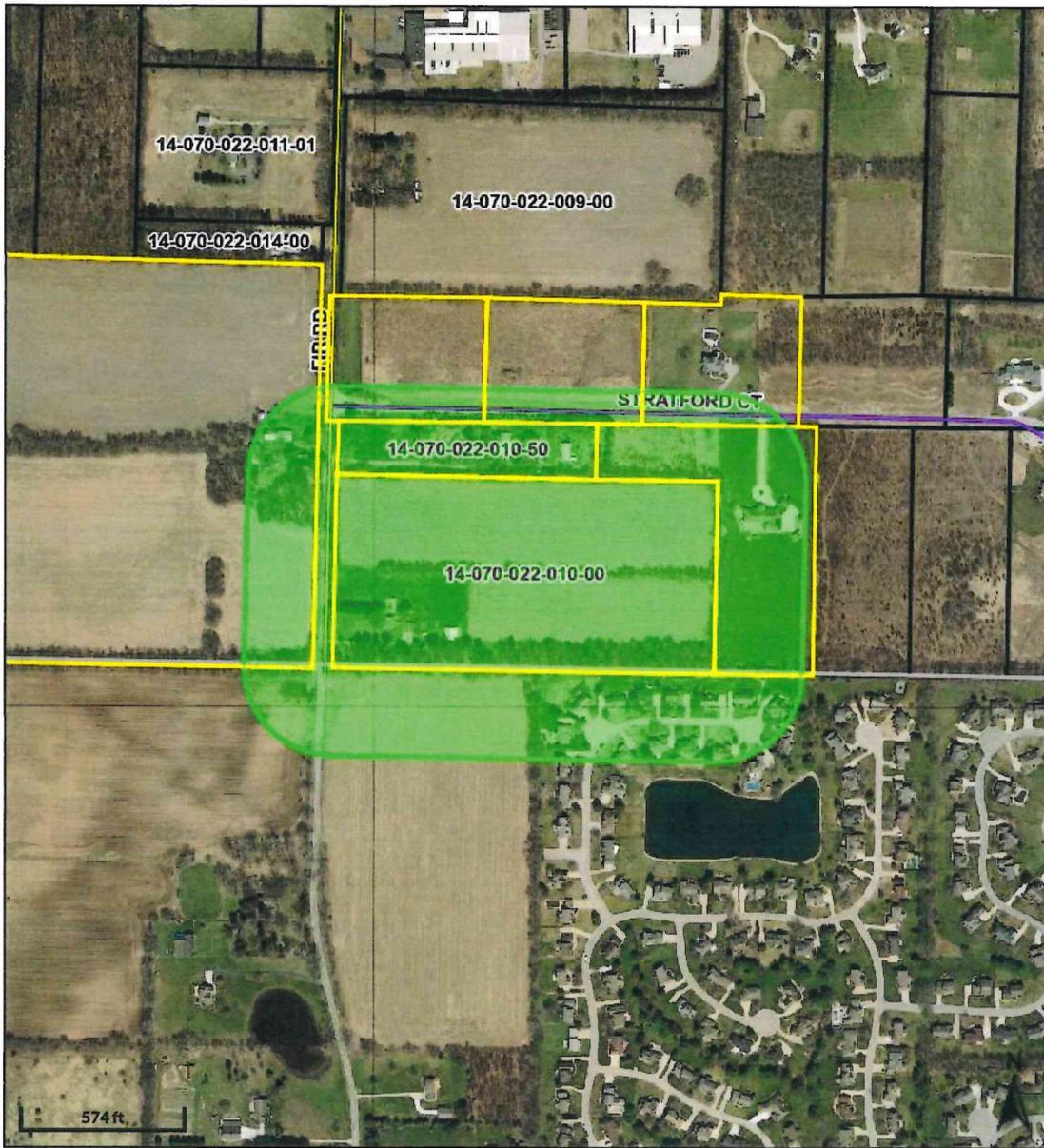
**Legend**

- Municipalities
- Townships
- Roads**
- CITY/VILLAGE LOCAL
- CITY/VILLAGE MAJOR
- COUNTY LOCAL
- COUNTY PRIMARY
- FEDERAL TRUNKLINE
- STATE TRUNKLINE
- <all other values>
- Parcels
- Parcel Numbers

