

# AGENDA

Grand Haven Charter Township Planning Commission  
Monday, August 5, 2019 – 7:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Pledge to the Flag
- IV. Approval of the July 15, 2019 Planning Commission Meeting Minutes.
- V. Correspondence
- VI. Brief Public Comments & Questions (Limited to 3 minutes)
- VII. Public Hearing
  - A. Special Land Use – Outdoor Pond – Eveland
- VIII. Old Business
  - A. Special Land Use – Outdoor Pond – Eveland
- IX. New Business
  - A. Discuss the LDR District
- X. Reports
  - A. Attorney’s Report
  - B. Staff Report
  - C. Other
- XI. Extended Public Comments & Questions (Limited to 4 minutes)
- XII. Adjournment

**Note: Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a “Speakers Form” located on the counter. Completed forms must be submitted to the Zoning Administrator prior to the meeting.**

MEETING MINUTES  
GRAND HAVEN CHARTER TOWNSHIP  
PLANNING COMMISSION  
JULY 15, 2019

I. CALL TO ORDER

Wilson called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:00 pm.

II. ROLL CALL

Members present: Wilson, Reenders, Taylor, Wagenmaker, Kieft, LaMourie, Hesselsweet

Members absent: Cousins, Chalifoux

Also present: Community Development Director Fedewa and Attorney Bultje

**Without objection**, Wilson instructed Fedewa to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

**Without objection**, the minutes of the July 1, 2019 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS

- Tim Whalen – 16527 Lake Michigan Drive
  - Supports changing Rural Preserve to a 5 acre minimum.

VII. NEW BUSINESS

A. Review Draft of Zoning Ordinance

**Special Land Uses**

Fedewa provided an overview through a memorandum dated July 11<sup>th</sup>.

Commission requested Fedewa go through each new Special Land Use:

- Accessory Structures in Front Yard
  - Acceptable – no comments.
- Agri-Tourism
  - Acceptable – no comments.
- Alcohol Establishments (Brewpub, Microbrew, Distillery, Winery)
  - Acceptable – no comments.
- Gun Ranges – Indoor and Outdoor

- Proposed regulations for Indoor are acceptable.
- The proposed regulation for a Zero Tolerance policy for Outdoor causes concern. If a bullet were to escape the property and damage person or property the range must close for 1 year. Do not want to require a business to close for 1 year without significant due process, such as:
  - Obtain a report from the Ottawa County Sheriff's Department. Must have confirmation the bullet came from the range.
  - Another Special Land Use hearing should be scheduled to discuss the issue.
  - Board should be able to limit or reduce the 1 year penalty after conferring with the Township Attorney.
  - Question if only a portion of the range should be closed if found to be at fault.
- Directed staff to craft new language to address the concerns, and bring for review at a future meeting.
- Mineral Mining
  - If natural resources are removed as a result of a permitted construction project, it is not considered mineral mining.
  - If a property owner digs a pond they are permitted to sell the ancillary spoils, and it is not considered mineral mining.
  - The agricultural practice of slowly mining the land to create a blueberry field would still be a Special Land Use.
- Outdoor Dining/Table Service
  - Acceptable – but remove the date restrictions of April 15 – November 1.
- Outdoor Storage
  - Acceptable – no comments.
- Self-Storage Facilities
  - Partially acceptable.
  - Design requirements are acceptable, but the zoning district is not acceptable. Discussions ranged from:
    - Acceptable to allow as second use on industrial land.
    - Not acceptable to allow as second use because industrial land is too valuable and scarce.
    - Acceptable to allow adjacent property owners to create a self-storage facility together.
    - Should allow in Agricultural Zoning District.
    - Should allow in Commercial Zoning District.
  - Request the Township Board discuss and provide guidance.

- Pet Daycare
  - Acceptable – but exclude from subdivisions and establish 1 acre minimum lot size.
- Temporary Outdoor Events
  - Acceptable – no comments.
- Vehicle Sales – Major
  - Partially acceptable to limit the number and location of display vehicles. However, it is expected the car manufacturers have minimum requirements for displaying a number of vehicles to be an authorized dealer. Will need to take that into account.

