

# AGENDA

Grand Haven Charter Township Planning Commission  
Monday, November 19, 2018 – 7:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Pledge to the Flag
- IV. Approval of the October 15, 2018 Meeting Minutes
- V. Correspondence
- VI. Brief Public Comments & Questions (Limited to 3 minutes)
- VII. Public Hearing
  - A. Rezoning – Crossroads Acres – RR to AG
- VIII. Old Business
  - A. Rezoning – Crossroads Acres – RR to AG
  - B. Zoning Text Amendment – Accessory Buildings & Project Completion Process
- IX. Reports
  - A. Attorney’s Report
  - B. Staff Report
  - C. Other
- X. Extended Public Comments & Questions (Limited to 4 minutes)
- XI. Planning Commission Open Discussion Forum – Limited to 30 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  
OCTOBER 15, 2018

I. CALL TO ORDER

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

II. ROLL CALL

Members present: Cousins, Wilson, LaMourie, Taylor, Chalifoux, Wagenmaker, Kieft & Reenders

Members absent: Hesselsweet

Also present: Community Development Director Fedewa and Attorney Bultje

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

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES

**Without objection**, the minutes of the October 1, 2018 meeting were approved.

V. CORRESPONDENCE

- Treasurer Bill Kieft – 16686 Buchanan Street – Accessory Building Size Increase
- Robert & Susan Morris – 17574 Buchanan Street – Accessory Building Size Increase

VI. PUBLIC COMMENTS – None

VII. PUBLIC HEARING

A. Rezoning – Millhouse Bayou Outlot – RR to R-2

Wilson recused himself due to a conflict of interest – his brokerage company has a financial interest in the sale of the subject property.

Cousins opened the public hearing at 7:02 pm.

Fedewa provided an overview through a memorandum dated October 10<sup>th</sup> and revised memorandum dated October 15<sup>th</sup>.

There being no public comments, Cousins closed the public hearing at 7:05 pm.

B. Tentative Preliminary Plat – Lincoln Pines Subdivision No. 2

Wilson rejoined the Planning Commission.

Cousins opened the public hearing at 7:05 pm.

Fedewa provided an overview through a memorandum dated October 10<sup>th</sup>.

There being no public comments, Cousins closed the public hearing at 7:07 pm.

C. Zoning Text Amendment – Accessory Buildings & Non-Conforming Chapter

Cousins opened the public hearing at 7:07 pm.

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

There being no public comments, Cousins closed the public hearing at 7:20 pm.

VIII. OLD BUSINESS

A. Rezoning – Millhouse Bayou Outlot – RR to R-2

Wilson recused himself due to a conflict of interest – his brokerage company has a financial interest in the sale of the subject property.

**Motion** by Chalifoux, supported by Kieft, to recommend the Township Board **conditionally approve** the Bosgraaf Conditional Zoning Agreement for 14100 152<sup>nd</sup> Avenue to rezone from Rural Residential (RR) to Single Family Residential (R-2). This would result in 0.55-acres of the property being rezoned to R-2, and the remaining 0.63-acres would continue to be zoned RR. This is based on the application meeting requirements and standards of the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map. **Which motion carried unanimously.**

B. Tentative Preliminary Plat – Lincoln Pines Subdivision No. 2

Wilson rejoined the Planning Commission.

**Motion** by Kieft, supported by Taylor, to recommend the Township Board **approve** the Tentative Preliminary Plat for Lincoln Pines Subdivision No. 2 based on the application meeting applicable requirements and standards set forth by the Grand Haven Charter Township Subdivision Control Ordinance. **Which motion carried unanimously.**

C. Zoning Text Amendment – Accessory Buildings & Non-Conforming Chapter

The proposal was discussed by the Commissioners and focused on:

- Some believe the proposed increases to the minimum floor area of accessory buildings seems too large.
- Others believe the proposed increases are appropriate and needed.
- Some believe another category added to the minimum floor area table of ½ acre is permitted up to 600 sqft that would resolve the concerns about the buildings being too large for the lot. A general consensus was reached.

