



GRAND HAVEN CHARTER TOWNSHIP

**SITE CONDOMINIUM APPLICATION**

Application Type	Fee	Escrow*
Original	\$400	\$500
Amendment	\$250	

Utility Escrow**	
Main Extension	\$5,000
Lift Station	\$2,000

Procedural information is included with the application. Remaining provisions can be found at [www.gh.org/zoning](http://www.gh.org/zoning).

**Applicant Information**

Name \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Address \_\_\_\_\_  
 Email Address \_\_\_\_\_

**Owner Information** *(If different from applicant)*

Name \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_  
 Address \_\_\_\_\_

**Property Information**

Address/Location \_\_\_\_\_  
 Parcel Number 70 - - - - Size (acres) \_\_\_\_\_  
 Current Zoning \_\_\_\_\_ Master-Planned Zoning \_\_\_\_\_

**Existing Conditions**

Present Use of the Subject Property? \_\_\_\_\_  
 Number & Type of Existing Structures? \_\_\_\_\_  
 Subject Property Located on a Paved Road? \_\_\_\_\_

**Description of Proposed Use** *(attach additional pages as needed)*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**NOTE:** The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance Books and following all applicable requirements, including those of Chapter 17 and 18 of the Zoning Ordinance, as well as Section 66 of the Condominium Act.

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

\_\_\_\_\_  
*Signature of applicant*

\_\_\_\_\_  
*Date*

*\* To cover cost of legal and consulting fees, may be increased as necessary*

*\*\* If approval of this application requires/includes the extension of a municipal utility, an additional \$5,000 escrow fee shall be required, and an additional \$2,000 escrow fee shall be required for the installation of a lift station.*

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**For Office Use Only**

Date Received \_\_\_\_\_

Fee Paid? \_\_\_\_\_

Materials Received: Site Plans \_\_\_\_\_

Location Map \_\_\_\_\_

Survey \_\_\_\_\_

Legal Description \_\_\_\_\_

Narrative \_\_\_\_\_

Landscape Plan \_\_\_\_\_

Master Deed \_\_\_\_\_

Condo Bylaws \_\_\_\_\_

Dated copy of approved minutes sent to applicant? \_\_\_\_\_

Date Sent \_\_\_\_\_

**PLANNING COMMISSION USE ONLY**

**Approval** \_\_\_\_\_

**Tabled** \_\_\_\_\_

**Denied** \_\_\_\_\_

**Conditional Approval** \_\_\_\_\_

**The following conditions shall be met for approval:**

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\_\_\_\_\_  
*Signature of Planning Commission Chair*

\_\_\_\_\_  
*Date*



## Section 17.01

# PURPOSE AND SCOPE.

Site condominium projects are condominium developments in which each condominium unit consists of an area of vacant land and a volume of surface or sub-surface vacant air space within which a building or other improvements may be constructed by the condominium unit owner. Each site condominium unit may also have an appurtenant limited common element reserved for the exclusive use of the owner of the condominium unit. Either the condominium unit by itself, or the condominium unit taken together with any contiguous, appurtenant limited common element, shall be considered to constitute a building site which is the functional equivalent of a "lot" for purposes of determining compliance with the requirements of the Zoning Ordinance and other applicable laws, Ordinances, and regulations. Site condominium projects may also include general common elements consisting of common open space, recreational areas, streets, and other areas available for use by all owners of condominium units within the project. Lots or condominium units should be supported by certain infrastructure features, including paved roads, natural gas, municipal water and sanitary sewer, if available.

This Chapter requires preliminary review by the Zoning Administrator and Planning Commission followed by final review and approval by the Zoning Administrator and Township Board of site condominium project plans to ensure that site condominium projects comply with all applicable laws, Ordinances, and regulations, including, without limitation, this Zoning Ordinance, and the Condominium Act, Public Act 59 of 1978, as amended. Site condominium projects may be approved as provided by this Chapter in any zoning district for the uses permitted by the Zoning Ordinance in the zoning district in which the project is located.

## Section 17.02

# DEFINITIONS.

- (A) For purposes of determining compliance with the applicable requirements of the Zoning Ordinance (including, without limitations, height, area, yard, and density requirements) or with other applicable laws, Ordinances, or regulations, a "building site" shall be considered to be the equivalent to a "lot".
- (B) Except as otherwise provided by this Ordinance any words or phrases used in this Chapter which are specifically defined in the Condominium Act, shall conform to the meanings given to them in the Condominium Act.
- (C) The following terms, as used in this Section, shall have the following definitions common elements; condominium documents; condominium unit; contractible condominium; convertible area; expandable condominium; general common elements; and master deeds.
- (D) Other terms specific to Site Condominium Projects (Building Envelope; Building Site; Condominium Act; Limited Common Element; Site Condominium Project; Site Condominium Project Plan; and Site Condominium Unit) are defined in [Chapter 21](#) (Definitions).

## Section 17.03

# STANDARDS FOR APPROVAL.

- (A) All site condominium projects must meet all requirements of this Ordinance, including but not limited to landscaping, lighting, parking, signage, and resiliency requirements.



- (B) All site condominium projects must meet all requirements of the Township Subdivision Ordinance.
- (C) Site Condominiums including eight (8), or more, residential units must be approved as Planned Unit Developments, in addition to the approval described in this chapter, and must meet all requirements for Planned Unit Developments.

### Section 17.04

# CONTENTS OF SITE CONDOMINIUM PROJECT PLANS.

A condominium project plan shall include the documents and information required by Section 66 of the Condominium Act (commonly known as “Exhibit B Documents”) and by this Chapter of this Ordinance as determined necessary by the Planning Commission for review of a preliminary plan or by the Township Board for review of a final plan and shall also include the following.