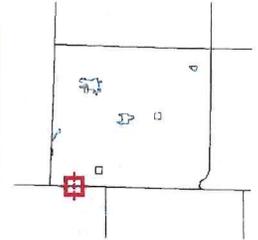
<b>Parcel ID</b>	14-070-022-010-00	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	BRODZINSKI BARRY B & LINDA J
<b>Sec/Twp/Rng</b>	022-08S-16W	<b>Class</b>	401 - RESIDENTIAL-IMPROVED		71477 FIR RD
<b>Property Address</b>	71477 FIR RD	<b>Acreage</b>	20.19		NILES, MI 49120
	NILES				
<b>District</b>	14030 EDWARDSBURG PUBLIC SCHOOLS				
<b>Brief Tax Description</b>	365-95 329C BEG ON N & S 1/4 LINE AT INTERSEC OF MICH-IND STATE LINE, TH E ON ST LINE 1334.6 FT, TH N 660 FT, TH W 1331.3 FT, TH S 660 FT TO PT OF BEG EX HWY SEC 22 T8S R16W.				
	<i>(Note: Not to be used on legal documents)</i>				

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**Overview**



**Legend**

- Municipalities
- Townships
- Roads**
- CITY/VILLAGE LOCAL
- CITY/VILLAGE MAJOR
- COUNTY LOCAL
- COUNTY PRIMARY
- FEDERAL TRUNKLINE
- STATE TRUNKLINE
- <all other values>
- Parcels
- Parcel Numbers

Date created: 4/16/2024  
 Last Data Uploaded: 4/16/2024 9:08:52 AM

# Cass County, MI

## Results

7 Results

Parcel ID	Owner	Property Address	City
<a href="#">14-070-022-006-01</a>	JORDAN CHRISTOPHER ET AL TRUST	FIR RD	NILES
<a href="#">14-070-022-006-10</a>	SAFR VENTURES LLC	30304 STRATFORD CT	NILES
<a href="#">14-070-022-006-15</a>	KOENIG JUSTIN & MEGAN	30254 STRATFORD CT	NILES
<a href="#">14-070-022-006-30</a>	LUDWIG GARY P & ZON ROBIN	30217 STRATFORD CT	NILES
<a href="#">14-070-022-010-00</a>	BRODZINSKI BARRY B & LINDA J	71477 FIR RD	NILES
<a href="#">14-070-022-010-50</a>	MAXAM GARY	71365 FIR RD	NILES
<a href="#">14-070-022-022-00</a>	MAXAM GARY L	71356 FIR RD	NILES

## Field Export

7 Results

Select export file format:

Excel (.xlsx)

Download

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# NOTICE OF PUBLIC HEARING

## Proposed Property Rezoning

MILTON TOWNSHIP, CASS COUNTY, MI  
32097 Bertrand Street  
Niles, MI 49120

**To: The residents and property owners of Milton Township, Cass County Michigan and any other interested parties.**

**PLEASE TAKE NOTICE** the Milton Township Planning Commission will hold a Public Hearing during its regular monthly meeting on Tuesday, May 7, 2024, at 7:00 p.m., at the Milton Township Hall, 32097 Bertrand Street, Niles, MI 49120, for the purpose of considering a rezoning of parcels 14-070-023-012-00, 14-070-023-011-05, 14-070-023-011-50, located at 71138 Brush Rd, Niles, MI, pursuant to Chapter 18, Section 18.06 (b) of the Milton Township Zoning Ordinance.

**PLEASE TAKE FURTHER NOTICE** that the items to be considered at said Public Hearing and Meeting location include, in brief, the following: The consideration, and taking of, Public Comments reference a rezoning application submitted by Larry Grover, to rezone three parcels from the Agricultural District to the Rural Residential District.

### Legal Description:

14-070-023-012-00 – 10 acres – The north  $\frac{1}{2}$  of the south  $\frac{1}{2}$  of the northeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 23.