- Regardless of being a tourist community, does not believe there is a greater need for more storage.
- Inquired if there is a 25% restriction on rear yard coverage of accessory buildings.
  - Per Fedewa, that is only related to accessory buildings in non-residential districts. Reviewed the proposed maximum lot coverages in the draft of the new ordinance being crafted.
- It was noted that Declarations of Restrictive Covenants are likely going to prevent the newer subdivisions, which have the smallest lots, to construct an accessory building of that size because they typically only allow a small garden shed.
- In agreement that outdoor living space is an important asset in a property today. Zoning ordinance should reflect the needs of the residents.
- Concerns related to side yard setbacks because the increased size of the building would be closer to the lot line, and therefore closer to the adjacent dwellings, which is not desirable.
- A sliding scale of side yard setbacks would function better:
  - < 600 = 10-foot side yard setback
  - 601 – 2,000 = 15-foot side yard setback
  - 2,001+ = 25-foot side yard setback
  - A general consensus was reached.
- In agreement with remaining text amendment proposals drafted by the steering committee crafting the new ordinance.

**Motion** by Wilson, supported by Wagenmaker, to recommend the Township Board **approve** the proposed Zoning Text Amendment Ordinance (*draft date 10/15/18*) to replace the Accessory Buildings and Structure section of the General Provisions Chapter and add an exception to the Non-Conforming Uses, Structures, and Lots Chapter. **Which motion carried**, with LaMourie opposing the motion because he disagrees with the size increase and lower setbacks as presented.

## IX. NEW BUSINESS

### A. Training – Resilient Michigan Video Series

**Without objection**, the Planning Commission will postpone this training until the next meeting.

## X. REPORTS

A. Attorney Report – None

B. Staff Report

➤ Next Planning Commission Meeting is Nov 19<sup>th</sup> due to the Midterm Election

C. Other – None

XI. EXTENDED PUBLIC COMMENTS

- Robert Morris – 17574 Buchanan Street
  - Strives to be a considerate neighbor, and appreciates the deliberations, but does not believe 600 sqft is enough. Has storage needs, and the footprint is a concern based on the size of the items. Inquired if a stackable/lofted floor within the accessory building is permitted.
  - Fedewa confirmed a stackable/lofted floor is permitted as long as the height restriction is followed.

XII. PLANNING COMMISSION OPEN DISCUSSION FORUM

**Without objection**, the Planning Commission will postpone this agenda item until the next meeting.

XIII. ADJOURNMENT

**Without objection**, the meeting adjourned at 8:32 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stacey Fedewa". The signature is written in black ink and is positioned above the printed name.

**Stacey Fedewa**  
Acting Recording Secretary



# Community Development Memo

DATE: November 14, 2018

TO: Planning Commission

FROM: Stacey Fedewa, AICP – Community Development Director

RE: Crossroads Acres – Rezoning Application – RR to AG

## BACKGROUND

The applicant, Dave Reenders, of Crossroads Acres LLC, requests to rezone his 40-acre parcel, 11101 144<sup>th</sup> Avenue (70-07-25-200-017), from Rural Residential (RR) to Agricultural (AG).

The property has been an active blueberry farm for many years, and the applicant needs to construct additional buildings, some for migrant housing, and that is only permissible within the AG district.

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	R-2	Single Family
South	AG	Agriculture
East*	A-1	Single Family & Vacant
West	AG	Agriculture

\* Robinson Township Zoning

The 2016 Future Land Use Map has master-planned the subject parcel for Agricultural Preservation (AP), which aligns with the applicant’s proposal.



## 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?*

The Statement of Purpose for the AG district:

- The AG Agricultural District is designed for those open areas of the Township where farming, dairying, forestry operations and other rural type activities exist and should be preserved or encouraged. Large vacant areas, fallow land and wooded areas may also be included. Although the demand for other uses in these districts may ultimately outweigh their use as zoned, any such zoning changes should be made cautiously with the realization that adequate food supply is essential to the health and welfare of the Township, County, State, and Nation. This district is not intended to be used for residential housing; although some residential housing is allowed, it is permitted when subordinate to some other agricultural use which is being conducted on the parcel or lot.



