

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

April 1, 2015

ARTICLE I. CALL TO ORDER

Vice Chair Bob Slikkers called the Planning Commission meeting to order at 7:00PM stating that the meeting will be for discussion purposes only due to the lack of a quorum to conduct official business.

MEMBERS PRESENT: Randy Becksvoort, Bob Slikkers
MEMBERS ABSENT: Bob Cook, Linda Howell, Jim Lorence
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 February 4, 2015 meeting.

ARTICLE III. OLD BUSINESS

A. 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.

B. 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.

ARTICLE IV. NEW BUSINESS

A. REVIEW OF SECTION 465 AMENDMENTS

Township Attorney Ron Bultje opened the discussion of amendment to Section 38.465. The language in (b) *Existing lots of record* (3) is clarified and simplified to indicate that where lots are adjacent to each other and are in common ownership the lots shall be combined so that the lot or lots created by the combination comply (or more closely comply in the event that compliance is not possible) with the requirements of the applicable zoning district. Ron stated that courts have generally upheld the common practice in the state although a lot of townships do force the ordinance to avoid approval on non-compliant lots. The courts say you do not have to allow maximum development if adjacent lots cannot be developed nor can a property owner be required to comply with something that is not consistent with the surrounding property uses. Ron said you could make that distinction by putting the requirement in the ordinance but allow the discretion of the Planning Commission to approve a special use as long as it is consistent with the surrounding use. Standards would have to be applied based on the neighborhood. The draft will be revised to reflect this change. The adaptation of special use requires public hearing to allow residents to provide feedback.

Ron Bultje clarified that a request for variance goes before the Zoning Board of Appeals as it is in violation of the ordinance and the condition must present a real hardship for the property owner. A special use request goes before the Planning Commission with the potential that a similar condition has been present in the past and may be approved based on the consistency within the surrounding area.

Ron will provide an updated draft removing the mention of AG-1 and R-1 districts and incorporate special use. A public hearing will be scheduled for May 6 after which time a recommendation will be made to the Township Board.

Randy Becksvoort asked if there are any legal ramifications for amending the language of the section given the current requests that are tabled. Ron responded that clarifying the question of interpretation is legitimate and the right thing to do.

ARTICLE V. CITIZEN COMMENTS – None

ARTICLE VI. ADJOURNMENT

The discussion adjourned at 7:47pm.