

# AGENDA

Grand Haven Charter Township Planning Commission  
Tuesday, September 8, 2020 – 7:00 p.m.  
**Remote Electronic Meeting**

To obtain a link to the zoom meeting—email [sfedewa@ght.org](mailto:sfedewa@ght.org) or text 616.260.4982 and the link and password will be sent to you along with instructions on participating.

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752. 797) and/or Malicious Use of Electronics Communication (MCL 750.540). According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications. Public meetings are monitored, and violations of statutes will be prosecuted.

- I. Call to Order
- II. Roll Call
- III. Approval of the August 17, 2020 Planning Commission Meeting Minutes
- IV. Correspondence
  - Crockery Township Planning Commission – Notice to Create a Sub Plan within their Master Plan
- V. Brief Public Comments & Questions (Limited to 3 minutes)

Please go to <http://www.ghet.org/boards/meeting-packets> to view the complete packet for tonight's Planning Commission meeting. If you would like to comment on an Agenda Item Only, you may now:

  - (1) Raise your hand using the zoom function
  - (2) submit your comments via Facebook Live stream found at <https://www.facebook.com/GHTownship>;
  - (3) email [sfedewa@ght.org](mailto:sfedewa@ght.org);
  - (4) or call (616) 260-4982 when prompted.
- VI. Public Hearing
  - A. Rezoning – Boelkins – AG to RP
  - B. Text Amendments:
    - a. Add the side setback sliding scale for narrow lot widths (Correction)
    - b. Add a special land use requirement to Animal Waiver requests
    - c. Eliminate the AG and RP district from being subject to the double lot width requirement (Correction)
- VII. Old Business
  - A. Rezoning – Boelkins – AG to RP
  - B. Text Amendments:
    - a. Add the side setback sliding scale for narrow lot widths (Correction)
    - b. Add a special land use requirement to Animal Waiver requests
    - c. Eliminate the AG and RP district from being subject to the double lot width requirement (Correction)
  - C. Domestic Animal Waiver – Lampe

VIII. Reports

- A. Attorney's Report
- B. Staff Report
- C. Other

IX. Extended Public Comments & Questions (Limited to 4 minutes)

If you would like to comment on a Non-Agenda Item, you may now:

- (1) Raise your hand using the zoom function and the Chair will invite you to speak;
- (2) submit your comments via Facebook Live stream found at <https://www.facebook.com/GHTownship>;
- (3) email [sfedewa@ght.org](mailto:sfedewa@ght.org);
- (4) or call (616) 260-4982 when prompted.

X. Adjournment

MEETING MINUTES  
GRAND HAVEN CHARTER TOWNSHIP  
PLANNING COMMISSION  
AUGUST 17, 2020  
**Remote Electronic Meeting**

I. CALL TO ORDER

Cousins called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:02pm.

II. ROLL CALL

Members present: Cousins, Wilson, LaMourie, Chalifoux, Wagenmaker, Kieft, Taylor, and Hesselsweet

Members absent: Reenders

Also present: Community Development Director Fedewa

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

III. APPROVAL OF MINUTES

**Without objection**, the minutes of the July 20, 2020 meeting were approved.

IV. CORRESPONDENCE

- Steve and Mary Jo Lange, 14907 152<sup>nd</sup> Ave – Domestic Animal Waiver
- Catrina Chambers, 14922 Canary Dr – Domestic Animal Waiver
- Tom Bethke, 14906 152<sup>nd</sup> Ave – Domestic Animal Waiver

V. PUBLIC COMMENTS – None

VI. PUBLIC HEARING

A. Special Land Use – Ames – Group Day Care

Cousins opened the hearing at 7:05pm.

Fedewa provided an overview through a memorandum dated August 13<sup>th</sup>.

The applicant, Autumn Ames, was present and available to answer questions. She noted the decision to expand occurred because of the higher need due to COVID-19.

There being no further comments, Cousins closed the hearing at 7:08pm.

B. Domestic Animal Waiver – Lampe

Cousins opened the hearing at 7:08pm.

Fedewa provided an overview through a memorandum dated August 13<sup>th</sup>.

The applicant, Dan Lampe, was present, available to answer questions, and provided the following information:

- Have award-winning American racing pigeons. Serious hobby and unaware it would be a violation of local ordinances.
- Pigeons are flock animals and mate for life.

Fedewa provided an overview of the correspondence. The Lange's object to the request. Chambers and Bethke have no objection. Chambers was present and provided the following comments:

- Neighbor of the Lampe's and Lange's. Has no objection to the request.
- No issues with the pigeons and wasn't aware of them until they were being flown one day.
- Hears song birds, and not the pigeons.

There being no further comments, Cousins closed the hearing at 7:22pm.

## VII. OLD BUSINESS

### A. Special Land Use – Ames – Group Day Care

The Planning Commission does not find any concerns with the application and supports the expansion of the small business.

**Motion** by Chalifoux, supported by Taylor, to **conditionally approve** the Special Land Use application to allow Group Day Care Home at 14899 Glendora Place. This approval is based on the application meeting the standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following condition and report.