## 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 AG are not intended to have public utilities or paved roads. The north property line does abut a paved trunkline, but the main entrance for the farm operation is on 144<sup>th</sup> Avenue, which is unpaved.

## SAMPLE MOTIONS

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

**Motion** to recommend the Township Board **approve** the Crossroads Acres rezoning application of 11101 144<sup>th</sup> Avenue from Rural Residential (RR) to Agricultural (AG) based on the application meeting applicable rezoning requirements and standards of the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map.

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

**Motion** to recommend the Township Board **deny** the Crossroads Acres rezoning application of 11101 144<sup>th</sup> Avenue from Rural Residential (RR) to Agricultural (AG) because the application does not meet the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map.

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

**Motion** to **table** of the Crossroads Acres 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.

Clear Form

Print



GRAND HAVEN CHARTER TOWNSHIP

REZONING APPLICATION

Application Type	Fee	Escrow*
Rezoning	\$150	\$500

Applicant Information

Name David Reenders

Phone 616.638.5590 Fax 616.842.1165

Address 16697 Johnson St. Grand Haven Mi. 49417

Email Address dave@crossroadsblueberryfarm.com

Owner Information (If different from applicant)

Name \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Address \_\_\_\_\_

Property Information

Address/Location 11101 144th West Olive Mi. 49460

Parcel Number 70 - 07 - 25 - 200 - 017 Size (acres) 40

Current Zoning RR Zoning Requested Ag

Adjacent Zoning North: Ag South: RR East: Ag West: Ag

Master-Planned Zoning Ag Consistent with Master Plan? yes

Other Information

Does Property Abut Township Border? yes

Present Use of the Subject Property? Ag

Number & Type of Existing Structures? 10. Ag

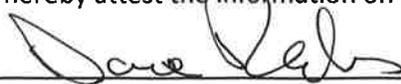
Subject Property Located on a Paved Road? No on west. Yes on south

Municipal Water within 2,700 Feet of Subject Property? no

Municipal Sewer within 2,700 Feet of Subject Property? no

**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 Section 27.08. 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

10/4/18  
Date

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



# Community Development Memo

DATE: November 15, 2018

TO: Planning Commission

FROM: Stacey Fedewa, AICP – Community Development Director

RE: Text Amendment – Accessory Buildings & Project Completion Process

## BACKGROUND

On October 22<sup>nd</sup> the Township Board held a first reading of the text amendment items recommended for approval by the Planning Commission. The Board agreed with the increased size allowance with the ½-acre category of 600 sqft. However, the **Board requested further discussion and consideration of the remainder before they vote.**

## WHAT WAS THEIR FEEDBACK?

Topic	Feedback
Setbacks	The Board found the setbacks to be generally acceptable, but inquired if a more comprehensive sliding scale was in order.
	Particularly as it relates to side yards, some members wanted a greater setback, while others wanted a smaller setback, so there was less room to store junk.
Height	If the intent is to allow RVs and second stories for storage, then a minimum height of 24-feet is needed ( <i>staff should have identified this discrepancy previously</i> ).
	There was confusion surrounding the new method of measuring height. More clarity is needed.
Maximum Number of Buildings	There was no consensus on this subject. Some members were supportive of no limit, while others felt the current regulations were acceptable.
Exemptions & Prohibitions	The Board was supportive of this section, and likely does not require revisions.
Build-out of Non-Conforming Use	The Board was supportive of the concept, but not the method.

To help with discussions, several options are being provided in each category.

## SETBACKS

### OPTION 1 – Definitive Sliding Scale

Accessory Building Area	Principal Building	Side Lot Line	Rear Lot Line	Other Accessory Structure(s)
200 sf or less	5 ft	5 ft	5 ft	5 ft
201 sf – 1,000 sf	10 ft	10 ft	10 ft	10 ft
1,001 sf – 2,000 sf	15 ft	15 ft	15 ft	15 ft
2,001 sf or more	25 ft	25 ft	25 ft	25 ft

### OPTION 2 – Increased the Scope of the 15-Foot Category

Accessory Building Area	Principal Building	Side Lot Line	Rear Lot Line	Other Accessory Structure(s)
200 sf or less	5 ft	5 ft	5 ft	5 ft
201 sf – 600 sf	10 ft	10 ft	10 ft	10 ft
601 sf – 2,000 sf	15 ft	15 ft	15 ft	15 ft
2,001 sf or more	25 ft	25 ft	25 ft	25 ft

