AGENDA

Grand Haven Charter Township Zoning Board of Appeals
Tuesday, May 22, 2018 – 7:00 pm

I. Call To Order

II. Roll Call

III. Approval of the March 27, 2018 ZBA Meeting Minutes

IV. New Business
   A. ZBA Variance Application No. 18-03 - Fahndrich

V. Reports

VI. Extended Public Comments (Limited To Four (4) Minutes Please).

VII. Adjournment
MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
TUESDAY, MARCH 27, 2018 – 7:00 P.M.

I. CALL TO ORDER
The regular meeting of the Grand Haven Charter Township Zoning Board of Appeals was called to order at 7:00 p.m. by Chair Voss.

II. ROLL CALL
Board of Appeals members present: Voss, Loftis, Hesselsweet, and Rycenga (Alternate)
Board of Appeals members absent: Slater, Behm

Also present: Community Development Director Fedewa, and Assistant Zoning Administrator Hoisington.

Without objection, Fedewa was instructed to record the minutes for the meeting.

III. APPROVAL OF MINUTES

Without objection, the minutes of the February 27, 2018 meeting were approved.

IV. NEW BUSINESS

A. ZBA Case #18-02 – Dimensional Variance – VanOordt

<table>
<thead>
<tr>
<th>Party Requesting Variance:</th>
<th>Craig VanOordt</th>
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<tbody>
<tr>
<td>Applicant Representative:</td>
<td>Nicholas Smythe, Power Home Solar LLC</td>
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<tr>
<td>Address:</td>
<td>38905 Mound Rd, Sterling Heights, MI</td>
</tr>
<tr>
<td>Parcel Number:</td>
<td>70-07-27-300-028</td>
</tr>
<tr>
<td>Location:</td>
<td>10528 168th Avenue</td>
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Craig VanOordt, represented by Nicholas Smythe of Power Home Solar LLC, are seeking a dimensional variance to allow a 9’ x 26’-7” ground mounted solar array in the front yard of their property. Currently, there is not an ordinance that specifically pertains to solar arrays, so the structure is held to the standards for accessory structures in Section 20.03 of the Zoning Ordinance. These standards would require the solar array to be located in the side or rear yard.

Hoisington provided an overview of the application through a memorandum dated March 22nd.

Following the initial discussions, the Chair invited the applicant’s representative, Nicholas Smythe of Power Home Solar LLC, to speak:
• Explained the benefits of solar arrays as a source of renewable energy.

• Board inquired about the proposed placement of structure in the front yard.
  o Location provides maximum potential for sunlight exposure.
  o No trees would need to be removed for installation in proposed location, and the hope is not to remove any trees for this project.
  o Noted the owners are reserving space to create a volleyball court in area adjacent (east) of proposed location. This particular location would comply with local zoning, but 2-3 trees may need to be removed, and the volleyball court relocated.
  o Rooftop array would be less efficient because of the dwelling’s roofline.

• Explained that installation crew decides final placement of array, which explains the discrepancy in location noted in the staff memo.

The Board discussed the four standards and noted the following:

• Explained that a compliant location could be attained by removing 2-3 trees and placing the array in the area reserved for the volleyball court.

• The utilization of solar power is a goal established by the Master Plan, and the Board is supportive of the project, but not the location. Although this specific property is well screened by existing trees, and is in a rural area, that is not the case for all properties. A variety of suggestions to obtain compliance were provided by the Board.

**Standard No. 1 – Exceptional or extraordinary circumstances:**

• Applicant has not demonstrated that exceptional or extraordinary conditions exist on this property that do not apply generally to other properties in the same zoning classification.

• Acreage of property is larger than normal, and it’s unlikely to be visible.

Ayes: None
Nays: Voss, Loftis, Hesselsweet, Rycenga

**Standard No. 2 – Substantial property right:**

• No other known freestanding solar arrays in the Township.

• ZBA has not set any precedence regarding the acceptable location of freestanding solar arrays.
Ayes: None
Nays: Voss, Loftis, Hesselsweet, Rycenga

**Standard No. 3** – Will not be a substantial detriment to adjacent parcels, or material impact on the intent and purpose of the Ordinance:

- Board noted that no written correspondence was received.
- Staff received a phone call of support for the array but the individual would not be supportive of a larger array or more arrays in the future.
- Hesselsweet does not believe the solar array would be a substantial detriment to adjacent parcels or materially impair the public health, safety, and general welfare of the community.
- Remaining Board members find the variance would materially impair the intent and purpose of the Zoning Ordinance.