14-070-023-011-05 – 8 acres – The south  $\frac{1}{2}$  of the south  $\frac{1}{2}$  of the northeast  $\frac{1}{4}$ , except commencing south 120 feet from the north  $\frac{1}{4}$  corner, thence south 200 feet, thence south 90 degrees 30'40" west 436 feet, north 200 feet, N 89 Deg 34' 40" East 436 feet to beginning

14-070-023-011-50 – 2 acres – Commencing south 1120 feet from the north  $\frac{1}{4}$  corner, thence south 200 feet, S 89 Deg 30' 40" west 436 feet, north 200 feet, north 89 Deg 34' 40" east 436 feet to beginning.

**PLEASE TAKE FURTHER NOTICE** that written comments will be taken from any interested persons concerning these proposed map amendments, at the Milton Township Hall, at the address above, at any time during regular business hours up to the night of the meeting. Any persons interested in this rezoning are invited to attend the Public Hearing. Copies of the Application to Rezone and applicable maps are available for inspection at the Milton Township Hall during regular business hours. If you are planning to attend this hearing, and require auxiliary aids or services, should contact the Township Clerk by calling 269-684-7262 as soon as possible.

Milton Township Planning Commission

# Cass County, MI

## Results

12 Results

Parcel ID	Owner	Property Address	City
<a href="#">14-070-023-002-01</a>	 BADERTSCHER BRAD & LEAH	29457 REDFIELD ST	NILES
<a href="#">14-070-023-002-10</a>	 BADERTSCHER BRAD & LEAH	71157 BRUSH RD	NILES
<a href="#">14-070-023-003-03</a>	 FRY THOMAS & HIGGS-COULTHARD KATHER	71303 BRUSH RD	NILES
<a href="#">14-070-023-004-02</a>	 LANGKIL TIMOTHY M & KIMBERLY K	71305 BRUSH RD	NILES
<a href="#">14-070-023-010-00</a>	 PINEVIEW FARM LLC	REDFIELD ST	NILESC
<a href="#">14-070-023-011-05</a>	 GROVER LARRY W	71138 BRUSH RD	NILES
<a href="#">14-070-023-011-50</a>	 GROVER LARRY W & CYNTHIA TRUST	71236 BRUSH RD	NILES
<a href="#">14-070-023-012-00</a>	 GROVER LARRY W	71138 BRUSH RD	NILES
<a href="#">14-070-023-015-02</a>	 DAUS SHARON A & THOMAS W	29817 REDFIELD ST	NILES
<a href="#">14-070-023-015-10</a>	 GGT REAL ESTATE	REDFIELD ST	NILES
<a href="#">14-070-023-015-25</a>	 RUPCHOCK DANIEL V & CAROLYN	29773 REDFIELD ST	NILES
<a href="#">14-070-023-017-00</a>	 FIELDER EDWARD L JR	71344 BRUSH RD	NILES

## Field Export

12 Results

Select export file format:

Excel (.xlsx)



Download

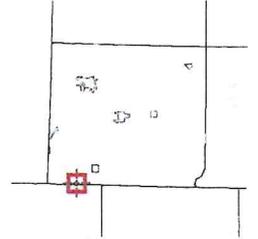
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**Overview**



**Legend**

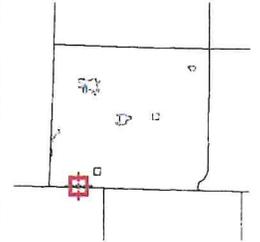
- Municipalities
- Townships
- Roads**
  - CITY/VILLAGE LOCAL
  - CITY/VILLAGE MAJOR
  - COUNTY LOCAL
  - COUNTY PRIMARY
  - FEDERAL TRUNKLINE
  - STATE TRUNKLINE
  - <all other values>
- Parcels
- Parcel Numbers

<b>Parcel ID</b>	14-070-023-011-50	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	GROVER LARRY W & CYNTHIA TRUST
<b>Sec/Twp/Rng</b>	023-08S-16W	<b>Class</b>	401 - RESIDENTIAL-IMPROVED		71236 BRUSH RD
<b>Property Address</b>	71236 BRUSH RD	<b>Acreage</b>	2.0		NILES, MI 49120
	NILES				
<b>District</b>	14030 EDWARDSBURG PUBLIC SCHOOLS				
<b>Brief Tax Description</b>	538-1251 339A-1 COM S 1120 FT FRM N 1/4 COR, TH S 200 FT, S 89 DEG 30'40"W 436 FT, N 200 FT, N 89 DEG 34'40"E 436 FT TO BEG. SEC 23 2 A.				
	<i>(Note: Not to be used on legal documents)</i>				

