

**AGENDA**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, February 13, 2018**  
**7:00 pm**  
**Cascade Library Wisner Center**  
**2870 Jacksmith Ave. SE**

- ARTICLE 1. Call the meeting to order**  
**Record the attendance**
- ARTICLE 2. Pledge of Allegiance to the flag**
- ARTICLE 3. Approve the current Agenda**
- ARTICLE 4. Approve the Minutes of the December 12, 2017 meeting**
- ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.**  
**(Comments are limited to five minutes per speaker.)**
- ARTICLE 6. Case #17:3430 Randy Carpenter**  
**Public Hearing**  
**Property Address: 8650 36<sup>th</sup> St.**  
**Requested Action:** The applicant is requesting a variance to place an accessory building in the front yard.
- ARTICLE 7. Case #18:3434 Jeff Dionne**  
**Public Hearing**  
**Property Address: 2984 Thornapple River Dr.**  
**Requested Action:** The applicant is requesting a variance to construct an addition to the house that does not meet the minimum 43 foot front setback or the 10 foot side yard setback.
- ARTICLE 8. Any other business**
- Election of Officers
  - Rules of Conduct
- ARTICLE 9. Adjournment**

**Meeting format**

1. **Staff Presentation** *Staff report and recommendation*
2. **Project presentation-** *Applicant presentation and explanation of project*
  - a. **PUBLIC HEARINGS**
    - i. *Open Public Hearing. Comments are limited to five minutes per speaker; exception may be granted by the chair for representative speakers and applicants*
    - ii. *Close public hearing*
3. **Commission discussion –** *May ask for clarification from applicant, staff or public*
4. **Commission decision - Options**
  - a. *Table the decision*
  - b. *Deny*
  - c. *Approve*
  - d. *Approve with conditions*
  - e. *Recommendation to Township Board*

**MINUTES**  
**Cascade Charter Township Zoning Board of Appeals**  
**Tuesday, December 12, 2017**  
**7:00 P.M.**

**ARTICLE 1.** Chairman Berra called the meeting to order at 7:00 P.M.  
Members Present: Berra, Casey and Milliken  
Members Absent: McDonald and Pennington  
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

**ARTICLE 2.** Chairman Berra led the Pledge of Allegiance.

**ARTICLE 3.** Approve the Agenda.

Motion was made by Member Casey to approve the Agenda. Supported by Member Milliken. Motion carried 3 to 0.

**ARTICLE 4.** Approve the Minutes of the November 14, 2017 Meeting.

Motion was made by Member Casey to approve the Minutes of November 14, 2017. Supported by Member Milliken. Motion carried 3 to 0.

**ARTICLE 5.** Acknowledge visitors and those wishing to speak to non-agenda items.

No visitors who were present wished to speak about non-agenda items.

**ARTICLE 6.** Case #17:3423 Leo Vicari – Lake Michigan Credit Union  
Public Hearing

Property Address: 5519 and 5537 Glenwood Hills Pkwy

Requested Action: The Applicant is requesting a variance to allow an expansion of the parking lot that does not include the required bufferyard.

Director Peterson stated that this Applicant has withdrawn their Application for a variance.

No one from the public was present to provide any comments

**ARTICLE 7.** Case #3426 Jeff Bennett  
Public Hearing

Property Address: 1460 Briarcliff Drive

Requested Action: The Applicant is requesting a variance to construct an addition that encroaches into the side yard setback.

Director Peterson stated that the home on the property was built in 1965 and he was not able to find a record of a variance. The home on the property is set back about 7 feet from the side property line.

The homeowner would now like to put an addition onto the house and continue the same 7 feet side yard setback. This results in three areas that would encroach into the required 10 feet setback. The lot is irregular in shape and the home is built on an angle which appears to contribute to the problem.

The addition would allow a covered patio, deck and covered grilling area. Each of these areas have a small amount of that encroachment into the setback as follows: The covered patio – 19 sq. ft., the deck – about 12 sq. ft., and the covered grilling area about 26 sq. ft.

The home closest to these additions is located about 150 feet away from the common property line.

Director Peterson went on to explain that in situations such as these where there is a non-conforming setback, the township requires that any new addition meet today's requirements, thus the need for the variance. In cases where the board has granted variances like this, they typically had them not increase the amount of non-conformity. This variance would not increase the non-conformity.

