

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

AUGUST 5, 2020

ARTICLE I. CALL TO ORDER

Chairman Becksvoort called the Planning Commission meeting to order at 7:00 p.m.

MEMBERS PRESENT: Dick Becker, Jim Johnson, Randy Becksvoort, Chad Nienhuis; Marcia Perry (via Zoom).

STAFF PRESENT: Al Meshkin -- Township Manager
Ron Butlje – Township Attorney
Jim Hayden – Recording Secretary

ARTICLE II. APPROVAL OF MINUTES

The Commission reviewed the minutes of the June 3, 2020, meeting.

Motion by Johnson and seconded by Becker to approve the June 3, 2020, minutes. Chair Becksvoort called for a roll call vote on the motion. UNANIMOUS DECISION BY ROLL CALL– MOTION APPROVED.

ARTICLE III. OLD BUSINESS -- NONE

ARTICLE IV. NEW BUSINESS

A: NEITZEL SPECIAL USE REQUEST

Lori Neitzel representing Lakehouse JHM68 LLC, 85 Campau Ave. NW, Suite R300, Grand Rapids, applied for a special use request for 4060 Spring Beauty Lane, Holland, tax parcel #0311-0210-009-00. The request is required by section 38-212(21) of the zoning code if the short-term rental requests a proposed occupancy greater than 16 people. Neitzel is requesting use up to 30 people.

The planning commission asked Keith Walker, attorney for Neitzel, to address the commission. Walker said the home can easily accommodate 30 people, the goal of the special use request is to bring in money to maintain the home and property and pay taxes.

Perry noted the hazards to access the property, particularly for those new to the area. Becker stated he was nearly hit head-on reviewing the site. Johnson agreed that one-time users of the property would not be used to the narrow, winding roads with several forks in the road. Nienhuis noted the applicant property has limited parking available for large groups up to 30 individuals.

7:10 p.m. Becksvoort opens public hearing.

Jessie Dalman, 4056 Spring Beauty Lane, Holland: Safety a concern. The area is not meant for a commercial use and 30 people would add to traffic problems.

Peter Hart, 4072 Fiddlers Way, Holland: Safety is main concern because there have been accidents on the narrow road.

Daryl Renschler, lives next door to the applicant property: Safety on road an issue, concerned about the constant turnover of people at the house that have changed the character of the neighborhood.

Kristina Dalman, 1284 Forest Glen Drive, Winnetka, Ill.: Granting special use could set a precedent with other homes becoming short-term rentals allowing up to 30 people, the proposed use would bring in large parties not harmonious with R1 use, traffic and noise a concern. She stated that four homes in the immediate area are accessed by essentially a driveway that is one-half mile long. She said the applicant advertises the dwelling for \$2,750 per night at the peak rate; this is a hotel not harmonious with the area.

Tyler Tanis, 1375 Olde Evergreen Way, Holland: Grandson of person who built the home. The short-term rental use of the home allows family to pay for maintenance and loans used to put in structures to protect the property from erosion by Lake Michigan. He noted traffic in the area is minimal. The Pandemic has hurt business. A loan of \$400,000 has been taken to pay expenses.

Ron Dalman, same address as Jessie Dalman: Neighbor of property. Says expanded rental use will change character of neighborhood. Asked for denial.

Becksvoort noted the letters received regarding the property, all opposed to special use request:

Michael and Barbara Glynn, 4050 Spring Beauty Lane, Holland.

Nicki Arendshorst, Holland.

John Arendshorst, 4054 Spring Beauty Lane, Holland.

William J. Arendshorst, 4317 Klein Drive, Durham, NC.

Thomas R. Arendshorst, 6650 Kelly Creek Drive, Holland.

Chief Doug DenBleyker, Graafschap Fire Department: Expressed safety issues.

**7:42 p.m. Motion by Johnson, second by Nienhuis, to close the public hearing. Becksvoort called for a roll call vote on the motion. UNANIMOUS DECISION
ROLL CALL – MOTION APPROVED 5-0.**

Attorney Walker addressed the commission, saying the use is for a family home not a hotel. If request approved, the family will make changes recommended by fire chief.

Planning commissioners repeated concerns about safety with so many people in the remote location; the character of the neighborhood would be threatened; the road is not designed to handle increase in traffic; and precedent would be set for other homes in the area to have up to 30 short term renters.

Township attorney Ron Bultje noted that the house could potentially handle 30 people but the people do not stay in the house and could strain infrastructure, noting the road is not wide enough for traffic to pass.

**Motion by Nienhuis, second by Perry, to deny the special use request based on the factors noted in zoning code 38-91 (1) a-d. The proposal is not in harmony with the neighborhood, would change essential character of the neighborhood, would be hazardous to adjacent property and detrimental to safety with added traffic and noise, and would put added demands on public services because proposed use is not conducive to the type of roads that access the dwelling. Becksvoort called for a roll call vote on the motion. UNANIMOUS DECISION
ROLL CALL – MOTION APPROVED 5-0.**

B: BREDEWAY SPECIAL USE REQUEST

Brian Bredeway, 6444 145th Ave., Holland, parcel # 0311-010-046-02, requested a special use permit for a home occupation to continue current activities that include storage of construction materials outside and the sale of those items with parties picking up what they have purchased.

8:03 p.m. Public hearing opened by Becksvoort.

Mike Barendse, 6404 145th Ave., Holland: Construction sales not compatible with residential neighborhood due to noise, increase in traffic and piles of material. Use has a negative impact on the area. Concerned about precedent.

Tom Grunst, 6414 145th Ave., Holland: Noise and safety a concern. The use does not belong in the neighborhood.

Andrew Schutte, 6473 145th Ave., Holland. Supports private property. If township approves use, do it with conditions, set a timeframe for meeting goals, see if area improves.

Letter: Doug DenBleyker, chief, Graafschap Fire Department. Planners should consider width of driveway to new pole barn and future pole for fire department apparatus access and that driveways stay maintained regarding tree branches.

**8:12 p.m. Motion by Nienhuis, second by Becker to close public hearing. Becksvoort called for a roll call vote on the motion. UNANIMOUS DECISION
ROLL CALL– MOTION APPROVED 5-0.**

Bredeway addressed the commission. He said the material is used to raise money, has five to seven people per week during busy time. Traffic will decrease. Property has been cleaned up. Willing to agree to no more semi trucks hauling away purchased construction material.

Planning commission discussed the issue, noting that a home occupation as defined in Section 38-5 must be conducted in a dwelling or a permitted accessory building. Section 38-488 allows only incidental storage in or use of a residential-style garage. Outside storage of material is not permitted. Approval would set a precedent allowing outside construction sales.

Attorney Bultje asked commissioners to consider if the use is a home occupation as defined, and, if so, whether it meets the standards for home occupations.

Motion by Johnson, seconded by Nienhuis, to deny the special use request because it does not meet the definition for a home occupation as a routine accessory and customary non-residential use. Further, if the request met the definition, it would be denied because it allows outside storage of material and retail or wholesale sales of items not limited to mail or telecommunication sales. UNANIMOUS DECISION ROLL CALL– MOTION APPROVED.

ARTICLE V. CITIZEN COMMENTS

Andrew Schutte, 6473 145th Ave., Holland. An important factor in the Bredeway special use request is intent.

ARTICLE VI. ADJOURNMENT

Motion by Johnson, second by Becker, to adjourn the meeting at 8:39 p.m. UNANIMOUS DECISION ROLL CALL– MOTION APPROVED.