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**Overview**



**Legend**

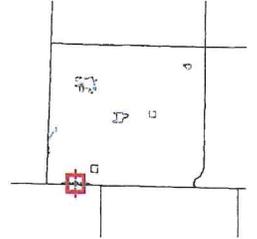
-  Municipalities
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- Roads**
-  CITY/VILLAGE LOCAL
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-  COUNTY LOCAL
-  COUNTY PRIMARY
-  FEDERAL TRUNKLINE
-  STATE TRUNKLINE
-  <all other values>
-  Parcels
-  Parcel Numbers

<b>Parcel ID</b>	14-070-023-011-05	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	GROVER LARRY W
<b>Sec/Twp/Rng</b>	023-08S-16W	<b>Class</b>	102 - AGRICULTURAL-VACANT		71138 BRUSH RD
<b>Property Address</b>	71138 BRUSH RD	<b>Acreage</b>	8.0		NILES, MI 49120
	NILES				
<b>District</b>	14030 EDWARDSBURG PUBLIC SCHOOLS				
<b>Brief Tax Description</b>	339A S 1/2 S 1/2 NE 1/4 NW 1/4. EX COM S 1120 FT FRM N 1/4 COR, TH S 200 FT, S 89 DEG 30'40"W 436 FT, N 200 FT, N 89 DEG 34'40"E 436 FT TO BEG. SEC 23 8 A.				
	<i>(Note: Not to be used on legal documents)</i>				