### OPTION 3 – City of Grand Haven

Accessory Building Height	Principal Building	Side Lot Line	Rear Lot Line	Other Accessory Structure(s)
≤ 20 ft	6 ft	3 ft	3 ft	n/a
21 ft or more	Must be located within the setbacks of the underlying zoning district			n/a

### OPTION 4 – Spring Lake Township

Accessory Building Zoning District	Principal Building	Side Lot Line	Rear Lot Line	Other Accessory Structure(s)
AG, RR	10 ft	10 ft	10 ft	10 ft
R-1, R-2, R-3, R-4	10 ft	5 ft	5 ft	10 ft

### OPTION 5 – City of Ferrysburg

Accessory Building	Principal Building	Side Lot Line	Rear Lot Line	Other Accessory Structure(s)
Any district, any size	10 ft	3 ft	3 ft	n/a

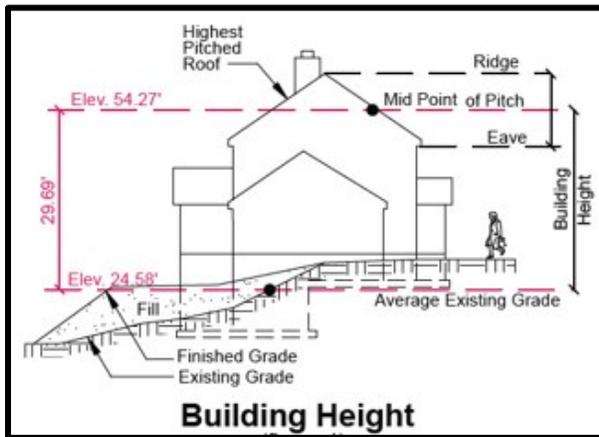
### OPTION 6 – Village of Spring Lake

Accessory Building	Principal Building	Side Lot Line	Rear Lot Line	Other Accessory Structure(s)
Any district, any size	3 ft	3 ft	3 ft	n/a

# HEIGHT

## Method of Measurement

Jurisdiction	Accessory Buildings	Principal Buildings
GHT (Current)	Average grade to peak	Average grade to mean roof height
GHT (Proposed)	Average grade to mean roof height	Average grade to mean roof height
City of Grand Haven	Average grade to peak	Average grade to peak
Spring Lake Township	Average grade to peak	Average grade to peak
City of Ferrysburg	Average grade to mean roof height	Average grade to mean roof height
Village of Spring Lake	Average grade to mean roof height	Average grade to mean roof height



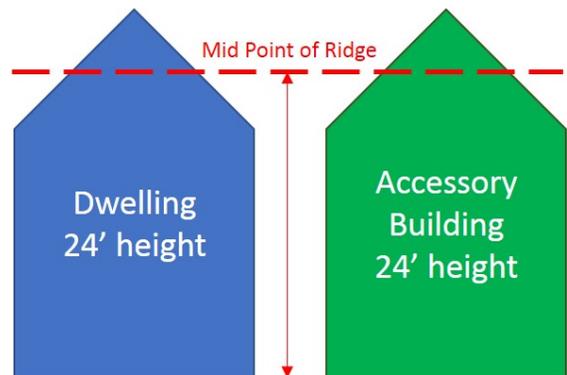
GHT is the only municipality that **measures the height of principal buildings and accessory buildings differently.**

Staff recommends uniformity and consistency to provide clarity to residents and builders. It would be **best to select the “average grade to mean roof height”** method because the vast majority of dwellings in the Township have been constructed in that manner. Changing to peak will create nonconforming building heights. On the right, is an illustration that shows mean height graphically.