Ayes: Hesselsweet
Nays: Voss, Loftis, Rycenga

**Standard No. 4** – Request is not of such a recurrent nature as to make reasonably practical the formulation of a general regulation:

- Although this is the first case before the Board for a freestanding solar array—the likelihood of these cases becoming more prevalent is high, as renewable energy sources become more common. As such, it is reasonable to assume that granting such a variance would make reasonably practical the formulation of a general regulation.
- Hesselsweet believes the facts of this case are unique.

Ayes: Hesselsweet
Nays: Voss, Loftis, Rycenga

**Motion** by Loftis, supported by Rycenga, to deny a dimensional variance from Section 20.03.1.J to construct a 9’ x 26’-7” ground mounted solar structure in the front yard at 10528 168th Avenue because an alternative exists that does not violate the Grand Haven Charter Township Zoning Ordinance. Denial of this variance is based upon this Board’s findings that all four standards have not been affirmatively met. **Which motion carried unanimously**, as indicated by the following roll call vote:

Ayes: Voss, Loftis, Hesselsweet, Rycenga
Nays: None
Absent: Behm, Slater
V. REPORTS
➢ Next Zoning Ordinance Update Committee meeting is April 5\textsuperscript{th} at 6pm.

VI. EXTENDED PUBLIC COMMENTS – None

VII. ADJOURNMENT

\textbf{Without objection}, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

\begin{center}
\textbf{Stacey Fedewa}

\textit{Acting Recording Secretary}
\end{center}
Community Development Memo

DATE: May 18, 2018

TO: Zoning Board of Appeals

FROM: Stacey Fedewa, Community Development Director

RE: 16989 Pierce Street – Dimensional Variance Application No. 18-03

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<th>PARCEL INFORMATION</th>
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<tr>
<td>Owner</td>
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<tr>
<td>Property Address</td>
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<tr>
<td>Parcel Number</td>
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<td>Lot Size</td>
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<td>Design Requirements</td>
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This is a unique, and exciting, application. As described in the narrative, the Edward’s family has owned a combined 40-acres of land for the last four generations. The majority of this land is encumbered by wetland and floodplain from Little Pigeon Creek. It holds emotional value to the applicant, and ecological value to the Township as a whole.

The subject at hand is the western 20-acres, which contains a dwelling near the road. The applicant is proposing to divide the land into a 3-acre parcel that includes the dwelling, and a 17-acre parcel that includes the wetland and floodplain. However, the Rural Preserve (RP) district has a 10-acre minimum lot area requirement.
The main purpose of this zoning district is to preserve the rural integrity of the Township and act as a natural separation between agricultural and residential uses. The minimum lot area requirement allows this preservation tactic to succeed, and prevent dense development in rural areas.

Bearing in mind, the intention of the RP district is to prevent dense development, the applicant’s proposal to divide the land into 3- and 17-acres; and then placing a conservation easement over the 17-acres to prevent development; remains consistent with the Township’s intention of the RP district.

It would prevent future development, so the Township’s concern about medium density residential occurring is solved; a house already exists on the 3-acres and would be unable to further subdivide and create more density.

This is a rare opportunity for a resident and the Township to have a mutually beneficial solution. It is mutually beneficial for two primary reasons:

1. The Township adopted a **Resilient Master Plan** that places a strong emphasis on preserving wetlands, floodplains, and other natural features.

2. The Township has joined the **FEMA Community Rating System** program, which provides discounts on flood insurance premiums if higher standards are followed. The Township has received a substantial number of credit points for preserving wetlands and floodplains in perpetuity (*Hofina Park & Preserve; Palomita Nature Preserve; Mastenbrook Park; and this additional land would be included in future recertification visits with FEMA and additional points would be received*).

It is staff’s belief that the conservation easement resolves the Township’s concerns of lot sizes and density. Furthermore, it will perpetually preserve 9.56-acres of wetland and 3.92-acres of floodplain on the subject property. The applicant has indicated that 15-acres of her own land will also be included in the conservation easement, which is another 9.47-acres of wetland, and 3.53-acres of floodplain. Bringing the **grand total of conserved land to 19.03-acres wetland and 7.45-acres of floodplain; or nearly 26.5-acres**. That is a substantial step in sensitive landscape preservation and becoming a resilient community.