### **Miscellaneous Expectations to Clarify**

Fedewa provided an overview through a memorandum dated July 11<sup>th</sup>.

Commission requested Fedewa go through each item to obtain feedback:

- Single Family Dwellings in AG District
  - Minimum lot area of 20 acres seems to have resolved the previous issue with agricultural land being converted to residential through land divisions.
  - Hobby farming has made administering this Special Land Use complicated, as it related to the Right to Farm Act.
  - Consensus – no longer need to require a Special Land Use permit or active agriculture to build a house on land zoned Agricultural. Process to obtain a building permit will be the same as any other residential district.
- Types of Reviews in US-31 Overlay Zone
  - Consensus – Zoning Administrator can determine when/if signs, accessory buildings, and/or landscaping needs to be reviewed by the Planning Commission. Otherwise, those items are to be reviewed administratively.
- Expectations for Parking RVs and Utility Trailers
  - Consensus on the following:
    - Should not be parked/stored in driveway, in front of the dwelling, or any location between the dwelling and street, at any point during the year.
    - Should not have to be parked/stored on gravel or some other type of hard surface.
    - Acceptable to park utility trailers in yard as long as they're stored appropriately.
    - Regarding administrative variances for parking RVs – a fence is not considered an immovable object and cannot be used as the reason for receiving the variance.

## **Rural Preserve Minimum Lot Area**

Fedewa provided an overview through a memorandum dated July 11<sup>th</sup>.

**Without objection**, the Planning Commission recommends the Minimum Lot Area for the Rural Preserve District be lowered to 5 acres.

Staff was directed to review two additional districts:

1. Low Density Residential – possibly eliminate.
2. Rural Residential – possibly amend minimum lot area to 1 acre.

### VIII. REPORTS

- A. Attorney Report – None
- B. Staff Report – None
- C. Other – None

### IX. EXTENDED PUBLIC COMMENTS – None

### X. OPEN DISCUSSION FORUM

**Without objection**, open discussion forum was closed because there were no topics.

### XI. ADJOURNMENT

**Without objection**, the meeting adjourned at 9:03 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Stacey Fedewa, AICP". The signature is written in a cursive, flowing style.

**Stacey Fedewa, AICP**  
Acting Recording Secretary



GRAND HAVEN CHARTER TOWNSHIP

# Community Development Memo

DATE: August 1, 2019  
 TO: Planning Commission  
 FROM: Stacey Fedewa, AICP – Community Development Director  
 RE: Special Land Use Application – Outdoor Ponds at 12500 168<sup>th</sup> Avenue

PROPERTY DETAILS			
Property Address	Parcel Number	Parcel Size	Application Type
12500 168 <sup>th</sup> Ave	70-07-15-100-025	17 Acres	Outdoor Ponds
Existing Zoning	Existing Land Use	Existing Infrastructure	Existing Site Improvements
RR	Single Family	168 <sup>th</sup> – Paved Warner – Double Chip Municipal Water* Private Well* Private Septic	Single Family Dwelling ( <i>under construction</i> ) Barn Shed
Master-Planned Zoning	Surrounding Zoning & Land Uses		
	Direction	Zoning	Land Use
Rural Residential	N	RR	Historic Cemetery
	S	RR	Single Family
	E	RR	Single Family
	W	R-1	Single Family

\* Currently utilizing a private water well but has begun the process of connecting the new dwelling to municipal water.