Director Peterson recommends approval of a variance to allow the addition provided it is not closer than what the current home is.

Chairman Berra asked if the Applicant would like to come forward.

Mr. William Nederhoed came forward on behalf of the Applicant to answer any questions.

Nobody had any questions for the applicant.

**Motion was made by Member Milliken to open the Public Hearing. Supported by Member Casey. Motion carried 3 to 0.**

No one from the public came forward with comments.

**Motion was made by Member Casey to close the Public Hearing. Supported by Member Milliken. Motion carried 3 to 0.**

**Motion was made by Member Milliken to approve the variance to construct an addition that encroaches into the side yard setback provided it is not closer than what the current home is. Supported by Member Casey. Motion carried 3 to 0.**

**ARTICLE 8. Any other business.**

No other business was presented.

**ARTICLE 9. Adjournment**

**Motion was made by Member Milliken to adjourn. Supported by Member Casey. Motion carried 3 to 0. Meeting adjourned at 7:20.**

Respectfully submitted,  
Tom McDonald, Secretary

## STAFF REPORT

STAFF REPORT: Case #17-3430  
REPORT DATE: February 5, 2018  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: February 13, 2018  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:

Randy Carpenter  
816 South Alexander  
Greenville MI 48838

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to place an accessory building in the front yard.

EXISTING ZONING OF  
SUBJECT PARCEL(S): FP

GENERAL LOCATION: South side of 36<sup>th</sup> st just west of Quiggle.

PARCEL SIZE: Approximately 15 acres.

EXISTING LAND USE  
ON THE PROPERTY: Residential

ADJACENT AREA  
LAND USES: Residential

ZONING ON  
ADJOINING PARCELS: FP

**STAFF COMMENTS:**

- 1) The applicant would like to construct an accessory building in the front yard of his home. The home has been permitted and is under construction.
- 2) The home is located almost in the middle of the lot about 360 feet from 36<sup>th</sup> st. The barn is being proposed at 330 feet from 36<sup>th</sup> st.

- 3) Because the front yard is everything between the road and the home, the location of the home determines how much front yard they have.
  - 4) We do have some allowance for building in the front yard provided they meet the following standards.
    1. A lot in which the topography of the property makes it impossible to construct the building in the rear or side yard, or extensive grading and tree removal is required which would significantly change the landscape and views of the neighborhood if required to located the building in the rear or side yard.
    2. A lot in which the property owner would have to drive over a drain or septic field in order to access the garage.
    3. A lot in which the accessory building is setback a minimum of two-hundred (200') feet from the Right-of-Way.
  - 5) Since the applicant has indicated that they do not meet the second standard a variance is required.
  - 6) This provision was put in our ordinance years ago as a result of several similar variances being granted. This section was also added to recognize the difference between the planned developments where the houses align themselves and the bigger lots that may range in setbacks.
  - 7) There is at least one other building on the street with an accessory building in the front yard
  - 8) The home most directly impacted is to the east.
  - 9) Neither the plans or a site visit revealed any reason why the barn could not be pushed back 30 feet in order to be located in the side yard and not the front.
  - 10) I have found some other cases going back to 2001 that are similar to this one. These cases that were denied it appeared that reasonable alternatives existed. A case we approved was on Streamside Point. That was approved based mainly due to the site constraints of topography.
- A. Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all of the findings of fact listed in the table below:

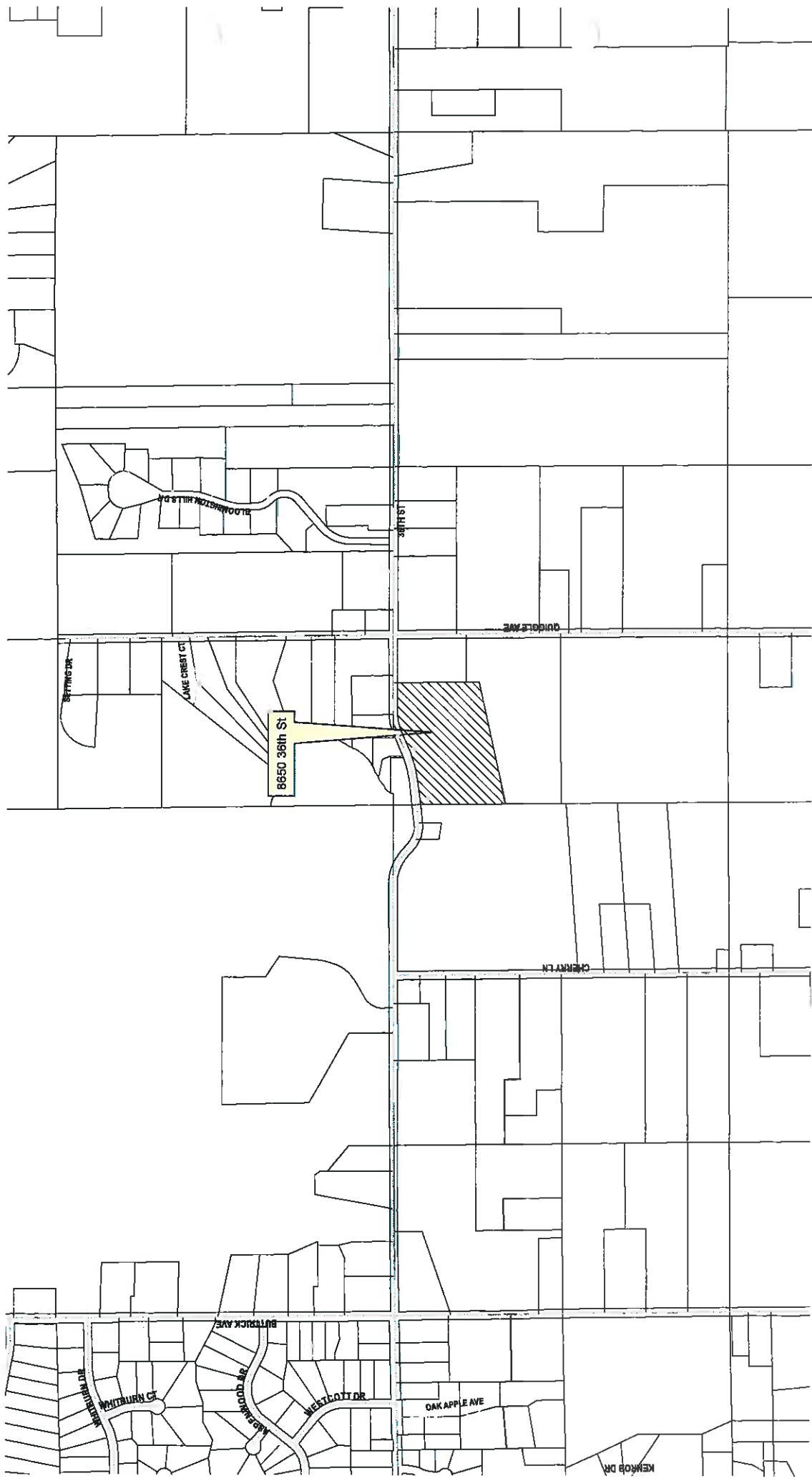
<b><i>Findings of Fact</i></b>	<b><i>Comment</i></b>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally to the other	While the property has some low areas, the large parcel and location of the home are not unique.

nearby properties in the same zoning district.	
That the exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of this Ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding this Ordinance will not be considered self-created)	The decision to place the home where they did is the action taken by the applicant.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	They have placed the building back about 330 feet from the right of way, and just in front of the home. By just pushing the accessory building back about 30 feet would conform to our ordinances.
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	Allowing a variance where no unique circumstance is present could be seen as a detriment.
That the condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of so general or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.	The granting of this variance could become a recurrent situation.
The Zoning Board of Appeals shall further find that the reasons set forth in application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building or structure.	Given the large property, the relatively small amount to move the proposed location, the variance is not justified.

**STAFF RECOMMENDATION**

Deny the request.