1. Applicant shall provide a copy of the Group Day Care license to the Township.

**Which motion carried unanimously.**

#### REPORT OF FINDINGS – GROUP DAY CARE – AMES

1. This approval is based on the affirmative findings that each of the following standards of Section 12.04 have 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 and assembly of people relating to the use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with normal traffic of the neighborhood.
  - H. The proposed use is consistent with the health, safety, and welfare of the Township.
  - I. 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.
2. The application meets the site plan review standards of Section 18.07.G 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. 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.
  - B. 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.
  - C. 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.
  - D. 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.
  - E. 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.
  - F. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers, and/or landscaping shall be used, as appropriate, to accomplish these purposes.
  - G. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the Fire/Rescue Department.
  - H. All streets and driveways are developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in the codified ordinances of the Township.
  - I. Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety.
  - 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. Lighting is minimized to reduce light pollution and preserve the rural character of the Township.
  - 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 conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.
- O. As appropriate, fencing has been required by the Planning Commission around the boundaries of the development to minimize or prevent trespassing or other adverse effects on adjacent lands.
- P. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

B. Domestic Animal Waiver – Lampe

The Planning Commission noted the following points of discussion:

- Confirmed that the enforcement action is suspended until the Planning Commission makes a final determination.
- Increasing animals from 5 to 8 could open a “can of worms.”
- Property is in a typical neighborhood and owner takes a lot of pride in their hobby. Believes it’s silly to be discussing this due to one complaint.
- The birds are small and have little waste.
- Birds are confined except for certain occasions.
- Prior to receiving the complaint, the property owners had approximately 25-30 pigeons. A mix between adults and squabs.
- If birds were sold as a result of the enforcement action, does that mean the birds have become a commercial operation rather than pets? Sounds like a kennel.
- The blue tarp on the back of one “loft” is not attractive in any yard.
- Questioned the number of accessory buildings on the lot.
  - Fedewa indicated the Planning Commission will need to discuss whether “animal structures” constitute an accessory building and will incorporate that as a future text amendment.

**Motion** by Kieft, supported by LaMourie, to **table** the Domestic Animal Waiver request from Daniel and Doreen Lampe located at 14927 152<sup>nd</sup> Avenue. This request is tabled until the next regularly scheduled Planning Commission meeting. **Which motion carried unanimously.**

VIII. NEW BUSINESS

A. Site Plan Review – Grand Haven Custom Molding – Addition

Fedewa provided an overview through a memorandum dated August 13<sup>th</sup>.

The applicant’s representatives, Steve Witte, PE of Nederveld and Trevor Petroelje of CopperRock Construction were present and offered the following:

- Described the events surrounding the need for GHCM storage. Prior to the Stay Home Order, a full building was needed. During and after the Stay Home Order, the need for expanded storage was reduced. However, during this time GHCM leased the vacant

part of the subject property to a tenant. GHCM chose to honor the lease and build an addition instead, which will only be used for storage.

- Ordinance requires 1 tree for every 500 sqft of open land. Have a wooded area but have not counted those trees yet. Uncertain what level of compliance they have with this provision.
- Doesn't understand the greenbelt requirement because the ordinance does not provide a specific number of trees to be planted.
- Believes the brown metal paneling is an acceptable building material because it matches the existing and is setback farther off the road than the front wall of the building.

The Planning Commission noted the following points of discussion:

- Inquired why GHCM chose to pursue an addition rather than building the new facility that was approved in May 2020.
- Urged the applicant to count the trees in order to allow discussion to occur.
- Confirmed the service bay doors are tall enough for semi-trucks at a 16-ft height.
- Questioned the applicant's resistance to landscaping.
- Appears the required landscaping in the greenbelt and parking lot perimeter can be placed in a way to satisfy the screening requirement of the new service bay doors.
- Directed to incorporate the required building materials.

**Motion** by Wilson, supported by Wagenmaker, to **conditionally approve** the Grand Haven Custom Molding Site Plan Review application for an addition located at 13800 172<sup>nd</sup> Avenue based on it meeting the requirements of the Zoning Ordinance. This motion is subject to, and incorporates, the following report. Approval is conditioned upon the following:

1. Provide a revised building elevation that includes the architectural detailing required by Section 8.11.B.2, and submit for review and approval to Staff and Chair Cousins. This shall be resolved prior to issuing a building permit.
2. Provide a revised landscape plan for Planning Commission approval. A new plan must be approved prior to receiving a Final Occupancy Certificate.
  - a. Add the required greenbelt. Must be 107 linear feet, natural arrangement, and species that will not have a mature height that impacts the overhead lines. Arrange in a way that it can double as screening for the service bay doors.
3. Provide staff with a list of the species in the basin seed mix to ensure milkweed is included.

**Which motion carried unanimously.**

## REPORT OF FINDINGS – GRAND HAVEN CUSTOM MOLDING – ADDITION

1. The application meets the site plan review standards of Section 18.07.G 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 stormwater, 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 conform 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.
2. The Planning Commission also finds the Project complies with the Overlay Zone findings and statement of purpose found in Section 8.01 and 8.06 of the Zoning Ordinance.
  - A. The Project accommodates a variety of uses permitted by the underlying zoning, but ensures such uses are designed to achieve an attractive built and natural environment.
  - B. The Project provides architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.
  - C. The Project promotes public safety and efficient flow of vehicular traffic by minimizing conflicts from turning movements resulting from the proliferation of unnecessary curb cuts and driveways.
  - D. The Project ensures safe access by emergency vehicles.

- E. The Project encourages efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.
- F. The Project preserves the capacity along US-31 and other roads in the Overlay Zone by limiting and controlling the number and location of driveways and requires alternate means of access through service drives.
- G. The Project seeks to reduce the number and severity of crashes by improving traffic operations and safety.
- H. The Project requires coordinated access among adjacent lands where possible.
- I. The Project provides landowners with reasonable access, although the number and location of access points may not be the arrangement most desired by the Developer.
- J. The Project requires demonstration that prior to approval of any land divisions, the resultant parcels are accessible through compliance with the access standards.
- K. The Project preserves woodlands, view sheds, and other natural features along the corridor.
- L. The Project ensures that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.
- M. The Project implements the goals expressed in the US-31/M-45 Corridor Study.
- N. The Project establishes uniform standards to ensure fair and equal application.
- O. The Project addresses situations where existing development within the Overlay Zone does not conform to the standards.
- P. The Project promotes a more coordinated development review process with the Michigan Department of Transportation and the Ottawa County Road Commission.

IX. REPORTS

A. Staff Report

- Associate Planner Hoisington has assumed the Lead Planner role with Spring Lake Village.