Lastly, you’ll find an email confirmation from the **Land Conservancy of West Michigan** acknowledging they will accept the land into their conservancy, which would include the 17-acres that is part of this application and the additional 15-acres of the applicant’s land, bringing the total preservation area to at least 32-acres. The applicant intends to speak with other surrounding neighbors and attempt to include even more land.

**VARIANCE STANDARDS**

To authorize a dimensional variance from the strict applications of the provisions of this Ordinance, the ZBA shall apply the following standards and make an affirmative finding as to each of the matters set forth in the standards.
STANDARD 1

There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning classification.

The rear half of the property would be land-locked without road frontage if a 10-acre division occurred, which would result in the property being unbuildable. Furthermore, 13.5-acres or 80% of the 17-acres is regulated floodplain and wetland. The ZBA will need to make a determination as to whether this standard is met given the circumstances of this case.

STANDARD 2

The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that possible increased financial return shall not of itself, be deemed sufficient to warrant a variance.

The property owner’s desire is to preserve and enjoy the existing natural conditions of a wetland and floodplain ecosystem, and a conservation easement enables that preservation to occur in perpetuity. The ZBA will need to make a determination as to whether this standard is met given the circumstances of this case.

STANDARD 3

Authorization of such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.

No written correspondence has been received, and it is unlikely to cause a detriment because the land would remain in the same natural state as it currently exists. The ZBA will need to make the determination as to whether this standard is met given the circumstances of this case and the findings on standards 1 and 2.

STANDARD 4

The condition or situation of the specific piece of property or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such condition or situation, a part of this Ordinance.

It is rare that a property owner chooses to preserve land through a conservation easement and prevent future development. It is unique and highly unlikely to occur again, and if it does, this case would set a precedence that future noncompliant land division requests could be subject to a conservation easement. The ZBA will need to make the determination as to whether this standard is met.
If the ZBA determines each standard has been affirmatively met, the following motion can be offered:

**Motion to approve** a dimensional variance from Section 21.02 to approve a land division in the Rural Preserve district to result in 3-acre and 17-acre child parcels at 16989 Pierce Street. This approval is conditioned upon the 17-acres being encumbered by a conservation easement that prevents future development of the land. Approval of this variance is based upon this Board’s findings that all four standards have been affirmatively met.

If the ZBA determines each standard has not been affirmatively met, the following motion can be offered:

**Motion to deny** a dimensional variance from Section 21.02 to approve a land division in the Rural Preserve district to result in 3-acre and 17-acre child parcels at 16989 Pierce Street. Denial of this variance is based upon this Board’s findings that all four standards have not been affirmatively met.

If the ZBA determines that more information is needed to make an affirmative finding, the following motion can be offered:

**Motion to table** the dimensional variance application for 16989 Pierce Street, and direct the applicant and/or staff to provide the following information:

1. *List items.*

Please contact me with questions or concerns.
GRAND HAVEN CHARTER TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

Fees
- Request for Variance or Appeal: $125
- Special Meeting: $250
- Request for Interpretation: No Charge

Applicant/Appellant Information
Name: DONALD R. EDWARD, JR. AND DIANE EDWARD FANNDICH
Phone: 616-402-0169
Fax: ____________________________
Address: 16917 PIERCE ST., WEST OLIVE, MI 49460
Email: SOLITARY CYCLIST@GMAIL.COM

Owner Information (If different from applicant/appellant)
Name: __________________________
Phone: __________________________
Fax: ____________________________
Address: _________________________
Email: __________________________

Property Information (Include a survey or scaled drawing)
Address: 169 B9 PIERCE ST., WEST OLIVE, MI 49460
Parcel No.: 70-07-28 - 400-002
Lot Width: 328.63 feet
Lot Depth: 264.60 feet
Parcel Size: 96,975.15 sq ft
Lot Type: Typical Lot
Corner Lot: ____________
Interior Lot: ____________

General Information (Check one)
( ) Application for Variance
( ) Request for Interpretation
( ) Notice of Appeal

VARIANCE REQUESTED (If applicable)
1. Attach a Narrative: Description of Request; Why it is needed; and Addresses each of the 4 Standards
2. Variance Requested From the Requirements of Section Number(s) ____________________________
3. Relating to ____________________________
4. Structure/Land Use (After Variance) ____________________________
5. Overall Building Size (After Variance) ____________________________
6. Setbacks from lot lines (After Variance):
   a. Front Yard ________ feet
   b. Rear Yard ________ feet
   c. Side Yard #1 ________ feet
   d. Side Yard #2 ________ feet