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**Overview**



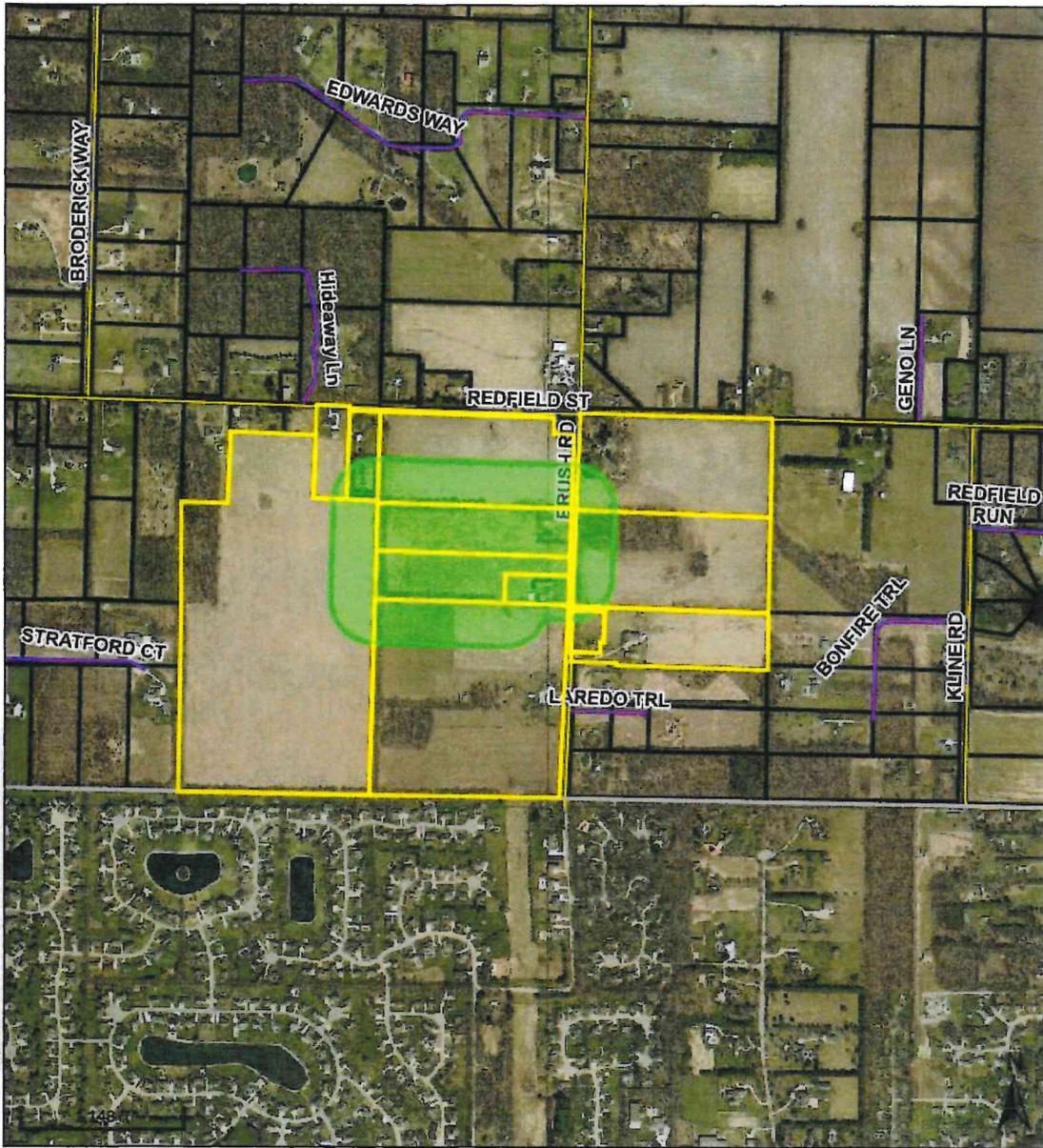
**Legend**

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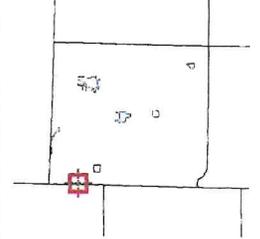
<b>Parcel ID</b>	14-070-023-012-00	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	GROVER LARRY W
<b>Sec/Twp/Rng</b>	023-085-16W	<b>Class</b>	101 - AGRICULTURAL-IMPROVED		71138 BRUSH RD
<b>Property Address</b>	71138 BRUSH RD	<b>Acreage</b>	10.0		NILES, MI 49120
	NILES				

**District** 14030 EDWARDSBURG PUBLIC SCHOOLS  
**Brief Tax Description** 323-1087 339B N 1/2 S 1/2 NE 1/4 NW 1/4 SEC 23 T8S R16W. 10 A.  
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Overview

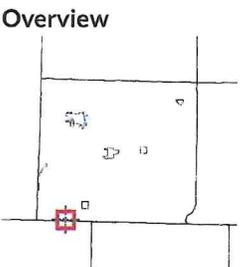
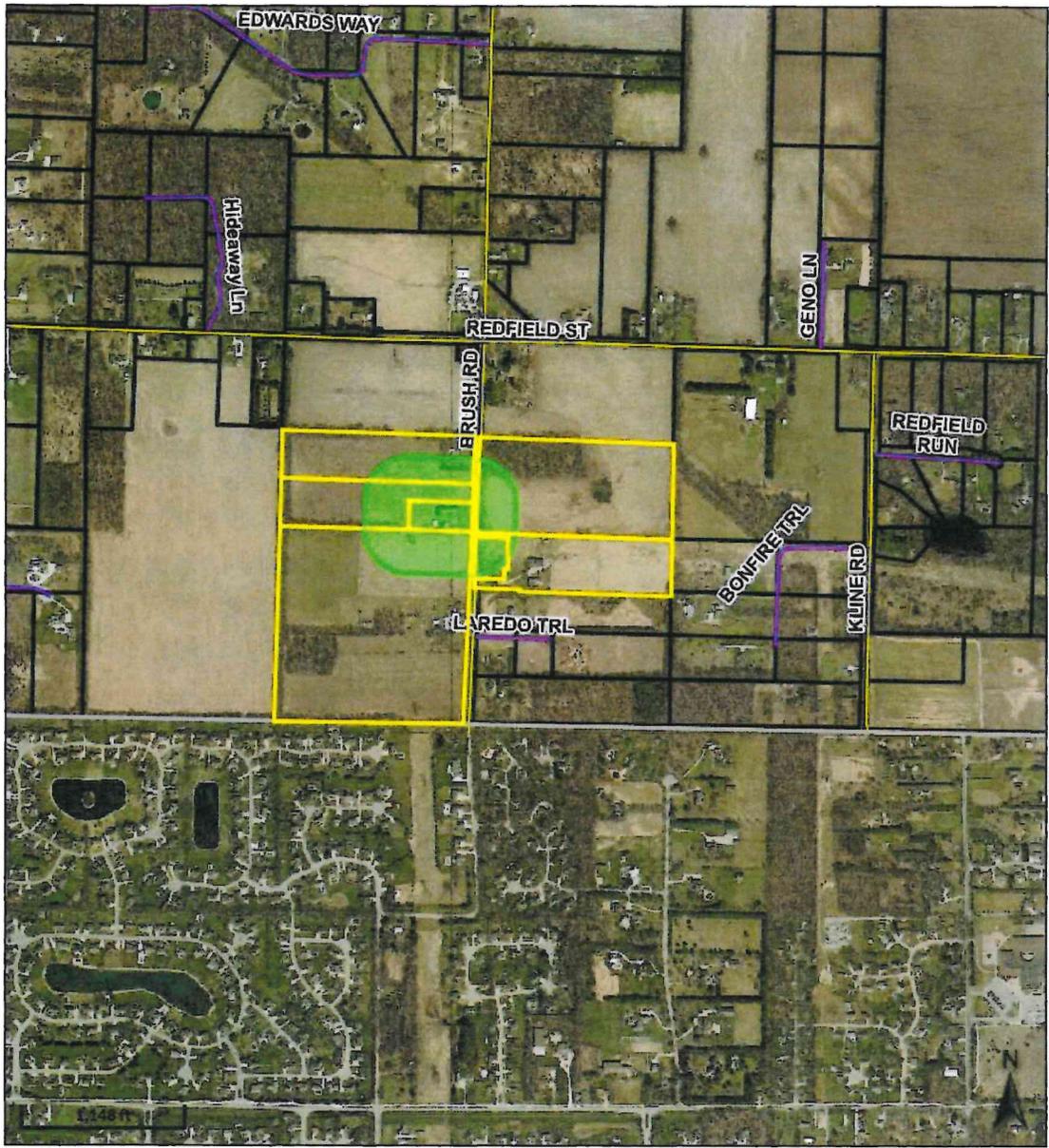