Attachments:       Application  
                              Site Plan



8650 36th St

105th St

Wichita Ave

Bettendorf Dr

Lake Crest Ct

Cherry Ln

Buttrick Ave

Westcott Dr

Oak Apple Ave

Kennebunk Dr

Wychurn Ct

Westwood Dr



# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City & Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**OWNER: \* (If different from Applicant)**  
 Name: RANDY CARPENTER  
 Address: 816 SOUTH ALEXANDER  
 City & Zip Code: GREENVILLE, MI. 48838  
 Telephone: 616-575-6520  
 Email Address: CARPENTER@CHARTRAMI.NET

### NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

- |  |  |
|--|--|
| <input type="checkbox"/> Administrative Appeal       | <input type="checkbox"/> Administrative Site Plan Review |
| <input type="checkbox"/> Deferred Parking            | <input type="checkbox"/> P.U.D. - Rezoning *             |
| <input type="checkbox"/> P.U.D. - Site Condominium * | <input type="checkbox"/> Rezoning                        |
| <input type="checkbox"/> Site Plan Review *          | <input type="checkbox"/> Sign Variance                   |
| <input type="checkbox"/> Special Use Permit          | <input type="checkbox"/> Subdivision Plat Review *       |
| <input checked="" type="checkbox"/> Zoning Variance  | <input type="checkbox"/> Other: _____ *                  |

*\* Requires an initial submission of 5 copies of the completed site plan*

### BRIEFLY DESCRIBE YOUR REQUEST:\*\*

REQUEST VARIANCE TO PLACE POLE BARN IN FRONT  
AREA OF PROPERTY

(\*\*Use Attachments if Necessary)  
 -SEE OTHER SIDE-



**LEGAL DESCRIPTION OF PROPERTY\*\*:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(\*\*Use Attachments if Necessary)

**PERMANENT PARCEL (TAX) NUMBER:** 41-19 \_\_\_\_\_

**ADDRESS OF PROPERTY:** \_\_\_\_\_

**PRESENT USE OF THE PROPERTY:** \_\_\_\_\_

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR  
EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)	Address(es)
_____	_____
_____	_____

**SIGNATURES**

*I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.*

***I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)***

\_\_\_\_\_  
Owner – Print or Type Name  
(\*If different from Applicant)

\_\_\_\_\_  
Applicant – Print or Type Name

\* \_\_\_\_\_  
Owner’s Signature & Date  
(\*If different from Applicant)

\_\_\_\_\_  
Applicant’s Signature & Date

**PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU**

Rev. 7/24/14



3439 Quisque



## STAFF REPORT

STAFF REPORT: Case #18-3434  
REPORT DATE: February 5, 2018  
PREPARED FOR: Cascade Charter Township Zoning Board of Appeals  
MEETING DATE: February 13, 2018  
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:

Jeff Dionne  
2984 Thornapple River Dr SE  
Grand Rapids MI 49546

STATUS

OF APPLICANT: Property Owner

REQUESTED ACTION: The applicant is requesting a variance to construct an addition to the house that does not meet the minimum 43-foot front setback or the 10 foot sideyard setback.

EXISTING ZONING OF  
SUBJECT PARCEL(S): R2

GENERAL LOCATION: Southeast side of Thornapple River Dr southwest of Cascade Rd

PARCEL SIZE: Approximately .4 acres.

EXISTING LAND USE  
ON THE PROPERTY: Residential

ADJACENT AREA  
LAND USES: Residential

ZONING ON  
ADJOINING PARCELS: R2

### STAFF COMMENTS

1. The applicant is requesting a variance from chapter 18 to allow an addition closer to the road ROW and closer to the side lot line than permitted.
2. The northeast corner of the home on the property is setback 16.7 feet from the ROW. The northwest corner of the home, which would be adjacent to the proposed addition, is setback 25.3 feet from the ROW.