NOTE: Please provide a scaled drawing with details of your proposed work including the dimensions of any structure(s) (i.e. height, width & length), building materials, the setbacks to ALL property lines, and other existing structures on the parcel, and any other relevant information, as needed.
INTERPRETATION REQUEST (If applicable)
Description of requested interpretation(s) and relevant Section number(s):


APPEALS AND OTHER APPLICATIONS (If applicable)
Description of action being appealed or other matter which is basis of application,


GROUNDs FOR APPEAL OR OTHER APPLICATION (If applicable)


I hereby attest the information on this application is, to the best of my knowledge, true and accurate.

Diane Edwards Fehlendrich        April 22, 2018
Signature of Applicant           Date

Signature of Zoning Administrator        Date

For Office Use Only
Date Received                  Fee Paid?
RELEASE FORM

The undersigned has applied to the Grand Haven Charter Township Zoning Board of Appeals for a variance. The undersigned hereby authorizes the members of the Zoning Board of Appeals and appropriate Township staff members to inspect the property (address stated below) at reasonable times, in regards to the consideration of my request for a variance.

Applicant’s Signature

Owner’s Signature (if different from applicant)

Property Address

ACTION TAKEN BY TOWNSHIP BOARD OF APPEALS

( ) Application Approved

( ) Application Denied

Description of variance granted or other action taken including conditions imposed, if any:

Grounds for Board action including findings as to standards and requirements prerequisite to imposition of conditions under ordinance:

Signature of ZBA Chairperson

Date
To whom it may concern,  

April 22, 2018

Our Mother, Ruth Edward, died in October 2017 leaving the 16989 Pierce St. property (house and 20 acres) to my brother, Donald R. Edward, Jr. and my self, Diane Edward Fahndrich. We would like it to be divide it as fairly as possible, it is our only inheritance. This property belonged to our great-grandfather, our grandfather and our parents. My husband and I own the house and 20 acre property next door which also, belonged to our great-grandfather, grandfather, uncle and then me. The land and it’s history are very important to me.

Our goal is to divide the 20 acre property (16989 Pierce St.) into 3 acres and the house for my brother, Don and the 17 acres for myself. At that time I will be putting the 17 acres into a conservation easement. This land is a sanctuary for many birds and animals as well as plant life. I want to see it secure and preserved from any possible future development.

I started and am the president of the Pigeon Creek Schoolhouse Preservation Society, a 501c3 nonprofit organization. We are preserving and restoring the Pigeon Creek One-Room Schoolhouse on the corner of 168th Ave. and Pierce St. Preservation is something I feel very strongly about. For the last 25 years I have been concerned about the future of our family land after my parents and I pass away. So, I am greatly relieved to have found a solution to my concerns. By putting the land into a conservation easement, I will have secured the land from developers beyond my lifetime and in a permanent way.

Under the conservation easement, we want to preserve the land in it’s current natural state, to maintain the lanes, hunt and fish but no development, ever. At the same time that I put the 17 acres into a conservation easement, my husband and I will be putting 15 of our adjoining 20 acres (16917 Pierce St.) into a conservation easement. The Land Conservancy of West Michigan has agreed to take on our conservation easements. There will then be 32 acres of woodlands and wetlands preserved. My husband and I want to see this land secure and safe from any possible development now and in the future.

Thank you,

Diane Edward Fahndrich

Diane Edward Fahndrich
Proposed Conservation Easement on Little Pigeon Creek

1 message

April Scholtz <april@naturenearby.org>  
To: "solitary.cyclist@gmail.com" <solitary.cyclist@gmail.com>  

Mon, Apr 30, 2018 at 10:14 AM

Hello, Diane:

I'm happy to report that at their April 20th meeting, the Land Conservancy's Land Protection Committee reviewed the proposed conservation easement for your family's two parcels in Grand Haven Township. The conservation easement would protect the stream corridor and extensive wetlands and adjacent lowland forest, as well as ensure that the surrounding uplands are conserved. This would be a great benefit to the water quality of the Little Pigeon Creek and the downstream habitats in our Palomita Reserve and the Sebastian conservation easement, as well as Lake Michigan. They were unanimous in their approval for proceeding with the conservation easements this year and I look forward to working with you on this project.