## BACKGROUND

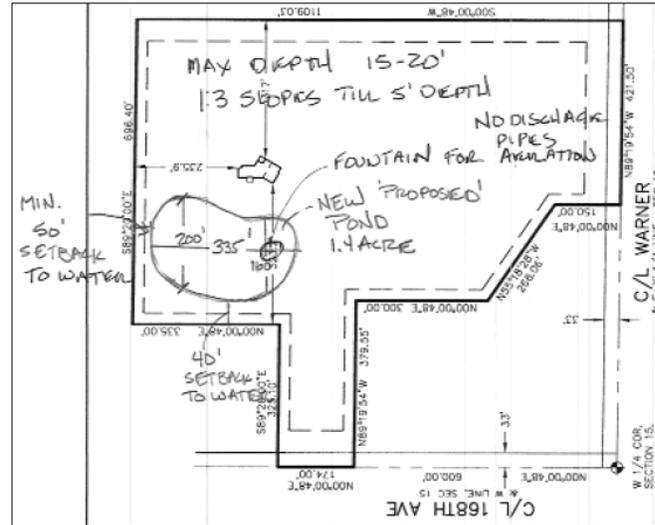
The property owner, Joe Eveland, submitted a Special Land Use application to construct a new Outdoor Pond, as well as reshape and expand the existing Pond. The ponds would be used for recreation, and personal enjoyment.



## PROJECT DETAILS

Specifics regarding the pond construction include:

- The new pond will be approximately 1.5 acres in size and complies with setbacks. To be 15' – 20' deep.
- The existing pond will be reshaped, slightly enlarged, and dug deeper to 10'. Final size approximately 0.2 acres in size and complies with setbacks.
- Will have at least 1:3 slope for the first 5 feet of depth for both ponds.
- Will use an aeration device to prevent stagnant water in both ponds.



## SPECIAL LAND USE REQUIREMENTS

Section 19.07.29A Provisions	Compliance	
Used for recreation, pleasure, or agricultural only	Meets standard	
Compliance with setback requirements of zoning district (RR)	Meets standard	
To protect the safety of the general public the PC can require the pond to be enclosed by a wall or fence.	Not enclosed—Planning Commission has discretion	
Constructed to applicable requirements of Conservation District, OCWRC, and EGLE.	CD	n/a
	OCWRC	pending
	EGLE	n/a
Slope of the banks must be a minimum of 1:3	Meets standard	
Pond shall not cause or contribute to the erosion of any adjacent, abutting, or nearby land.	Staff unaware of any issues	
Pond shall not create stagnant water	Aeration Unit	

## SAMPLE MOTIONS

If the Planning Commission finds the application meets the standards, the following motion can be offered:

**Motion to conditionally approve** the Outdoor Pond Special Land Use application for 12500 168<sup>th</sup> Avenue, based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report and condition:

1. Shall provide the Township with a copy of the Soil Erosion and Sedimentation Control permit or a Letter of No Authority prior to digging the ponds.

If the Planning Commission finds the application does not meet the standards, the following motion can be offered:

**Motion to deny** the Outdoor Pond Special Land Use application, and direct staff to draft a formal motion and report for those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:

**Motion to table** the Outdoor Pond Special Land Use application, and direct the applicant to make the following revisions:

1. *List the revisions.*

Please contact me if this raises questions.

**REPORT (TO BE USED WITH A MOTION FOR APPROVAL)**

1. This approval is based on the affirmative findings that each of the following Special Land Use standards has been fulfilled:
  - A. The proposed use is consistent with, and promotes the intent and purpose of this Ordinance.
  - B. The proposed use is of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the district in which situated and of adjacent districts.
  - C. The proposed use does not have a substantially detrimental effect upon, nor substantially impair the value of, neighborhood property.
  - D. The proposed use is reasonably compatible with the natural environment of the subject premises and adjacent premises.
  - E. The proposed use does not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
  - F. The proposed use does not interfere or unduly burden water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services.
  - G. The proposed use is such that traffic to, from, and on the premises and the assembly of persons relation to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and the general character and intensity of the existing and potential development of the neighborhood.
  - H. The proposed use is consistent with the health, safety, and welfare of the Township.

