

PROPOSED MINUTES
LAKETOWN TOWNSHIP
PLANNING COMMISSION
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423
(616) 335-3050

November 4, 2009

ARTICLE I. CALL TO ORDER

Chairman Bob Cook called the Planning Commission meeting to order at 7:00 P.M.

MEMBERS PRESENT: Bob Cook, Ed Stielstra, Linda Howell, Al Dogger

MEMBERS ABSENT: Bob Slikkers

STAFF PRESENT: Al Meshkin – Township Manager
Ron Bultje – Township Attorney
Diane Ybarra – Recording Secretary

ARTICLE II. APPROVAL OF MINUTES

The Commission reviewed the minutes of the October 7, 2009 meeting. Following discussion, **a motion was made by Al Dogger and seconded by Linda Howell to approve the minutes. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. ZONING ORDINANCE DISCUSSION

Chairman Cook stated the commissioners have been working to create guidelines for the zoning ordinance. Bob Cook opened discussion on the input received from the Board.

Al Dogger expressed concern over the type of architects and developers that might work in this district and whether or not the guidelines would be interpreted as intended.

Bob Cook understood the idea is to be able to provide a hand-out for a potential developer to review to better understand the Township's intention for the design and development of this area.

Ron Bultje explained that the format of guidelines do not allow for the denial of proposed developments. A guideline is simply recommendation and can be ignored by a developer. The standards should be established with allowance for review of potential variance requests.

Bob Cook stated that the ordinance should be vague using the guidelines to provide necessary direction. He feels that too many rules are difficult to enforce and may generate too many exceptions for special use and variance requests.

Al Meshkin stated the ordinance must be specific to the minimum acceptable requirements.

Ron Bultje asked for clarifications of site plan standards or guidelines.

Linda Howell stated that the ordinance would address the big generic topics such as parking, lighting, etc.

Bob Cook agrees that there would be certain backbone minimums in building design and such.

Ed Stielstra asked how much of this document would be usable. What would be an absolute requirement?

Bob Cook responded parking, lighting and shared access would be examples of minimum requirement items.

In discussing the parking, Ed Stielstra stated that the goal would be to not have seas of asphalt.

Ron Bultje asked if there would be percentages given for green space and landscaping.

Linda Howell commented there are some items noted in the guidelines that are too specific.

Al Meshkin pointed out the document provides allowance for the Planning Commission to address modifications from the guidelines.

Linda Howell asked where the discretionary line is in approval of one request over another.

Al Meshkin stated that the ordinance would state that the guidelines would have to be followed.

Ron Bultje stated that he predicts that there will be debate as to whether or not the guidelines will have to be followed.

Linda Howell asked again where the discretionary line in approval would fall.

Al Meshkin directed her to page 6 wherein it states that the Commission has the authority to grant exceptions.

Bob Cook stated if the guidelines are going to be used the Commission should review the guideline document line by line to address each item.

Ron Bultje expressed concern that an applicant may debate whether or not the guidelines would be mandatory. The terminology “may” is too discretionary. The guidelines have to be met unless the Commission grants an exception based on the ordinance. The assumption would be that every guideline is mandatory unless an exception is granted based on the ordinance.

Al Meshkin asks that the Commission review and redline the document for discussion next month. Bob Cook concurred. Al Meshkin will resend the document electronically to all Board members.

ARTICLE IV. NEW BUSINESS

A. ZALSMAN SPECIAL USE REQUEST

Mr. Adam Zalsman, owner or agent of property located at 6446 Hunters Street, also known as Parcel #0311-003-010-00 requests a special use permit to construct an oversized accessory building on this property.

Mr. Adam Zalsman explained that he would like to build an accessory building that will look like the house and include an 8-foot porch.

Chairman Bob Cook asked what the porch will look like. Mr. Zalsman explained that the porch will face the house and match the color of the house. The building will not be visible to the road and there will be a landscape buffer.

Chairman Bob Cook opened for public hearing. No comments.

Secretary Ed Stielstra read into record correspondence that was received from two neighbors. A letter of support was received from Randall L. Kuite of 6451 Hunters Street. A letter of objection was received from James G. Vanderveen of 4744 Pine Hollow Road.