B. Other – None

X. EXTENDED PUBLIC COMMENTS – None

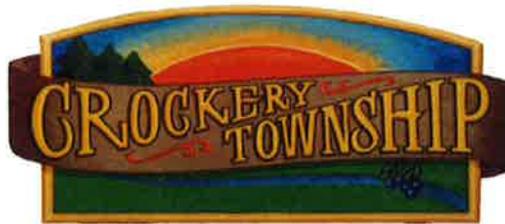
XI. ADJOURNMENT

**Without objection**, the meeting adjourned at 8:28pm.

Respectfully submitted,



**Stacey Fedewa, AICP**  
Acting Recording Secretary



**A RECOGNIZED BICENTENNIAL COMMUNITY**

17431 112<sup>th</sup> Ave. P.O. Box 186 Nunica, MI 49448

Phone: (616) 837-6868 Fax: (616) 837-7838

[www.crockery-township.org](http://www.crockery-township.org)

August 21, 2020

Grand Haven Township Planning Commission  
13300 - 168th Street  
Grand Haven, MI 49417

Re: Crockery Township Master Plan

Dear Grand Haven Township Planning Commission:

In accordance with Public Act 33 of 2008, we are providing notice that Crockery Township intends to proceed with a "Sub Plan" for sections 13, 14, 23, and 24 of the Township where, because of unique physical characteristics, more intensive planning is necessary. The Planning Commission invites your participation and comments concerning issues of mutual interest. However, the Township intends not to provide further notices of or copies of proposed or final sub plans otherwise required to be submitted by statute. The Township intends to make Sub Plan information available on the Crockery Township website which is accessible to the public free of charge, [crockery-township.org](http://crockery-township.org). We appreciate your cooperation and comment.

Thank you,

Crockery Township Planning Commission



# Community Development Memo

DATE: September 2, 2020

TO: Planning Commission

FROM: Stacey Fedewa, AICP – Community Development Director

RE: Thirty-One Properties (Boelkins) – AG to RP

## BACKGROUND

The applicant, Stan Boelkins, of Thirty-One Properties Inc. is requesting to rezone 45-acres located at 11806 US-31 (Parcel No. 70-07-22-200-019), from Agricultural (AG) to Rural Preserve (RP).

When originally purchased, the intention was to develop a luxury RV park, but it did not come to fruition. A portion of the “good” land was split off, sold, and is now being farmed. The remainder is vacant with no structures.

During 2019, Boelkins attended a number of Planning Commission meetings with the express purpose of developing this property. Boelkins’ intention is to develop large-lot, high-end, residential parcels. The request to rezone to RP sets the minimum lot area at 5-acres and 250-ft lot width.

The rezoning application was tested against the “Three C’s” evaluation method.

## COMPATIBILITY

*Is the proposed rezoning **compatible** with the existing developments or zoning in the surrounding area?*

The adjacent zoning is:

Direction	Current Zoning	Existing Use
North	AG	Residential
South	AG	Agriculture
East	AG	Agriculture
West	RR & C-2	Residential & Commercial



The 2016 Future Land Use Map has master-planned the subject parcel for Agricultural Preservation (AP), which does not currently align with the applicant’s proposal.

Initially, the public hearing indicated this application would be a contractual zoning agreement because the request does not comply with the Future Land Use Map. However, Attorney Bultje advised staff the better method would be a traditional rezoning because the property owner and Township are not negotiating conditions as part of the rezoning.

During 2019, the Planning Commission did provide an indication to the applicant that the land would be suitable to be master-planned as a large-lot residential district such as Rural Preserve. The COVID-19 pandemic has interrupted the anticipated schedule of updating the map in 2020.

For this reason, **staff is supportive of the application to move through the rezoning process before the Future Land Use Map is updated.**

## CONSISTENCY

*Is the proposed rezoning **consistent** with the goals and objectives of the Master Plan and does it coincide with the Future Land Use Map in terms of an appropriate use of the land?*

STATEMENT OF PURPOSE FOR RP DISTRICT	SITE CONSISTENCY
Intermediate district between AG and other residential properties	Abuts agricultural, residential, and commercial land
Large lots with residential uses, low-density	5-acre minimum, limited to 7 lots
Lacks municipal water & sanitary sewer due to its proximity to agricultural uses and practices	No municipal utilities available
Not suited to be agricultural	Per Boelkins, not suitable
Limited infrastructure	Electricity, private well, septic system

Although the rezoning is not consistent with the current Master Plan the Township does believe this land should be revised to be consistent with the proposed rezoning. The Township is not changing the Master Plan right now, but when it does occur it will be done on a comprehensive basis rather than a bifurcated manner.

## CAPABILITY

*Does the proposed rezoning require an extension of public sewer and water, roadway improvements, or enhanced fire and police protection, and if so, is it in an area **capable** of being provided with such services?*

Parcels in RP are not intended to have public utilities or even paved roads. Buchanan Street is unpaved and there are no public utilities available.

## SAMPLE MOTIONS

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

**Motion** to recommend the Township Board **approve** the Thirty-One Properties Inc. rezoning application of 11806 US-31 from Agricultural (AG) to Rural Preserve (RP) based on the application meeting the rezoning standards of the Zoning Ordinance and Master Plan.

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

**Motion** to recommend the Township Board **deny** the Thirty-One Properties Inc. rezoning application of 11806 US-31 from Agricultural (AG) to Rural Preserve (RP) based on the application meeting the rezoning standards of the Zoning Ordinance and Master Plan.

