

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

February 4, 2015

ARTICLE I. CALL TO ORDER

Vice Chair Bob Slikkers called the Planning Commission meeting to order at 7:00 P.M.

MEMBERS PRESENT: Randy Becksvoort, Bob Slikkers, Linda Howell, Jim Lorence
MEMBERS ABSENT: Bob Cook
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 January 7, 2015 meeting. Following discussion, **a motion was made by Linda Howell and seconded by Randy Becksvoort to approve the minutes with the correction noted on Item III. A. Vice Chair Slikkers 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 64th Street, that being tax parcel #0311-200-001-00 request a special use permit to establish a medical marijuana provisioning center at this location.

Vice Chair Slikkers advised that correspondence was received from the applicant to withdraw the special use request as the State of Michigan law has not changed as anticipated.

ARTICLE IV. NEW BUSINESS

A. GARVELINK SPECIAL USE REQUEST

Mr. Ben Garvelink, owner or agent of property located at 4436 62nd Street, that being tax parcel #0311-011-047-00 requests a special use permit to construct an oversize accessory building on this parcel. Ben Garvelink explained how he would like to position the building on the lot. The floor plan is the same as was submitted.

Vice Chair Slikkers opened for public hearing. No correspondence was received.

Bruce Wickmann of 198 Woodlark Ct stated that he owns property next door to the Garvelinks and they are terrific neighbors so he and his wife have no objections to the request.

A motion was made by Linda Howell and seconded by Randy Becksvoort to close the public hearing. Vice Chair Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED.

Linda Howell confirmed there would be no commercial use or outside storage on site. Garvelink responded that is correct.

Following discussion, **a motion was made by Jim Lorence and seconded by Linda Howell to approve the Garvelink Special Use Request contingent on 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. Vice Chair Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED**

B. RPE TRUST SPECIAL USE REQUEST #2

RPE Trust, owner or agent of property located on Griswold Avenue, lots #190, #191 and #121 of Macatawa Park, that being tax parcel #0311-340-190-00, requests a special use permit to construct a new cottage on this parcel.

Vice Chair Slikkers gave a brief background of the applicant's request for variance before the ZBA.

Jim Brown, on behalf of the applicant asked for clarification of the lots for the application. He summarized the request for approval to construct a cottage on this parcel.

Linda Howell asked for clarification of Griswold and Crescent Walk and the portion toward the middle of the area named Bluff Walk.

Bob Slikkers stated that Griswold Avenue is a drivable road. Al Meshkin stated that Bluff is on the tax record as Crescent Walk.

Randy Schippers stated that Crescent Walk is a walk and Bluff is actually a park area.

Linda Howell confirmed that the property labeled as Bluff has been acquired by the applicant.

Vice Chair Slikkers opened for public hearing.

Randy Schippers represented Roy and Cynthia Welton of 2256 Crescent Walk. The Weltons are in opposition of the request. The platted lots in question are all in common ownership, not being two or five parcels but one parcel according to the Zoning Ordinance 38.465. Contiguous land in common ownership is what should be considered for defining a parcel. Dividing it would create two non-conforming lots. The parcel as a whole it meets the 15,000 sf for one dwelling according to the ordinance. This cottage would loom over the cottage to the west and a portion of the dune would have to be cut to allow for parking which would alter the character of the neighborhood and create a safety hazard. It would greatly increase the density of the area and set a precedent for others who might want to do the same thing from an economical advantage perspective.

Jim Brown responded to Mr. Schippers' comments. The interpretation of the ordinance differs by the applicant and those opposing. These parcels were considered separate until the water assessment project took place. We are dealing with a cottage of a similar size in the neighborhood. If you look at the plans and the comparisons a reasonable interpretation is that it is consistent and harmonious with the surrounding cottages and complies with the requirements for the special use.

Randy Schippers noted the property summary document shows the sizes of the other cottage sizes. This cottage is much larger than the present cottages.

A motion was made by Linda Howell and seconded by Randy Becksvoort to close public hearing. Vice Chair Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

Randy Becksvoort asked how the applicant is being taxed one, two or five parcels? Al Meshkin stated that today lots 190, 191, 221 are taxed as one parcel under 190-00. Ron Bultje said it is a good question but not determinative in any way.

Linda Howell stated that there are no building plans under this application absent the water not going in. Jim Brown stated that yes it is predicated under the water going in.

Randy asked what Ron's take is on this. Ron stated that he understands the way the provision has been interpreted by the township. Ron offered to provide his opinion in writing.

Al Meshkin's interpretation has been from the perspective of the commonality of the uses in the district under the Master Plan and what has been approved. In this case, most of the lots in this area do not meet the minimum 8500 sf which was the threshold for special use. That is how it was interpreted in 2012 when we started looking at the water project to determine how many parcels would be assessed for the water project.

Linda challenged the language of Section 38.465 (a), (b) and (c) and how it is difficult to accurately apply it to this request. Al agrees the ordinance needs to be cleaner and suggested addressing this now to clarify its meaning. Ron supported the suggestion to clarify the ordinance language. Bob Slikkers agrees that it would be better to clarify the language and intent.

Following discussion, **a motion was made by Linda Howell and seconded by Jim Lorence to table this request until May at which time a decision will be made on the zoning text and interpretation of its language.** The Commissioners will begin work on the language and interpretation at the March meeting. **Vice Chair Slikkers called for a vote on the motion.**
UNANIMOUS DECISION – MOTION APPROVED

C. RPE TRUST SPECIAL USE REQUEST #3

RPE Trust, owner or agent of property located on Griswold Avenue, lots #219 and #220 of Macatawa Park, that being tax parcel #0311-340--00, requests a special use permit to construct a new cottage on this parcel.

Vice Chair Bob Slikkers opened for public hearing. He noted commented made at the previous request would also be considered for this request.

Jim Brown said in response to Mr. Schippers' comment that this cottage contains 4800 sf of living space; that is incorrect. There is 1600 sf per floor with a 200 sf porch a garage underneath that is less 1000 sf and not considered living space.

Randy Schippers said even at 3200 sf, it would be larger than the other houses on Griswold where most are 1500 to 1700 sf and very few have a garage.

A motion was made by Linda Howell and seconded by Randy Becksvoort to close public hearing. Vice Chair Slikkers called for a vote on the motion. UNANIMOUS DECISION – MOTION APPROVED

Following discussion, **a motion was made by Linda Howell and seconded by Jim Lorence to table this request until May at which time a decision will be made on the zoning text and interpretation of its language. Vice Chair Slikkers called for a vote on the motion.**
UNANIMOUS DECISION – MOTION APPROVED

D. BROOME SITE PLAN REVIEW

Jim Cook represented Mr. Broome reporting that approval for the front yard variance was granted at the ZBA and the applicant is asking for the approval of the site plan.

Vice Chair Slikkers confirmed the request for a front yard variance was approved at the ZBA with the condition location of the stairs would be relocated out of the right of way.

Following discussion, a motion was made by Linda and seconded by Randy Becksvoort to approve the Broome Site Plan contingent on it meeting the conditions of Section 38.487 and 38.463, compliance with application verbal representation tonight, conditions of the ZBA approval, existing P.U.D. conditions and all federal, state, county and township laws and ordinance including those conditions set forth by the DEQ approval and all verbal and written representations at this meeting and in the minutes. Vice Chair Slikkers called for a vote on the motion. **UNANIMOUS DECISION – MOTION APPROVED**

ARTICLE V. CITIZEN COMMENTS – None

ARTICLE VI. ADJOURNMENT

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