3. Based on the type of road (collector) the home is required to be setback 43 feet from the ROW. As it is, the current house is legal nonconforming because it does not meet current front setback requirements.
4. They are proposing an addition to the front of the home that would now allow 15.9 foot front setback.
5. The sideyard setback requirement is a minimum of 25 feet total with no one side being less than 10 feet. The home currently has setbacks of approximately 55 feet and 180 feet on the side. The asking to reduce the 55-foot sideyard to 5.3 feet.
6. The applicant is asking to build a two-story garage with three bedrooms behind and one lower level
7. Our records indicate the home was built in 1962.
8. The current proposal suggests a 5.3-foot setback from the property line. It should be noted the residence to the west is also legal non-conforming with no setback from the property line.
9. If denied the owners could still build an addition that would be 45 feet wide as opposed to the proposed 50 feet wide. A normal two stall garage is about 24 feet wide.
10. In reviewing the neighborhood it does appear that several other homes in the neighborhood have non-conforming setbacks.
11. In situations involving non-conforming setbacks we have granted variances. However we have typically limited those variances to no more than what was existing and not allowed them to make it worse by reducing the non-conformity. In 2017 we approved a variance at 2611 Thornapple River Dr that allowed for a 38-foot setback where the existing setback was 46 feet. In that case the ZBA felt that the topography and grade change and the fact that they would still be meeting the "normal" residential setback of 35 feet made the situation unique. We have also granted a couple of other variances for sideyards in the past couple of years. The common denominator seems to be the fact that they were already non-conforming.
12. It should be noted that the will have to get permit from the KCRC for the new curb cut on Thornapple River Dr.

Before the Zoning Board of Appeals can grant a variance, it must be assured that the request meets all of the findings of fact listed in the table below:

<b><i>Findings of Fact</i></b>	<b><i>Comment</i></b>
That there are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and that do not apply generally	Other than the odd shape of the lot there is not much that is exceptional about this property that does not apply to others in the area.

to the other nearby properties in the same zoning district.	
That the exceptional or extraordinary conditions or circumstances are not the result of actions of the applicant taken subsequent to the adoption of this Ordinance (any action taken by an applicant pursuant to lawfully adopted regulations preceding this Ordinance will not be considered self-created)	Due to the fact that much of the home is currently built within the required front setback, it would be very difficult to build an addition to the home without the need for relief from the front setback requirement of 43 feet.
That such variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.	The minimum variance would be to maintain the existing front setback and not permit an exception in the side
That the granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.	There are not any properties in the neighborhood that have a 5.3 side setback between the residences. Even the Overlook Summit Properties up the hill had a minimum of 8.8 feet between residences.
That the condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of so general or recurrent nature as to make it more reasonable and practical to amend the Zoning Ordinance.	In other situations, we have tried to not increase the amount of non-conformity.
The Zoning Board of Appeals shall further find that the reasons set forth in application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building or structure.	It would appear that a slightly smaller addition could be built that would still accommodate a two-stall garage, conform to the side yard setback, and maintain the current front non-conforming front setback

**STAFF RECOMMENDATION**

Staff Recommends denial of the requested variance but would support a variance that maintained the existing front setback and did not exceed the minimum 10-foot side setback.

Attachments:           Application  
                                  Site Plan





# CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

## PLANNING & ZONING APPLICATION

**APPLICANT:** Name: Jeff & Lisa Dionne  
 Address: 2984 Thornapple Pk. Dr. SE  
 City & Zip Code: Grand Rapids MI 49546  
 Telephone: 616-443-4308  
 Email Address: jeffrey.dionne@comcast.net

**OWNER: \* (If different from Applicant)**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City & Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**NATURE OF THE REQUEST: (Please check the appropriate box or boxes)**

- |  |  |
|--|--|
| <input type="checkbox"/> Administrative Appeal       | <input type="checkbox"/> Administrative Site Plan Review |
| <input type="checkbox"/> Deferred Parking            | <input type="checkbox"/> P.U.D. – Rezoning *             |
| <input type="checkbox"/> P.U.D. – Site Condominium * | <input type="checkbox"/> Rezoning                        |
| <input type="checkbox"/> Site Plan Review *          | <input type="checkbox"/> Sign Variance                   |
| <input type="checkbox"/> Special Use Permit          | <input type="checkbox"/> Subdivision Plat Review *       |
| <input checked="" type="checkbox"/> Zoning Variance  | <input type="checkbox"/> Other: _____ *                  |

*\* Requires an initial submission of 5 copies of the completed site plan*

**BRIEFLY DESCRIBE YOUR REQUEST:\*\***

proposed building addition of 1/2s shown.  
Building will be 2 story garage w/ 3 bedrooms behind  
& one lower level. Variance for side & front set back.