If the Planning Commission finds the rezoning application is premature or needs revisions, the following motion can be offered:

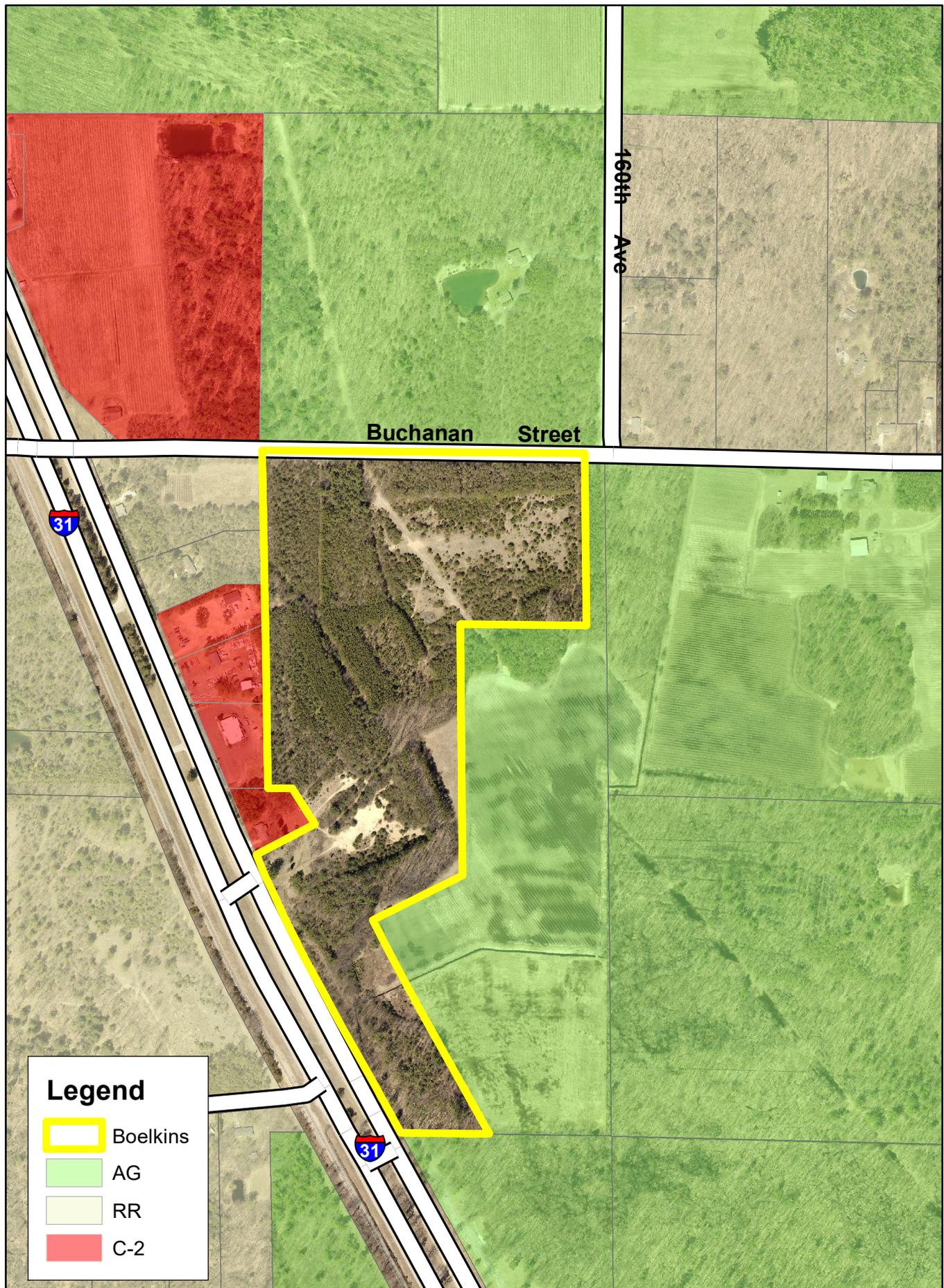
**Motion** to **table** of the Thirty-One Properties Inc. rezoning application, and direct the applicant to address the following items:

1. *List the items...*

Please contact me prior to the meeting if you have questions.

# Proposed Rezoning - Surrounding Area Map

## 11806 US-31 - AG to RP





GRAND HAVEN CHARTER TOWNSHIP

**REZONING APPLICATION**

Application Type	Fee	Escrow*
Rezoning	\$400	\$500

Zoning Ordinance can be found at [www.gh.org/zoning](http://www.gh.org/zoning)

**Applicant Information**

Name Stanley Boelkins  
 Phone 616-368-9722 (CELL)  
 Address 11709 Garnsey Ave, Grand Haven, Mi 49417  
 Email Address StanleyBoelkins@Charter.net

**Owner Information** *(If different from applicant)*

Name THIRTY-ONE PROPERTIES, INC  
 Phone 616 368 9722 Email StanleyBoelkins@charter.net  
 Address 11790 Garnsey Ave Grand Haven, Mi 49417

**Property Information**

Address/Location 11806 US 31 (near SE corner of US 31 and Buchanan)  
 Parcel Number 70 - 07-22-200-019 -  
 Current Zoning AG Zoning Requested RP Rural Preserve  
 Master-Planned Zoning AG Size (acres) 44.67 acres

**Other Information**

Reason for Rezoning Request? To utilize parcel to highest and best use  
 Present Use of the Subject Property? Vacant land  
 Number & Type of Existing Structures? No existing structures  
 Subject Property Located on a Paved Road? Buchanan(gravel) US 31 NB paved  
 What Utilities are Available? Electric

**NOTE:** The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following requirements for zoning amendments and procedures as stated in Chapter 16. Please submit fourteen (14) copies of the required information with the application.

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

  
 Signature of applicant

August 27, 2020  
 Date

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

# NOTICE

IF I PLAN TO SPLIT THE PARCEL(S) AFTER THE ZONING APPROVALS ARE GRANTED, I REALIZE THAT I MUST APPLY FOR A LAND DIVISION WITH THE ASSESSING DEPARTMENT. ALL LAND DIVISION REQUIREMENTS MUST BE CONFORMED TO BEFORE PROCEEDING WITH FURTHER DEVELOPMENT.