Legend

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# Milton Township

32097 Bertrand St., Niles, MI 49120 Phone (269)684-7262 Fax (269)684-1742  
Email: milton@miltontwp.org Website: www.miltontwp.org

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## STAFF REPORT

### 71138 Brush Rd. Rezoning Request

Larry Grover has submitted an application for rezoning, requesting the parcels located at 71138 Brush Road be rezoned from the Agricultural Production zoning district to the Rural Residential zoning district. A map amendment (rezoning) is allowed in Section 18.06 b. of the Milton Township Zoning Ordinance.

**Background.** The applicant wishes to divide and sell some of his property. Applicant owns a ten acre parcel, an eight acre parcel and a two acre parcel.

**Review Standards.** When reviewing an application for rezoning, the following criteria must be considered by the Planning Commission pursuant to Section 18.06(b) of the Milton Township Zoning Ordinance. The standards are as follows:

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the Milton Township Master Plan; or, if conditions have changed significantly since the Master Plan was adopted, the consistency with recent development trends in the area.

**Remarks:** Two of the applicant's parcels do not meet the minimum size requirement for our agricultural district. Rezoning would make these parcels conform to our zoning ordinance and consistent with the Future Land Use Map in our Master Plan.

2. Whether the proposed district and the uses allowed are compatible with the site's physical, geological, hydrological and other environmental features. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.

**Remarks:** There will be no significant environmental impacts from the purposed use

3. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including roads, sanitary sewers, storm sewer, water, sidewalks, and road lighting.

**Remarks:** The site would easily accommodate the uses allowed under the Rural Residential zoning district.

4. Other factors deemed appropriate by the Planning Commission.

**Remarks:** As our residents age, some are choosing to divide and sell off portions of their property for their own personal reasons.

**Recommendation**

At the May 7, 2024, Public Hearing, the Planning Commission should listen carefully to comments from the applicant and public, regarding the request. Subject to those comments, it is my recommendation that the Planning Commission recommend approval of the proposed rezoning to the Township Board. The Planning Commission may rely on the findings in this report as justification in making this recommendation.

NOTE: No Letters of support or opposition have been received as of the date of this report.

Eileen Glick  
Zoning Administrator