--April

April Scholtz
Land Protection Director
Land Conservancy of West Michigan
616.451.9476 | www.naturenearby.org

400 Ann Street NW, Suite 102 | Grand Rapids, MI 49504
EXISTING PARCEL MAP

CENTER CORNER
SEC. 28, T.7N., R.16W.

EAST 1/4 CORNER
SEC. 28, T.7N., R.16W.

S89°22'51"E  2646.95'
661.73'
330.87'
330.86'
651.74'

W. LINE E. 1/2, SE 1/4 SEC. 28
N00°38'50"W  2648.50'
N00°38'54"W  2648.60'

PARCEL NO. 70-07-28-400-002
20.04 ACRES

PARCEL NO. 70-07-28-400-004
20.05 ACRES

N. LINE SE. 1/4 SEC. 28
1323.48'

W. LINE SE. 1/4 SEC. 28
N00°38'50"W  2638.99'

SOUTH 1/4 CORNER
SEC. 28, T.7N., R.16W.

S89°02'37"E  2629.03'
657.26'
328.63'
328.63'

S. LINE SE. 1/4 SEC. 28
N00°39'09"W  2650.43'

Pierce St.

House Detail
Scale 1"=60'

Scale 1"=300'

E. LINE W. 1/2, E. 1/2, SE 1/4 SEC. 28
N00°39'09"W  2650.43'

EX STORAGE SLOC./CAR

EX SHED

GRAVEL DRIVE

HOUSE #6389
(SEE DETAIL)

GRAVEL DRIVE

PIERCE ST.

Brian A. Ford Professional Surveyor No. 47199

LEGEND

SET CON. MOL
FOUND CONC. MOL
SET CAPPED IRON
SET MAG. VEL
FIND IRON
SET OUT "X"
P. PLATTED
M. MEASURED
D. DESCRIBED
CALC. CALCULATED

This survey was made from the legal description shown above. The description should be compared with the abstracted title or title insurance policy for accuracy, measurements and exceptions.

Mianowski and Engelt Engineering and Surveying, Inc.
927 Beechtree Street, Suite 3
Grand Haven, Michigan 49417
Phone (616) 847-4079 Fax (616) 847-6626

FOR DONALD R. EDWARD JR. & DIANE EDWARD FAHNDRICH

Sec. 28, T.7N., R.16W. GRAND HAVEN TWP.

DATE APRIL 20, 2018 DRAWN BY TV

SHEET 1 of 4 JOB NO. 15748
EXISTING PARCEL DESCRIPTIONS

PARCEL 70-07-28-400-002
Land Situated in Section 28, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan and described as: The West 1/4 of the East 1/2 of the Southeast 1/4.

PARCEL 70-07-28-400-004
Land Situated in Section 28, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan and described as: The East 1/2 of the West 1/2 of the East 1/2 of the Southeast 1/4.

LEGEND
☐ SET CON. MNS
☐ FOUND CONC. MNS
☐ SET CAPPED IRON
☐ SET MAG NAIL
☐ FOUND IRON

"X" SET CUT "X"
☐ PLATTED
☐ MEASURED
☐ DESCRIBED
☐ CALCULATED

Milanowski and Engliert Engineering and Surveying, Inc.
927 Beechtree Street, Suite 3
Grand Haven, Michigan 49417
Phone (616) 847-4070 Fax (616) 847-6626

FOR DONALD R. EDWARD JR. & DIANE EDWARD FAHNRICH

Sec. 28, T. 7N., R. 16W. GRAND HAVEN TWP.

DATE APRIL 20, 2018 DRAWN BY TV

SHEET 2 of 4 JOB NO. 15748
TENTATIVE PARCEL DESCRIPTIONS

Parcel "A"
The South three acres of the West 1/4 of the East 1/2 of the Southeast 1/4 of Section 28, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan.

Remainder Parcel
The West 1/4 of the East 1/2 of the Southeast 1/4 of Section 28, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan, EXCEPT the South three acres thereof.