Stanley Balshine  
Signature of applicant

August 27, 2020  
Date

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### 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 \_\_\_\_\_

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### PLANNING COMMISSION USE ONLY

Approval \_\_\_\_\_

Tabled \_\_\_\_\_

Denied \_\_\_\_\_

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

The following conditions shall be met for approval:

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

\_\_\_\_\_  
Date

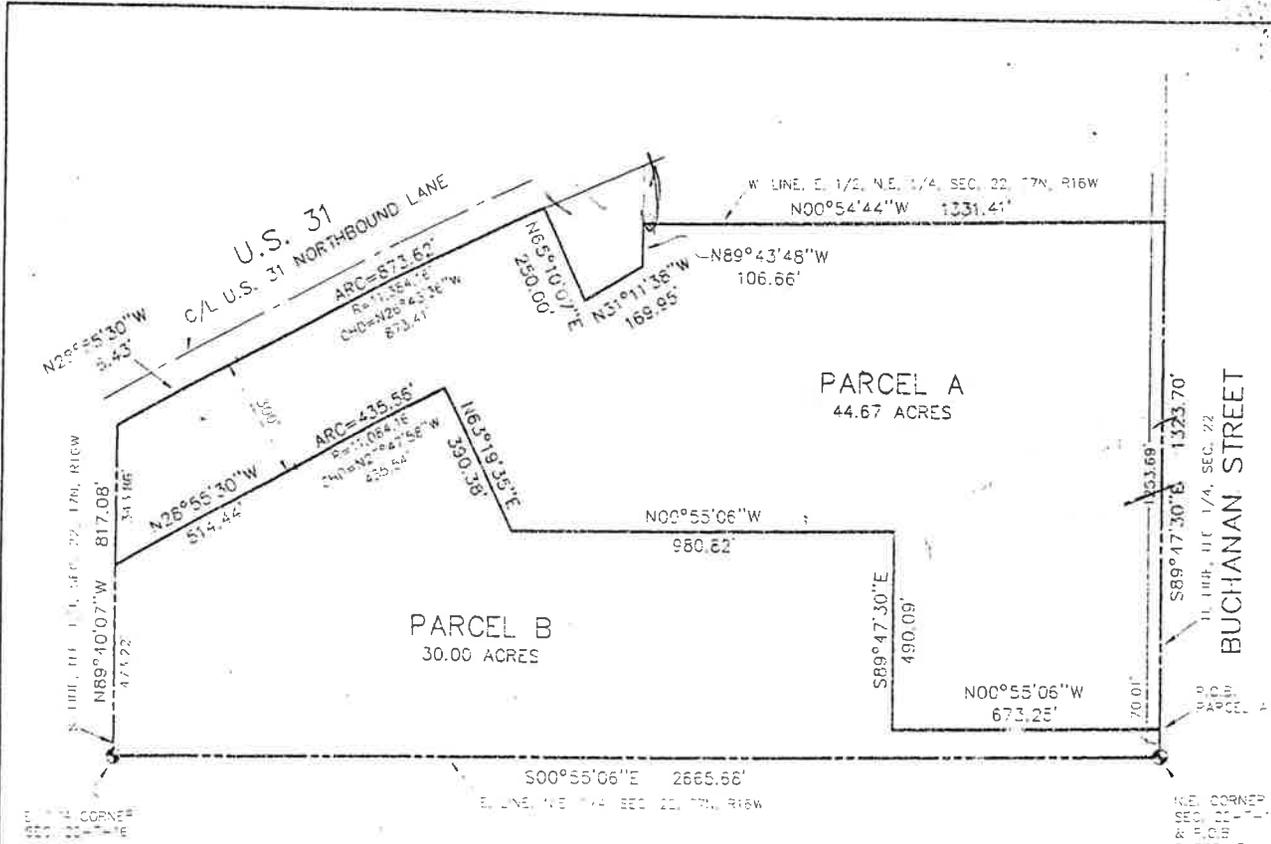
Proposed Land Division for: Stan Boelkins  
11790 Garnsey Avenue  
Grand Haven, MI 49417

**Description of Parcel A:**

Part of the NE 1/4 of Section 22, T7N, R16W, Grand Haven Township, Ottawa County, Michigan, being described as: Commencing at the NE corner of said Section 22; thence N89°47'30"W 70.01 feet along the North line of said NE 1/4 to the PLACE OF BEGINNING of this description; thence S00°55'06"E 673.25 feet; thence N89°47'30"W 490.09 feet; thence S00°55'06"E 980.82 feet; thence S63°19'35"W 390.38 feet; thence Southeasterly 435.56 feet along a 11,084.16 foot radius curve to the left, the chord of which bears S27°47'58"E 435.54 feet; thence S28°55'30"E 514.44 feet along a line which is 300 feet Easterly of and parallel with the East right of way line of US-31 to the South line of said NE 1/4; thence N89°40'07"W 343.86 feet along said South line to the East right of way line of US-31; thence N28°55'30"W 346.43 feet along said East line; thence Northwesterly 873.62 feet along said East line on a 11,384.16 foot radius curve to the right, the chord of which bears N26°43'36"W 873.41 feet; thence N65°10'07"E 250.00 feet; thence N3°11'38"W 169.95 to the South line of the NE 1/4 of said NE 1/4; thence N89°43'48"W 106.66 feet along said South line to the West line of the NE 1/4 of said NE 1/4; thence N00°54'44"W 1331.41 feet along said West line to the North line of said NE 1/4; thence S89°47'30"E 1253.69 feet along said North line to the place of beginning. This parcel contains 44.67 acres. Subject to easements and restrictions of record.

