

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

January 7, 2015

ARTICLE I. CALL TO ORDER

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

MEMBERS PRESENT: Bob Cook, Randy Becksvoort, Bob Slikkers  
Linda Howell, Jim Lorence  
MEMBERS ABSENT: None  
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 December 3, 2014 meeting. Following discussion, **a motion was made by Bob Slikkers and seconded by Randy Becksvoort to approve the minutes as written. Chairman Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE III. OLD BUSINESS

A. GOOD INTENTIONS LAKETOWN LLC SPECIAL USE REQUEST

Good Intentions Laketown LLC, owner or agent of property located at 3604 64<sup>th</sup> Street, that being tax parcel #0311-200-001-00 request a special use permit to establish a medical marijuana provisioning center at this location.

Chairman Cook advised this item was tabled at the last meeting. Correspondence was received from the attorney representing Good Intentions LLC noting that the legislation, HB 4271 has not been passed by the House and requests that the item be tabled for one more month.

Following discussion, **a motion was made by Bob Slikkers and seconded by Linda Howell to table this item for one month. Chairman Cook called for a vote on the motion.**  
**UNANIMOUS DECISION – MOTION APPROVED**

#### B. RPE TRUST SPECIAL USE REQUEST

RPE Trust, owner or agent of property located at 797 Lakeside Drive, lot #179 of Macatawa Park, that being tax parcel #0311-340-179-00, requests a special use permit to construct a new cottage on this parcel.

Chairman Cook reviewed the resolution and report regarding the RPE Special Use Request. Item G. of the report addresses the concerns regarding property ownership. He addressed the board members asking for any questions or concerns.

Attorney Bultje explained that he and Attorney Schermer worked on the two reports for the Planning Commission and Zoning Board of Appeals. Discussion occurred with the attorneys representing RPE and Point West I. There are three non-conforming lots with common ownership. Section 38.465 of the Zoning Ordinance states that where two or more lots do not comply with the requirements of the zoning ordinances they must be combined to comply or more closely conform. The applicant is asking to combine two lots to build a single family dwelling, however the lots combined do not meet the requirements for a lot size suitable for construction. One of the three lots in question has an existing dwelling. While the Planning Commission could approve the report and resolution, the applicant must also seek approval from the Zoning Board of Appeals for section 465 as well as setback variances.

Bob Slikkers questioned if the applicant has owned and paid taxes on separate parcels why they would not be able to build on them. Bultje said they could potentially build on them but they would likely have to be combined due to the size of each parcel. Al Meshkin said 8500 square feet had been used as the number to combine parcels in 2012 with no objections from property owners. In 2013, this property owner requested the split back to two parcels agreeing to pay separate tax bills and potentially two water assessments. So in 2014 it was put back to two parcels and now they have applied for a special use permit because the lot sizes do not meet the required minimum.

Bultje said if you have a non-conforming lot but you have at least 8500 square feet with water or sewer or 15,000 without water and sewer, the lot can be developed even though it doesn't meet the zoning requirements. If the lot is less than those minimums or no water or sewer is available then a special use is needed. Parcel 179 is 8126 sf and parcels 177 and 178 combined are 7050 sf and currently have a cottage on them. In this district, 12,500 sf is the minimum allowed for one dwelling, thus the parcels should be combined.

Bob Cook asked how the Township handled combining non-conforming parcels that were commonly owned. Meshkin responded that it was done the property owners were notified if their parcels were combined citing the language of 465. This was also done in anticipation of the water assessment project and very few objected and those that did were reversed to multiple parcels.

There was much discussion regarding the execution of the combining parcels for tax purposes questioning if this is in the best interest of the owner and potential future buyer if the parcels are not properly deeded.

Bultje proposed the following options to consider:

- The Zoning Ordinance remains as is with the minimum lot size of 12,500 sf if water and sewer is present or 25,000 sf if it is not present to qualify as a buildable lot for one dwelling
- Amend the Zoning Ordinance to remove the common ownership lot combination stipulation
- Keep the combination requirement and allow buildable sites of 8500 sf with sewer and water and 15,000 sf without it

Linda Howell asked if we can force platted lots without going through Lansing – Bultje thinks we can because they have to comply with Zoning Ordinance. If one person owns multiple lots it could be treated as one for a single dwelling structure.

Cook asked that Zoning Ordinance Section 38.465 be put on the agenda for a future meeting.

Following discussion, **a motion was made by Linda Howell and seconded by Bob Slikkers to accept the report written by counsel with edits to Paragraph 3(c) to read in general project accordance with code without limitation, zoning setback variance and lot combination noted in Section 38.465(b) and verbal representation meeting discussion for recommendation to the Township Board. Roll call vote – UNANIMOUS DECISION**

#### ARTICLE IV. NEW BUSINESS

##### A. VAN ZALEN SPECIAL USE REQUEST

Mr. Tom Van Zalen, owner or agent of property located at 6234 147<sup>th</sup> Avenue, that being tax parcel #0311-002-063-00, requests a special use permit to construct an additional accessory building on this parcel. The addition of this building would exceed the previously permitted maximum area for accessory buildings on this parcel.

Tom Van Zalen explained that he would like to build a 42 x 40 structure to store equipment that he currently keeps in rented space off-site. The structure would also provide space for items he has stored outside on his property. The exterior would be very compatible to the existing barn with a roof pitch slightly steeper and the side walls are shorter so close to the same height as the other building.

Chairman Bob Cook opened for public hearing. No public comment or correspondence received. **A motion was made by Jim Lorence and seconded by Bob Slikkers to close public hearing. Chairman Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

Bob Cook asked for the exact parcel size and Tom responded that it is 10 acres. Tom also owns the parcel next door that is six acres.

Following discussion, **a motion was made by Linda Howell and seconded by Bob Slikkers to include conditions in the site plan as presented in the application meeting the criteria in Sections 38.91 and 38.471(6)(f) and compliance with the application submitted, with all federal, state, county and township laws and ordinances and the verbal representation provided at this meeting and in the minutes. Chairman Cook called for a vote on the motion.**  
**UNANIMOUS DECISION – MOTION APPROVED**

#### B. ELECTION OF OFFICERS

Following discussion, **a motion was made by Linda Howell and seconded by Bob Slikkers to nominate the current slate of officers, that being Bob Cook as Chair, Bob Slikkers as Vice Chair and Linda Howell as Secretary. Chairman Cook called for a vote on the motion.**  
**UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE V. CITIZEN COMMENTS – None

#### ARTICLE VI. ADJOURNMENT

**A motion was made by Bob Slikkers and seconded by Randy Becksvoort to adjourn the meeting at 7:58 P.M. Chairman Cook called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**