(\*\*Use Attachments if Necessary)

-SEE OTHER SIDE-

Assessing  
949-6176

Building  
949-3765

Buildings & Grounds  
682-4836

Clerk  
949-1508

Fire  
949-1320

Manager  
949-1500

Planning  
949-0224

Treasurer  
949-6944



LEGAL DESCRIPTION OF PROPERTY\*\*:

Attached - Exhibit A

(\*\*Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19-16-176-010

ADDRESS OF PROPERTY: 2984 Thorapple Rd. Dr. SE CORNER 49546

PRESENT USE OF THE PROPERTY: Single Family Home

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

List S. Dionne

Owner - Print or Type Name (\*If different from Applicant)

Jeffrey S. Dionne

Applicant - Print or Type Name

List S. Dionne 1-8-2018

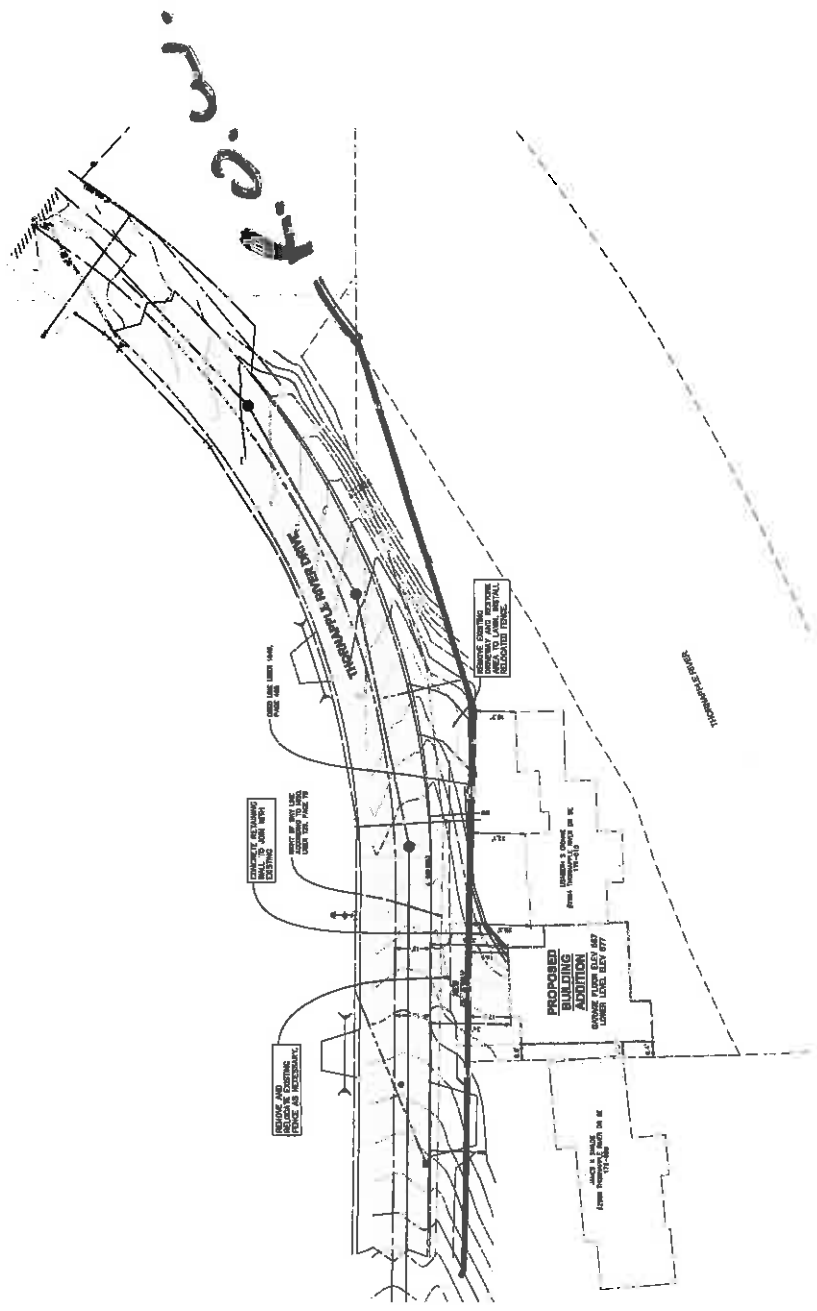
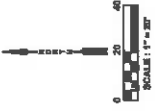
Owner's Signature & Date (\*If different from Applicant)