**Description of Parcel B:**

Part of the NE 1/4 of Section 22, T7N, R16W, Grand Haven Township, Ottawa County, Michigan, being described as: BEGINNING at the NE corner of said Section 22; thence S00°55'06"E 2665.66 feet; along the East line of said NE 1/4 to the South line of said NE 1/4; thence N89°40'07"W 473.22 feet along said South line; thence N28°55'30"W 514.44 feet along a line which is 300 feet Easterly of and parallel with the East right of way line of US-31; thence Northwesterly 435.56 feet along a 11,084.16 foot radius curve to the right, the chord of which bears N27°47'58"W 435.54 feet; thence N63°19'35"E 390.38 feet; thence N00°55'06"W 980.82 feet; thence S89°47'30"E 490.09 feet; thence N00°55'06"W 673.25 feet to the North line of said NE 1/4; thence S89°47'30"E 70.01 feet along said North line to the place of beginning. This parcel contains 30.00 acres. Subject to easements and restrictions of record.



**Description of Parent Parcel:**

Part of the NE 1/4 of Section 22, T7N, R16W, Grand Haven Township, Ottawa County, Michigan, being described as: BEGINNING at the NE corner of said Section 22; thence S00°55'06"E 2665.66 feet; along the East line of the NE 1/4 of said Section; thence N89°40'07"W 817.08 feet; thence N28°55'30"W 346.43 feet along the East R.O.W. line of US-31; thence continuing along said R.O.W. line 873.62 feet along a 11,384.16 foot radius curve to the right through a delta of 4°23'49" with a chord of N26°43'36"W 873.41 feet; thence N65°10'07"E 250.00 feet; thence N3°11'38"W 169.95 feet; thence N89°43'48"W 106.66 feet along the South line of the NE 1/4, NE 1/4 of said Section; thence N00°54'44"W 1331.41 feet along the West line of the E 1/2 of the SE 1/4 of said Section; thence S89°47'30"E 1323.70 feet along the North line of the NE 1/4 of said Section to the point of beginning. Together with and subject to any easements of record.

- Scale 1" = 300'
- = Deeded dimension
- = Measured dimension
- - - = Platting dimension
- = Set iron stake
- = Found iron stake
- = Concrete monument
- = Fence line

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FILE NO.: 0320355 DATE: 12/4/2012



GRAND HAVEN CHARTER TOWNSHIP

# Community Development Memo

DATE: September 2, 2020  
TO: Planning Commission  
FROM: Stacey Fedewa, AICP – Community Development Director  
RE: Zoning Text Amendment Ordinance

## BACKGROUND

It was bound to happen—finding a few items here and there in the new ordinance that need to be corrected.

### #1 – SLIDING SCALE FOR SIDE YARD SETBACKS

This was inadvertently left out of the new ordinance and needs to be re-added. It is applicable to R-1 lots that are legally non-conforming and have a narrow width.

### #2 – AG & RP EXEMPTION FROM DOUBLE LOT WIDTH

This was inadvertently left out of the new ordinance and needs to be re-added. The minimum lot widths for these two districts are already high and achieve the intent of the Township's goal to improve safety along heavily traveled roadways by decreasing the number of new driveways.

AG = 330-ft and RP = 250-ft. Doubling these widths is too much.

### #3 – ANIMAL WAIVER – SPECIAL LAND USE PROCESS

When the first Animal Waiver request came in it was related to a code enforcement complaint. For this reason, it made sense to notify the neighbors via a public hearing notice.

Is this the process the Planning Commission would like to follow going forward?

- The proposed amendment would require all future Animal Waivers to follow the Special Land Use process.
  - Public Notice to Tribune
  - Public Notice to Neighbors
  - Public Hearing with Planning Commission

- Finding Compliance with SLU Criteria from Section 12.04
- This process could be maintained without a Special Land Use requirement.

## SAMPLE MOTION

If the Planning Commission finds the above text amendments acceptable, the following motion can be offered:

**Motion** to recommend the Township Board **approve** the proposed zoning text amendment ordinance with draft date of 9/1/2020.

Please contact me if this raises questions.

ORDINANCE NO. \_\_\_\_\_

**ZONING TEXT AMENDMENT ORDINANCE**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF GRAND HAVEN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN, CONCERNING R-1 SIDE YARD SETBACKS FOR LAWFULLY NON-CONFORMING LOTS, EXEMPTING THE AGRICULTURAL (AG) & RURAL PRESERVE (RP) DISTRICTS FROM THE DOUBLE LOT WIDTH REQUIREMENT, BOTH OF WHICH ARE IN THE ZONING DISTRICTS CHAPTER; ANIMAL WAIVER PROCEDURES IN THE GENERAL PROVISIONS CHAPTER; AND BY PROVIDING FOR AN EFFECTIVE DATE.

GRAND HAVEN CHARTER TOWNSHIP, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Zoning Districts – Schedule of Dimensional Regulations. Section 2.08 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

Section 2.08

**SCHEDULE OF DIMENSIONAL REGULATIONS.**

No building shall be erected, nor shall an existing building be altered, enlarged, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations below for the district in which the building or use is located.

The US-31 Character Overlay shall supersede this section in the event of a conflict between the regulations.

District	Lot Dimensions		Maximum Structure Height		Minimum Required Setback (feet)			Maximum Lot Coverage
	Minimum Area (acres & square ft)	Minimum Width (feet)	Feet	Stories	Front Yard	Rear Yard	Each Side Yard	Impervious Surface (%)
<b>Footnotes</b>	A, E, I, M	F	B		L	K	C, N	D, J
<b>AG</b>	20 acres	330	35	2½	50	50	25	70
<b>RP</b>	5 acres	250	35	2½	50	50	20	40
<b>RR</b>	45,000 sf	150	35	2½	50	50	20	40

R-1	15,000 sf	100	35	2½	50	50	15	40
R-2	13,000 sf	80	35	2½	50	50	10	40
R-3	G	100	40	3	50	30	15	40
R-4	See <a href="#">Section 2.14</a>							
C-1	25,000 sf	100	35	2½	50	25	10	70
C-2	35,000 sf	110	35	2½	50	20	10	70
I-1	1 acre	110	35	2½	75	25	20	70

Maximum Lot Coverage refers to the total square footage of the lot covered in impervious surface, as defined in [Chapter 2](#).