A motion was made by Linda Howell and seconded by Al Dogger to close the public hearing. UNANIMOUS DECISION – MOTION APPROVED

Bob Cook asked where in conjunction with his house are the neighbors that submitted correspondence. Mr. Zalsman explained that one is directly next door on the same street and the other is behind on a much larger lot on Pine Hollow Road.

Al Dogger commented that the overall height is 14 feet so the setback would have to be the same. Adam Zalsman explained that the side walls are 12 feet high with a maximum height of 16 feet. Al Dogger also clarified the placement of the structure on the pie shaped lot.

Bob Cook noted for the record the total size of the building with the porch is 1,280 square feet.

Ed Stielstra confirmed that there are no other accessory buildings on the property.

Following discussion, **a motion was made by Linda Howell and seconded by Al Dogger to approve the special use request contingent on it meeting the conditions according to the application, requirements in sections 17.03 and 14.09(f)(6), in accordance with all verbal representation made at this meeting and in compliance with all federal, state, county and township provisions. UNANIMOUS DECISION – MOTION APPROVED**

B. ROSIE TRUST SPECIAL USE REQUEST

The Ronald W. Rosie, Jr. Trust, owner or agent of property located at 2341 Fern Walk Avenue, also known as Parcel #0311-340-366-00 requests a special use permit for the repair and reconstruction of improvements damaged by fire on this property.

Mr. Randy Schippers represented the Ronald W. Rosie Jr. Trust in its request to repair and reconstruct the home. Mr. Schippers explained that there have been considerable improvements made over the years to maintain the home and property. The house has been in existence for decades and the reconstruction would be harmonious with the character of the current structures. Due to the unusual lot size it is not possible to build the structure in compliance with the current ordinances. The area is unusual as it straddles two different townships with varying ordinances. The request is to put the house back to what it was before it was damaged by the fire.

Chairman Cook opened for public hearing.

Patsy B, the direct neighbor of Mr. Rosie stated that she is fully aware that he would rebuild in the proper way and would want him to do that. She noted that her family has been in their house for 100 years and knows the Rosie family well.

John Gronberg represented the Macatawa Parking Association and also as a member of the board for the Cottagers and Parking Association spoke in support of Mr. Rosie in the reconstruction of the home. Mr. Gronberg finds Mr. Rosie to be a stellar neighbor and always supports the neighborhood.

David Scholten, the building contractor for the project stated that the house would be put back the way it was in flavor and character of the neighborhood. The owner is not looking for any special additions or changes. The wall in the garage to the house will be upgraded to code.

Chairman Cook opened for public hearing. No comments or correspondence.

A motion was made by Al Dogger and seconded by Ed Stielstra to close the public hearing. UNANIMOUS DECISION – MOTION APPROVED

Chairman Bob Cook asked if Mr. Rosie had considered going to the Zoning Board of Appeals to apply for necessary variances.

Mr. Schippers explained that there had not been consideration to go to the ZBA because it is a reconstruct not a new build. The foundation of the house is still in place. This does not extend the useful life of the nonconforming use. The character of the neighborhood will be carried on.

Bob Cook asked how much of the house will be repaired. Dave Scholten explained that the back wall and the rafters would have to be replaced. The garage foundation is in place but the walls and roof would have to be replaced. There will be no extension to the footprint. Approximately 90% of the current house exists. After having visited the site, Al Dogger concurs with what Mr. Scholten and Mr. Schipper have explained.

Ed Stielstra stated that he looked at the house after the fire and agrees that 90% of the home was not damaged.

Following discussion, **a motion was made by Ed Stielstra and seconded by Al Dogger to approve the special use request contingent on it meeting the conditions according to the application and in accordance with the zoning ordinance, the standards in sections 17.03 and 18.03, in accordance with all verbal representation made at this meeting and in compliance with all federal, state, county and township provisions. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE V. CITIZEN COMMENTS

Paul Visscher 6283 136th Avenue asked if the Commission will get into discussion of what kind of

businesses would be allowed in the Blue Star Highway Corridor. He is concerned about the type of developments that might meet the standards but not be desirable. Bob Cook explained that those details would be covered in the actual writing of the ordinance.

ARTICLE VI. ADJOURNMENT

Chairman Bob Cook adjourned the meeting at 8:14 P.M.