2. The application meets the site plan review standards of Section 23.06 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.
  - B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
  - C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
  - D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.
  - E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
  - F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
  - G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.
  - H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.
  - I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.
  - J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate storm water, prevent erosion and the formation of dust.
  - K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.
  - L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.
  - M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.
  - N. The site plans conforms to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
  - O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

Clear Form

Print



GRAND HAVEN CHARTER TOWNSHIP  
SPECIAL LAND USE APPLICATION

Application Type	Fee	Escrow*	Utility Escrow**
Overlay Zone	\$500	\$1,000	Main Extension \$5,000
Regular	\$400	\$1,000	Lift Station \$2,000
Amendment	\$250	\$500	

Applicant Information

Name JOSEPH EVELAND  
 Phone 517-449-4101 Fax 616-846-4684  
 Address 12470 116<sup>th</sup> AVE GRAND HAVEN MI 49417  
 Email Address JMESALES@CHARTER.NET

Owner Information (if different from applicant)

Name \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_  
 Address \_\_\_\_\_

Property Information

Address/Location 12500 116<sup>th</sup> AVE GRAND HAVEN MI 49417  
 Parcel Number 70-07-15-100-025 Size (acres) 17.1442  
 Current Zoning RURAL RESIDENTIAL Master-Planned Zoning \_\_\_\_\_

Description of Proposed Use/Request (attach additional pages as needed)

DIG POND, 1.4 ACRE FOR RECREATION AND  
FEEDING, IMPROVE EXISTING POND, DIG TO 10' + 1 JOCKEY SE  
AREA SLIGHTLY LESS THAN .2 ACRE NEW SIZE!

**NOTE:** The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 19 and 23 of the Zoning Ordinance. Initially, submit five copies of the required information for staff review. Once staff has granted tentative approval, additional copies will be required as requested by staff.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Joseph Eveland 7-1-2019  
 Signature of applicant Date

\* To cover cost of legal and consulting fees, may be increased as necessary

\*\* If approval of this application requires/includes the extension of a municipal utility, an additional \$5,000 escrow fee shall be required, and an additional \$2,000 escrow fee shall be required for the installation of a lift station.

**For Office Use Only**

Date Received \_\_\_\_\_ Fee Paid? \_\_\_\_\_

Materials Received: Site Plans \_\_\_\_\_ Location Map \_\_\_\_\_  
Survey \_\_\_\_\_ Legal Description \_\_\_\_\_

Dated copy of approved minutes sent to applicant? \_\_\_\_\_ Date Sent \_\_\_\_\_

**PLANNING COMMISSION USE ONLY**

Approval \_\_\_\_\_

Tabled \_\_\_\_\_

Denied \_\_\_\_\_

Conditional Approval \_\_\_\_\_

The following conditions shall be met for approval:

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

\_\_\_\_\_  
*Signature of Planning Commission Chair*

\_\_\_\_\_  
*Date*



Date 10/10/18	Drawn jtb	Job Number 1800301
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We certify that we have examined the premises described, that buildings and improvements are within the property lines, and that they do not encroach except as noted below.

- Scale 1" = 200'
- = Concrete
  - = Brick Pavers
  - D = Description dimension
  - M = Measured dimension
  - P = Platted dimension
  - = Set Iron stake
  - = Found iron stake
  - - - - = Fence