- (A) **Lot Area.** “Net Lot Area,” as defined in [Chapter 2](#), shall be used to determine compliance with lot area requirements. No new parcel shall be created unless the parcel has adequate usable lot area, such that the parcel can be built upon in compliance with Zoning Ordinance standards.
- (B) **Exception to Height Standards.** The height limitations of this Ordinance shall not apply to agricultural structures, chimneys, church spires, flag poles, public monuments, or wireless transmission or reception towers, provided, however, that the Planning Commission may specify a height limit for any such structure when such structure requires authorization as a special land use and such height limit is reasonably required for public safety or otherwise to comply with the standards set forth in this Ordinance.
- (C) **Setback on Side Yards Facing a Street.** The required minimum setback for setbacks on side yards that abut a public or private road shall be twenty-five (25) feet.
- (D) **Maximum Lot Coverage – Buildings and Structures.** All buildings and structures shall count towards the lot coverage maximum. In addition, detached accessory buildings shall comply with the requirements in [Section 10.01](#).
- (E) **Lot Depth and Proportions.** Lot depths of newly created lots shall be no greater than four times the lot width. The township may permit lot splits that vary from these proportions where such action would reduce existing nonconformance with these requirements.
- (F) **Lot Width along Major Roads.** Along the roads designated on the map on the following page, the lot width in the table in [Section 2.08](#) shall not apply. Instead, along “Double Width Roads,” the lot width must be at least double the width listed in the table in [Section 2.08](#), and along “150 Foot Lot Width Roads”, the lot width must be at least one-hundred-fifty (150) feet. See map in [Section 21.1.102](#). All land zoned Agricultural (AG) and Rural Preserve (RP) shall be exempt.
- (G) **R-3 District Standards.** In the R-3 district, no lot shall be created which is less than 7,500 square feet in net area. The number of dwelling units permitted on a lot shall be one per 3,250 square feet of gross lot area.
- (H) In multi-family housing complexes containing more than one building, all buildings must be set back at least twenty (20) feet from each other.
- (I) **Legal Lots of Record.** All lots existing at the time of adoption of this Ordinance shall be considered buildable lots.
- (J) **Green Roofs.** For the purposes of calculating lot coverage, only 50% of the footprint of a building with a green roof shall be considered impervious surface.
- (K) **Setback Reduction for Natural Preservation.** In the C-1, C-2, and I-1 districts, a twenty (20) foot deep area adjacent to the rear property line must be maintained in a naturally wooded state, with no trees or other vegetation removed unless they are determined to be dead.
- (L) **Reduced Front Yard Setback.** If a lot in the R-1, R-2, or R-3 is in a subdivision, site condominium project, or condominium development that received final approval pursuant to all applicable state statutes, after June 1, 1998 AND is served by public water and sewer, the minimum front setback shall be thirty-five (35) feet.
- (M) **Shape of New Lots.** Newly created lots shall be rectangular, with lot lines meeting at right angles, unless that shape is rendered impossible by natural features, legal restrictions, or other factors out of the control of the applicant for a lot split.

- (N) **Side Yard Setback for Narrow Lots.** Lots in the R-1 District that are lawfully non-conforming in lot width shall be allowed to have a reduced side yard setback in accordance with the following chart.

Side Yard Setback	
Lot Width	Minimum Side Setback (feet)
100	15
95 – 99	14
90 – 94	13.5
85 – 89	13
80 – 84	12
75 – 79	11
70 – 74	10.5
< 70	10

Section 2. General Regulations – Keeping of Animals. Section 14.02.D of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

- (D) **Waivers.** The Planning Commission may approve a property owner to keep animals that would not otherwise be permitted by this Section. In order to approve, the property owner shall submit a Special Land Use application and be subject to a public hearing. The Planning Commission must make affirmative findings for **Section 12.04 – Special Land Use Criteria** as well as the following:

- (1) The animal does not meet the definition of “Exotic or Wild Animal” in **Section C.**
- (2) The animal(s) are unlikely to cause negative impacts on neighboring properties, either because of the character of the animals, or the physical layout of the site in question.
- (3) The site has appropriate facilities for the keeping of the animal(s) and is an appropriate size.
- (4) At least one of the following criteria is met:
  - (a) The property owner can show a legitimate need for the animal(s) to be on the property, such as a medical or service need,
  - (b) The owner could not practically keep the animal(s) on another site; or
  - (c) Removing the animal(s) from the site would cause harm to the animal(s).

Section 3. Effective Date. This amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on \_\_\_\_\_, 2020, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on September 14, 2020, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on \_\_\_\_\_, 2020, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the *Grand Haven Tribune*, as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

\_\_\_\_\_  
Mark Reenders, Township Supervisor

\_\_\_\_\_  
Laurie Larsen, Township Clerk

**CERTIFICATE**

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on \_\_\_\_\_, 2020. The following members of the Township Board were present at that meeting: \_\_\_\_\_. The following members of the Township Board were absent: \_\_\_\_\_. The Ordinance was adopted by the Township Board with members of the Board \_\_\_\_\_ voting in favor and \_\_\_\_\_ members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on \_\_\_\_\_, 2020.

\_\_\_\_\_  
Laurie Larsen, Clerk  
Grand Haven Charter Township



GRAND HAVEN CHARTER TOWNSHIP

## Community Development Memo

DATE: September 2, 2020  
TO: Planning Commission  
FROM: Stacey Fedewa, AICP – Community Development Director  
RE: Domestic Animal Waiver – Lampe Pigeons – Follow-up

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To start, please remove this agenda item from the table by the following motion...