## Height Allowance

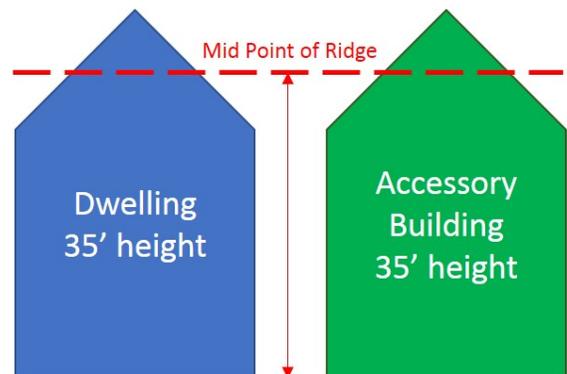
**OPTION 1 – Utilize Existing Sliding Scale**

Lot Size (Acres)	Height Restriction
< 1	20 ft
1 < 2	22 ft
2 < 5	29 ft
5+	35 ft

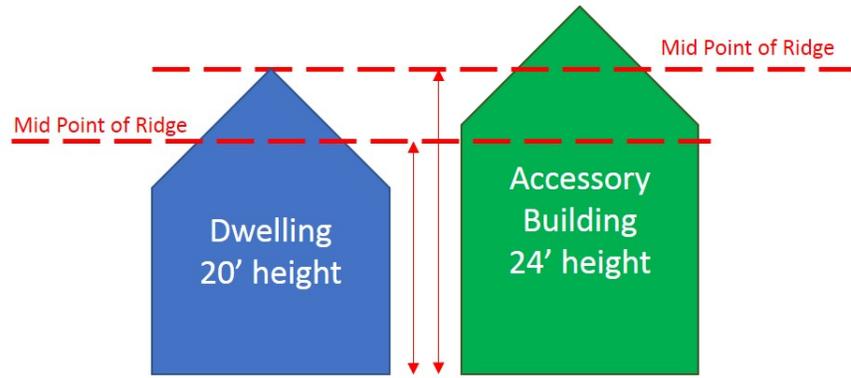


**OPTION 2 – Utilize the Proposed Height, but Include the Increase Noted by the Board**

Lot Size	Height Restriction
All	24 ft, or the height of the principal building, whichever is greater (see 3 blue/green illustrations)



Graphic shows an **accessory building can be taller than the dwelling by right**. This enables an accessory building to be a minimum of 24' in height at all times. It can only be taller if the dwelling is taller.



**OPTION 3 – City of Grand Haven**

Principal Building Height	Height Restriction
< 18 ft	May not exceed principal building
18 ft – 23 ft	May not exceed 18 ft
23 ft or greater	May not exceed 80% of the principal building height

**OPTION 4 – Spring Lake Township**

Zoning District	Height Restriction
AG, RR	Supporting walls ≤ 18' with total height not to exceed 25'
R-1, R-2, R-3, R-4	Supporting walls ≤ 10' with total height not to exceed 20' Maximum of 1 story permitted

**OPTION 5 – City of Ferrysburg**

Principal Building Height	Height Restriction
All	14 ft

**OPTION 6 – Village of Spring Lake**

Principal Building Height	Height Restriction
All	14 ft

**MAXIMUM NUMBER OF BUILDINGS**

**OPTION 1 – Proposed by Staff**

Zoning District	Lot Size (Acres)	No. of Accessory Buildings Allowed
All	< 2	3
All	2 < 5	4
All	5 < 10	6
All	10+	No limit
AG, RP, RR	All	60% Max Lot Coverage (includes dwelling & driveway)
LDR, R-1, R-2, R-3	All	50% Max Lot Coverage (includes dwelling & driveway)

**OPTION 2 – Proposed by Consultant**

Zoning District	Lot Size (Acres)	No. of Accessory Buildings Allowed
All	< 1	2
All	1 < 10	3
All	10 < 20	4
All	Every additional 10 acres	1 per 10 acres
AG, RP, RR	All	60% Max Lot Coverage (includes dwelling & driveway)
LDR, R-1, R-2, R-3	All	50% Max Lot Coverage (includes dwelling & driveway)

**OPTION 3 – City of Grand Haven**

Zoning District	Lot Size (Acres)	No. of Accessory Buildings Allowed
Residential	All	2
SFR, North Shore	30% Maximum Lot Coverage (includes dwelling only)	
All other Residential Lots	35% Maximum Lot Coverage (includes dwelling only)	