Parcel 70-07-28-400-004 combined with remainder parcel
The West 1/2 of the East 1/2 of the Southeast 1/4 of Section 28, Town 7 North, Range 16 West, Grand Haven Township, Ottawa County, Michigan, EXCEPT the South three acres of the West 1/4 of the East 1/2 of the Southeast 1/4 of said Section 28.
REQUEST FOR LAND DIVISION

You MUST answer all questions and include all attachments.
Bring or mail to: 13300 - 168th Ave., Grand Haven, MI 49417

1. LOCATION of parent Parcel to be divided:
   Address: 16917 PIERCE ST
   Parent Parcel Number: 16-70-07-28-400-002
   CURRENT ZONING: ____________________________
   Legal Description of Parent Parcel: (attach extra sheets if needed)

2. PROPERTY OWNER Information: (full name(s) from deed for owners) — Information must be provided for every owner of a fee interest. In addition, if the property is subject to a land contract, provide information for the vendor and vendee. DONALD R. EDWARD JR.
   Name: DIANE EDWARD FAHNDRICH
   Phone (616) 402-0169
   Address: 16917 PIERCE ST
   City: WEST O L I V E  S T  EAT
   State: MI Zip Code: 49460

3. APPLICANT Information: (if not the PROPERTY OWNER)
   Contact Person's Name:
   Business Name: ____________________________
   Phone (____) ____________________________
   Address: ____________________________
   City: ____________________________ State: MI Zip Code: 49460

4. FUTURE DIVISIONS of the retained portion of the Parent Parcel that may be created, but are not included in this application?
   The number of future divisions being transferred from the Parent Parcel to the created new parcel? ________ Identify the parcel:
   (See section §109(2) of the Statute. Make sure your deed includes both statements as required in section §109(3) and §109(4) of the Statute.

5. REQUIRED INFORMATION
   The survey or map must include:
   (1) Boundaries (as of March 31, 1997), and
   (2) All previous divisions made after March 31, 1997, indicate when made or none),
   (3) The proposed division(s), and
   (4) Dimensions of the proposed divisions, including area and square footage (excluding any ingress/egress right of way easements), and
   (5) Existing and proposed road/easement rights-of-way, and
   (6) Any existing improvements (buildings, pools, sheds, etc.)
   DISTANCE OF BUILDINGS FROM LOT LINES MUST SHOW ON MAP
   (7) Legal Descriptions of all parcels
In addition to the above-required information, the following supportive information is requested on the survey. If the applicant chooses not to provide such information as part of this land division process, Grand Haven Charter Township will generally require it prior to the issuance of any subsequent permits (e.g. building permits, driveway permits etc.).

**B. ADDITIONAL SUPPORTING INFORMATION**

(8) The location of all existing easements/and or service lines for public/private utilities, and
(9) The location of all proposed easements/and or service lines for public/private utilities, and
(10) Location of all existing and proposed driveways, and
(11) Location of all existing septic systems.

6. Letter of approval from Grand Haven Charter Township Fire/Rescue Department, for each proposed new road, easement or shared driveway. Roadway maintenance agreement will be required (provide a copy of Agreement) if the creation of private road will be part of this application.

7. Evidence of all interest of fee ownership or land contract vendee interest.


9. Application fee of $ __________
   (Contact Township for Fee Schedule)

AFFIDAVIT and permission for municipal, county and state officials to enter the property for inspections:

I agree the statements made above are true, and if found not to be true this Application and any approval will be void. Further, I agree to comply with the conditions and regulations of the Land Division Act. Further, I agree to give permission for officials of the municipality, county and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection to verify that the information on the Application is correct at a time mutually agreed with the Applicant. Further, I understand this is only a parcel division which conveys only certain rights under the applicable local Land Division Ordinance, the local Zoning Ordinance, and the State Land Division Act (formerly the Subdivision Control Act, P.A. 288 of 1967, as amended (particularly by P.A. 591 of 1996, amended by P.A. 87 of 1997), MCL 560.101, et seq.), and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights.

Further even if this division is approved, I understand zoning, local ordinances and State Acts change from time to time, and if changed the divisions made here must comply with the new requirements (apply for division approval again) unless deeds, land contracts, leases or surveys representing the approved divisions are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Finally, I understand that if this division is approved, it is only for the matters covered in this Application. State Tax Commission Form L-4270a must be filed within 45 days of the transfer of the property to be divided, when rights to make a land division are transferred.

Signature(s) of Applicant(s):

Signature ___________________________ Date: April 22, 2018

Signature ___________________________ Date: ______________
EXHIBIT L

LEGAL DESCRIPTION OF THE PREMISES

The West one-quarter (W 1/4) of the East one-half (E 1/2) of the Southeast one-quarter (SE 1/4) of Section 28, Town 7 North, Range 16 West. (Tax Parcel No. 70-07-28-400-002)