**Motion** to remove the Lampe Domestic Animal Waiver from the table.

### BACKGROUND

On August 17<sup>th</sup> the Township held a hearing regarding the Lampe's request to have 8 pets rather than the permitted number of 5 animals. The agenda item was tabled for staff to contact Attorney Bultje for information on how best to proceed.

Staff learned the appropriate terminology too:

- Baby birds/chicks are called squeakers
- Coops/housing are called lofts

### LEGAL ADVICE

Attorney Bultje finds the animal waiver section is adequate and will nicely handle this particular situation, which is illustrated as follows:

- (1) **The animal does not meet the definition of “Exotic or Wild Animal.”**
  - The definition of pets includes birds, which means they are not wild or exotic animals. The waiver option remains available in this instance.
- (2) **The animal(s) are unlikely to cause negative impacts on neighboring properties, either because of the character of the animals, or the physical layout of the site in question.**
  - Evidence produced at the 8/17/20 meeting elicited quite convincingly that they will not be negative impacts on the neighboring properties.
    - Birds are generally confined.

- At least 2 neighbors were unaware of their existence until they were out for a flight one day, even though the Lampe's had 25-30 birds at that point.
- At least 2 neighbors were in favor of the waiver.
- The birds are small, make virtually no noise, create little waste, and there is no smell created given the daily cleanings of their housing.
- Has an Aviary veterinarian to monitor the birds health. Also, the birds are vaccinated annually for PMV and Salmonella.

**(3) The site has appropriate facilities for the keeping of animal(s) and is an appropriate size.**

- Evidence produced at the 8/17/20 meeting indicates the lot is large enough to handle the proposed number of birds because it was accommodating up to 25 or 30 birds in the past without a neighbor even realizing they were there. Now the request is only for 8 birds.
- Existing physical structures are adequate to house the birds.
  - Negative aspects such as the tarp could be addressed as a condition established by the Planning Commission.

**(4) At least one of the following criteria are met:**

- (a) The property owner can show a legitimate need for the animal(s) to be on the property, such as a medical or service need;
- N/A
- (b) The owner could not practically keep the animal(s) on another site; or
- N/A
- (c) **Removing the animal(s) from the site would cause harm to the animal(s).**
- Owner produced evidence that the pigeons are flock animals. They mate for life and it would be detrimental to them if they were not kept together as couples.
  - It would be particularly detrimental to them because they are award-winning racing pigeons.
  - There cannot be an odd number of adult birds without infighting occurring.
  - Newborns (*called "squeakers"*) would die without their parents being together and caring for them. Therefore, five is not a good number of adult pigeons and eight is a significant reduction from the number that has been on site.

The Chair inquired if selling the squeakers would cause the site to become a kennel or commercial operation? Attorney Bultje provided the following response:

- Does not believe the sale of the squeakers would transform the use into a commercial operation.
- Likely inappropriate for the Township to place the owner in a conundrum of either keeping the squeakers or becoming a commercial operation.

- It is possible the owner could give away the squeakers and avoid being labeled a commercial operation, but that would be difficult to enforce.
- The Township does not draw that same distinction with newborn excess cats or dogs.

## WHAT ELSE?

As you will see in the motion below—Attorney Bultje has only provided 1 motion for the Planning Commission to consider based on the evidence in this case. The next part is discussing the accessory structures aka lofts.

This lot is under a half acre, which means the property is entitled to 2 accessory buildings with a total combined square footage of 720. There is an existing building that is 480 sqft which leaves 240 sqft.

The property owner indicated the existing Loft building is approximately 100 sqft in size. Further, the other two loft “kit boxes” are installed on stilts with no actual foundation on the ground and are readily moveable.

**Does the Planning Commission believe these “kit boxes” are structures?**

## RECOMMENDED MOTION

**Motion to conditionally grant** the Domestic Animal Waiver request from Daniel and Doreen Lampe located at 14927 152<sup>nd</sup> Avenue, per Section 14.02.D of the Zoning Ordinance. The Planning Commission finds the following:

1. The birds in the application are not exotic or wild animals as defined in the Zoning Ordinance; rather, they are pets and considered to be domesticated animals as defined in the Zoning Ordinance.
2. The additional pigeons requested by the applicants are unlikely to cause negative impacts on neighboring properties.
  - a. The birds are generally confined.
  - b. One neighbor was unaware of their existence even though the applicants use to have 25 to 30 birds and are now seeking to have only eight, just 3 more than they are allowed by right.
  - c. A second neighbor has supported the request of the applicants, and only one neighbor has objected.
  - d. The birds are very small. They make very little noise and create very little waste.
  - e. The housing for the birds is cleaned daily, and they create no offensive smell.
  - f. The birds do not create a disease risk; they are vaccinated annually for PMV and Salmonella, and they are cared for by an Aviary veterinarian.

3. The lot in question has adequate size to accommodate eight birds; in fact, the lot has previously accommodated up to 25 to 30 birds without a neighbor even being aware. Further, the lot has an adequate physical structure to accommodate the number of birds requested.
4. Removing the birds from the lot would cause them harm. The birds are flock animals that mate for life. It would be detrimental to them if they were not kept together as couples. This would be particularly detrimental because they are award-winning racing pigeons. An odd number of adult birds cannot be kept without creating infighting. Newborns would die without their parents being together and carrying for them as a couple. An even number of adult birds must be kept, and eight is a reasonable number given all of the above factors in this motion.

The conditions of this approval are that the applicants comply with all of the representations made in their application for this waiver; that they comply with all other requirements of the Zoning Ordinance; that they replace the blue tarp existing on the current physical structure for housing the pigeons (either staff approval or Planning Commission approval, as the Township deems appropriate).

Please let me know if this raises questions.