**OPTION 4 – Spring Lake Township**

Zoning District	Lot Size (Acres)	No. of Accessory Buildings Allowed
AG, RR	$\leq \frac{1}{2}$	2
	$\frac{1}{2} \leq 1$	2
	$1 \leq 5$	3
	5+	4
R-1, R-2, R-3, R-4	$\leq \frac{1}{2}$	2
	$\frac{1}{2} \leq 1$	2
	1+	2
Frontage on Lake MI, Spring Lake, Grand River, or Bayous	25% Maximum Lot Coverage	
All other Lots	30% Maximum Lot Coverage	

**OPTION 5 – City of Ferrysburg**

Zoning District	Lot Size (Acres)	No. of Accessory Buildings Allowed
Residential	All	2
40% Max Lot Coverage in Rear Yard		

**OPTION 6 – Village of Spring Lake**

Zoning District	Lot Size (Acres)	No. of Accessory Buildings Allowed
Residential	All	Attached Garage = 2
		No Attached Garage = 3
30% Max Lot Coverage in Rear Yard		

## EXEMPTIONS & PROHIBITIONS

As noted above, the Board was satisfied with these items and likely does not require discussion. However, if the Planning Commission does want to open a discussion and possibly amend this Section too that can certainly be done. The list recommended for approval on Oct 15<sup>th</sup> is below:

**Prohibited Accessory Buildings and Structures.** The following shall not be used as an accessory structure on any lot:

- A. Shipping containers;
- B. Manufactured mobile homes;
- C. Inoperable vehicles;
- D. Boats or other watercraft; and
- E. Recreational Vehicles (RVs)/motor homes/travel trailers.

**Exempt Accessory Structures.** The following accessory structures shall be exempt from the regulations of this section, except for the regulations listed below

- A. **Childhood Amenities.** Playground equipment, treehouses, lemonade stands, playhouses, and other similar amenities shall be exempt from this section, except they must be setback at least three (3) feet from all side and rear lot lines.
- B. **Structures without Walls.** Gazebos, pergolas, and other permanent structures without walls shall be exempt from this section, except they must maintain the required setbacks for accessory structures.
- C. **Elevated Walkways.** Elevated walkways that meet the standards of the Michigan Department of Environmental Quality to be constructed in a Critical Dune Area, High Risk Erosion Area, regulated Wetland, or regulated Floodplain shall be exempt from this section.

## BUILD-OUT OF NON-CONFORMING USE

Previously, the Planning Commission recommended the Board approve an amendment to the non-conforming chapter. The amendment would enable a property owner to complete construction of a project that was conforming at time of approval, but is now non-conforming, with the caveat that the property has remained under the same ownership since initial approval.

The Board is supportive of the concept, but not the method. Staff needs assistance and direction from the Planning Commission on how to better address this topic.

For example, a special land use process could be created in one of two ways. First, a new special land use for previously approved, but not completed, projects under the same ownership. Second, revise the “Enlargement or Increase or Extension of a Non-Conforming Use” to give the Planning Commission more latitude.

Latitude could consist of:

- Allow more than a 25% expansion at the PC’s discretion.
- Add a second category for projects previously approved and under the same ownership, and allow the full build-out to occur despite the non-conforming status.

Any suggestions or ideas that Planning Commissioners and/or Attorney Bultje have are welcomed for this discussion, so an amenable solution can be crafted.

## SAMPLE MOTIONS

If the Planning Commission supports the proposed text amendment, the following motion can be offered:

**Motion** to recommend the Township Board **approve** the proposed Zoning Text Amendment Ordinance, and direct staff to revise the current draft based on the consensus of the nights discussion, which will be reflected in the meeting minutes.

If the Planning Commission opposes the proposed text amendment, the following motion can be offered:

**Motion** to recommend the Township Board **deny** the proposed Zoning Text Amendment Ordinance.

If the Planning Commission does not have enough information to make a recommendation, the following motion can be offered:

**Motion** to **table** the proposed Zoning Text Amendment Ordinance, and direct staff to make the following revisions:

1. *List the revisions.*

Please contact me if this raises questions.