Jeffrey S. Dionne 1-8-2018

Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET - THANK YOU

Rev. 7/24/14



**MOORE & BRUGGINK, INC.**  
 Consulting Engineers  
 6000 North Washington Street  
 Grand Rapids, Michigan 49506-5000  
 Phone: (616) 362-2800 Fax: (616) 362-2801

DATE: 10/15/03  
 DRAWN BY: JLB  
 CHECKED BY: JLB  
 PROJECT NO.: 03-001

**2984 THORNAPPLE RIVER DRIVE**  
 CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN

SITE PLAN FOR

1 OF 1

**Rules of Conduct  
For  
The Cascade Charter Township Planning Commission**

**1. POLICY AGAINST “EX PARTE” COMMUNICATIONS.**

Planning Commission Members (“members”) should avoid outside contact with applicants, developers, applicants/developer’s representatives (including planners or attorneys or interested neighbors regarding matters before the Planning Commission.

- a. The Planning Commission must act as a board and not as individual members. Advisory opinions should not be given.
- b. “Ex Parte” communication (i.e., outside of public Planning Commission meetings or hearings) by individual members of the Planning Commission with applicants, developers, applicant’s/developer’s representative or interested neighbors in person, by telephone or by visits are to be avoided, except for limited necessary contact during fact-finding site visits.
- c. Site visits – Individual members shall view sites only if they can do so without any unnecessary contact with the applicant, developer, applicant’s/developer’s representatives or interested neighbors and with the specific purpose of gathering physical facts and/or data.
- d. If a member is contacted by an applicant, developer, applicant’s/developer’s representative or an interested neighbor, the member shall promptly inform the party that he or she should not discuss the matter or have any contact whatsoever outside a Planning Commission hearing or meeting except for site visits. The member shall then immediately inform the party that they are welcome to come to Planning Commission meetings to discuss their views, wishes, etc., or to put their concerns in writing with a copy sent to the Chairperson of the Planning Commission.

**2. MEMBER DISCLOSURE**

In order to maintain public trust and ensure fairness, each Planning Commission member shall publicly disclose at the Planning Commission hearing or meeting involved any of the following:

- a. If the Planning Commission member is related to an applicant, developer, applicant’s/developer’s representative or any party involved.
- b. If the Planning Commission member is (or has been) in business or financially connected with the applicant or parties involved

- c. If the Planning Commission is a close friend of the applicant or parties involved.
- d. If the Planning Commission member has an unavoidable bias regarding the matter and could not be fair.

### **3. CONFLICT OF INTEREST**

- a. A member should remove himself/herself from the hearing, discussions and decision –making process if the member has a conflict of interest or a potential conflict of interest involving the situation at hand as a conflict of interest is defined by Michigan law.
- b. While not required to do so, where a member of the Planning Commission has an actual or potential conflict of interest, it is often best if he/she move from the place where the full Planning Commission or Planning Commission subcommittee is sitting and go sit in the audience or leave the room until the matter is over. Physical removal often minimizes any public perception that the member with any conflict or potential conflict of interest is unduly influencing his or her fellow members of the Planning Commission by the member’s physical presence.
- c. If a member has abstained from a matter due to a conflict or potential conflict of interest, that member has the right to voice his or her opinion at a meeting or hearing of the Planning Commission as a member of the audience. If a Planning Commissioner has a conflict or potential conflict of interest that member shall be treated as an interested party and shall be bound by the requirements of Section 1 above. The Planning Commissioner shall not have any contact with other Planning Commissioners regarding the matter except as otherwise permitted in Section 1 hereof.
- d. A Planning Commissioner shall not represent any applicant, developer, neighbor or party directly interested in a matter before the Planning Commission. Except as otherwise prohibited by law, a Planning Commissioner’s employer, fellow employee, or partner may represent a party appearing before the Planning Commission. But in such case the Planning Commissioner involved shall be deemed to have a conflict of interest, shall publicly disclose the situation, and shall remove himself/herself from the proceedings as required by Paragraph 3.a. hereof.
- e. All Planning Commissioners should strive not to place themselves in situations where there would be even an appearance of impropriety or become involved in a hearing, discussion, or decision-making process before the Planning Commission which would place that member in a potential conflict of interest situation.