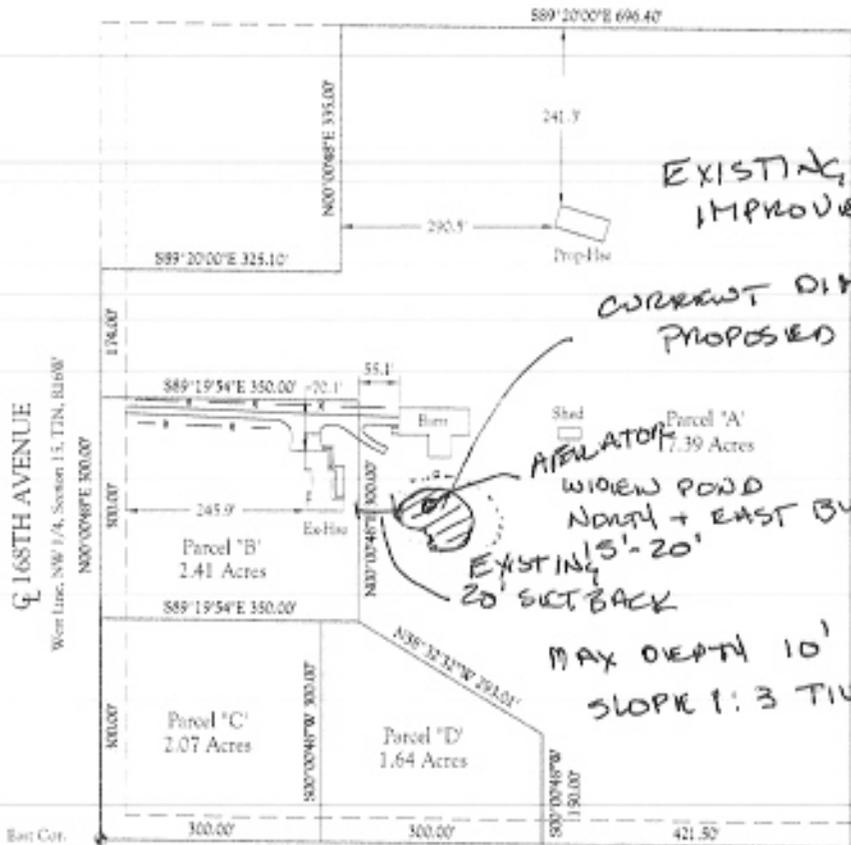
**Parent Parcel Description:**

Beginning at the Southwest corner of the Northwest 1/4 of Section 15, T7N, R16W, Grand Haven Township, Ottawa County, Michigan; thence North 1109 feet; thence East 1021.5 feet; thence South at right angles 1109 feet; thence West 1021.5 feet to the place of beginning.

**EXCEPT**

A parcel of land described as follows: That part of the Southwest 1/4 of the Northwest 1/4 of Section 15, T7N, R16W, Grand Haven Township, Ottawa County, Michigan, described as: Commencing at a point on the West line of said Section 15, being due North 774.00 feet from the West 1/4 corner of said Section 15; thence due North 335.00 feet; thence South 89°20'48" East 325.10 feet; thence due South 335.00 feet; thence North 89°29'48" West 325.10 feet to the point of beginning.

Together with and subject to a 66' wide easement as mentioned in Reciprocal Easement Agreement recorded in Liber 993, page 954.



Prepared For: Joe Eveland  
RE: 12470 - 168th Avenue



8375 RIDGESTONE DR. SW BYRON CENTER, MI 49315  
PHONE: (616) 437-2249 EMAIL: burgesssurveying@gmail.com

Note: This drawing was made from the description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

NEED POWD FOR GROUND WATER TENSION RELIEF  
By: *[Signature]*  
NO DISCHARGE

Adam C. Burgess  
Licensed Professional Surveyor No. 55446



GRAND HAVEN CHARTER TOWNSHIP

## Community Development Memo

DATE: August 1, 2019  
TO: Planning Commission  
FROM: Stacey Fedewa, AICP – Community Development Director  
RE: Discuss Eliminating the Low Density Residential (LDR) District

### BACKGROUND

Staff has recommended the Planning Commission consider removing the LDR district because there are so few parcels in that district and is very similar to RR. Minimum Lot Area for all zoning districts are:

AG	20 Acres
RP	10 Acres
RR	45,000 SF
LDR	25,000 SF
R-1	15,000 SF
R-2	13,000 SF

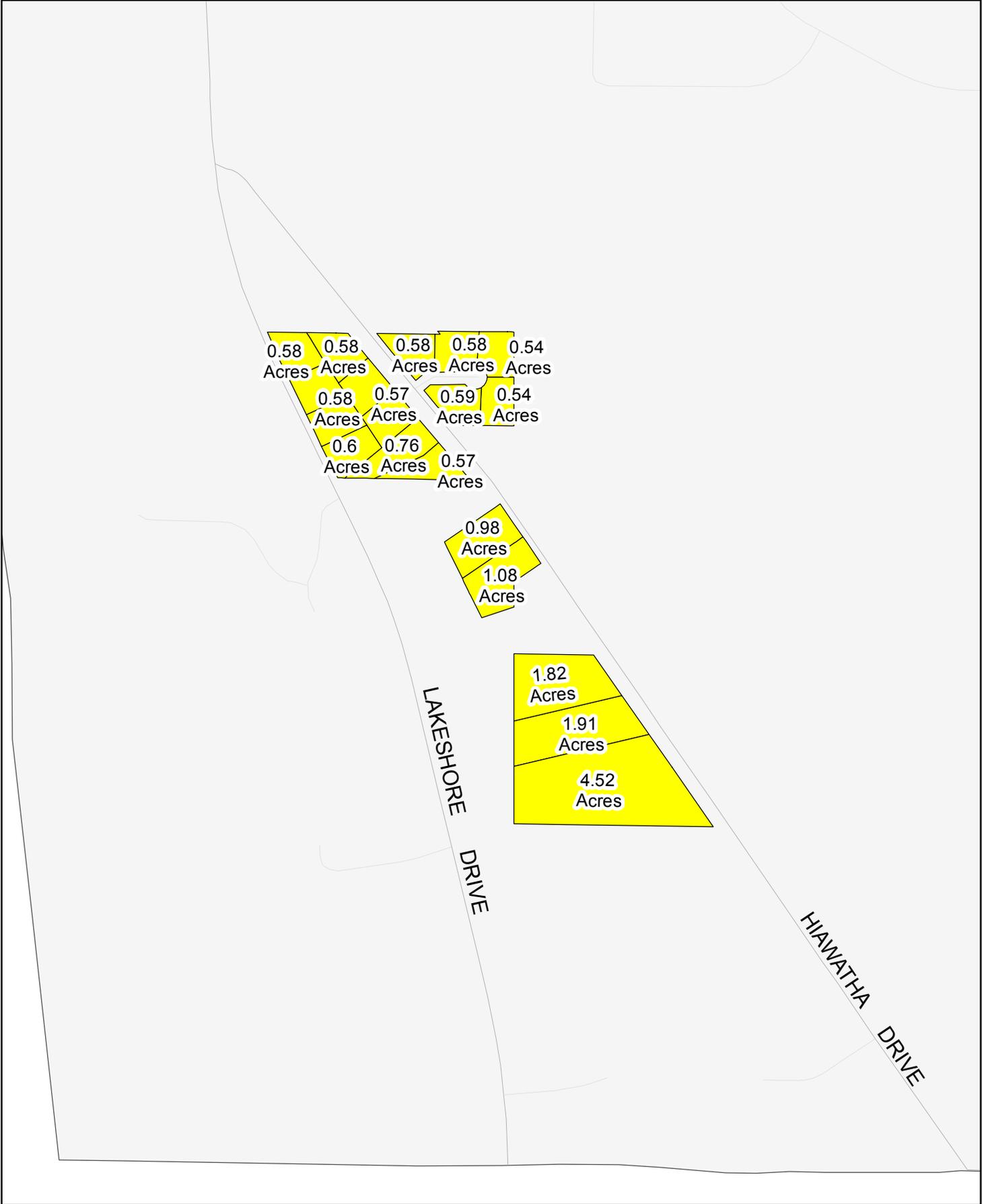
### DETAILS ON EXISTING LDR LOTS

Currently, there are 23 lots zoned LDR.

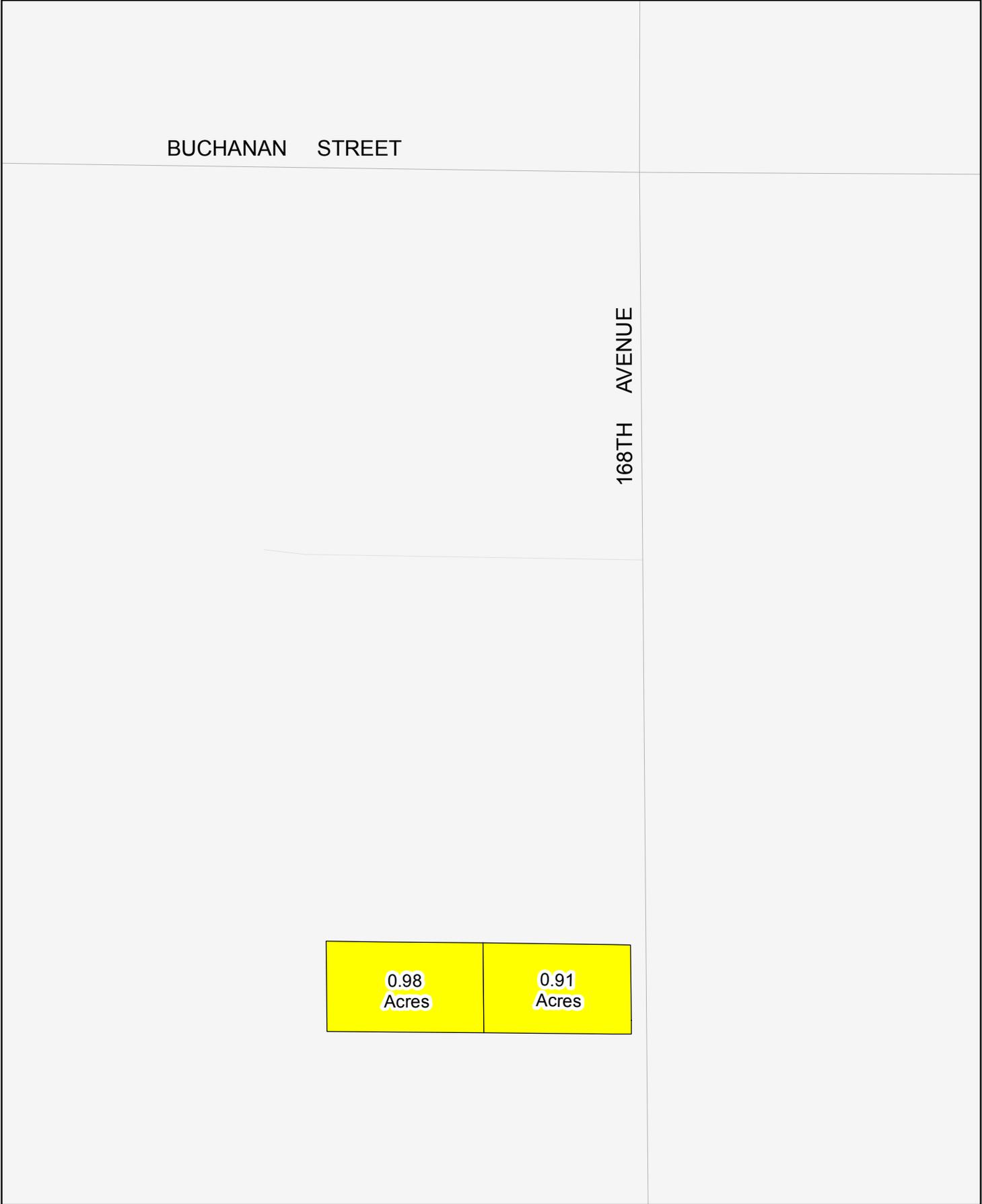
- Lot Area ranges from ½ acre – 28 acres:
  - Six lots are under 25,000 sqft already and are legally non-conforming.
  - 17 of the 23 lots are under 45,000 sqft and should be rezoned to R-1.
  - The remaining lots should be rezoned to RR.

**Does the PC want to eliminate the LDR District?**

# Current Lots Zoned LDR = 23 Parcels (Southwest Quadrant)



# Current Lots Zoned LDR = 23 Parcels (Southwest Quadrant)



# Current Lots Zoned LDR = 23 Parcels (Northwest Quadrant)