- (A) The use and occupancy restrictions and maintenance provisions for all general and limited common elements that will be included in the master deed.
- (B) Storm drainage and a stormwater management plan, including all lines, swales, drains, basins, and other facilities and easements granted to the appropriate municipality for installation, repair, and maintenance of all drainage facilities.
- (C) A utility plan showing all municipal water and sanitary sewer lines and easements granted to the appropriate municipality for installation, repair, and maintenance of all utilities.
- (D) A narrative describing the overall objectives of the proposed site condominium project.
- (E) A narrative describing the proposed method of providing potable water supply, waste disposal facilities, and public and private utilities.
- (F) A street construction, paving, and maintenance plan for all private streets within the proposed condominium project.

Site Condominium Process





## Section 17.05

**PRELIMINARY STAFF REVIEW.**

- (A) Application for review and approval of a site condominium project plan shall be initiated by submission to the Zoning Administrator of a minimum of four (4) hard copies and an electronic copy of a preliminary site condominium project plan which complies with the requirements of [Section 17.04](#) of this Chapter, and an electronic copy of the proposed Master Deed and Bylaws for the condominium.
- (B) The Zoning Administrator and other Township staff and consultants as deemed necessary shall review the proposal and provide comments within ten (10) business days of receipt of a complete application.
- (C) The application shall not be placed on the Planning Commission agenda until the Zoning Administrator has determined the requirements of this Ordinance have been met substantially.

## Section 17.06

**PRELIMINARY PLAN REVIEW BY THE PLANNING COMMISSION.**

- (A) Prior to final review and approval of a site condominium project plan by the Township Board, a preliminary site condominium project plan shall be reviewed by the Zoning Administrator and the Planning Commission in accordance with the procedures, standards, and requirements provided by this Section.
- (B) The applicant shall provide fourteen (14) hard copies and an electronic copy of the preliminary plan to the Zoning Administrator who shall review the preliminary plan to determine its completeness and to provide any comments to the Planning Commission regarding the plan. The Zoning Administrator may alter the number of required copies based on the needs of the Planning Commission and Board of Trustees.
- (C) The Planning Commission shall review the preliminary site condominium project plan in accordance with the standards and requirements of this Ordinance for Site Plan Review, and in accordance with the following additional standards and requirements:
  - (1) In its review of a site condominium project plan, the Planning Commission shall consult with the Zoning Administrator, Township Attorney, Township Engineer, Township Fire Chief, Township Planner, or other appropriate persons regarding the adequacy of the proposed common elements and maintenance provisions, use and occupancy restrictions, utility systems and streets, project layouts and design, or other aspects of the proposed project, and compliance of the proposed project with all requirements of the Condominium Act or other applicable laws, Ordinances, or regulations.
  - (2) The building site for each site condominium unit shall comply with all applicable provisions of this Ordinance, including minimum lot area, minimum lot width, required front, side, and rear yards, and maximum building height.
    - (a) For detached single family homes with dedicated yards that are not part of the common element, the area and width of the building site shall be used to determine compliance with the minimum lot area and lot width requirements. Compliance with required front, side, and rear yards shall be determined by measuring the distance from the equivalent front, side, or rear yard boundaries of the building site to the closest respective front, side, or rear boundary of the building envelope.



- (b) For multiple family or attached single family dwelling units that do not have dedicated yards, the area and width of the entire parcel shall be used to determine compliance with minimum lot area and lot width requirements. Compliance with required front yard shall be determined by measuring from the edge of the pavement of the nearest roadway to the building. Compliance with the required side, and rear yards shall be determined by doubling the required side and rear yard requirements and ensuring that all buildings are separated by the resulting distance. Multiple family and attached single family developments must also comply with the maximum density requirement in [Section 2.08](#), footnote G.
  - (c) With regard to building height, the condominium documents shall expressly provide that no building shall exceed the maximum building height permitted by the applicable zoning district regulations.
  - (d) All Master Deeds, Covenants, Bylaws, or other similar internal regulations of a condominium or site condominium shall encourage the use of the native species listed in [Section 4.02.A.1](#), in order to support the Township Master Plan's goals of conserving groundwater resources, reducing the need for irrigation and maintenance, drought and flooding resiliency, and overall cost savings.
- (3) If a site condominium project is proposed to have public streets, the streets shall be paved and developed to the minimum design, construction, inspection, approval, and maintenance requirements for platted public streets as required by the Ottawa County Road Commission. All private streets in a site condominium project shall be developed to the minimum design, construction, inspection, approval, and maintenance requirements and any other applicable standards of the Township's Private Roads Ordinance.
- (4) The site condominium project shall be connected to the Township's water and sanitary sewer facilities, if available. The Township's water and sanitary sewer facilities shall be determined to be available if there is municipal water supply main or sanitary sewer line to which connection can be made within two thousand, seven hundred (2,700) feet of the site condominium's nearest common element and the connection can be constructed, based on an analysis by a professional engineer. If public water and sanitary sewer facilities are not available, the Site Condominium Project shall either be served by a private central system designed for connection to a public system when and if a public system is made available, or shall have a well, septic tank, and drain field located within the condominium unit's building site. Water and sanitary sewer facilities shall be approved by the Ottawa County Department of Health and the Township in accordance with applicable standards. Further, any Site Condominium that is not currently served by public sewer and water shall have a mandatory condition of approval to execute a Public Utility Future Connection Agreement. This Agreement would require all properties to be a "yes" vote if any Special Assessment District is ever proposed that would provide public sewer and/or water to the development.
- (5) The Planning Commission shall require the plan to be submitted to the Ottawa County Health Department, Ottawa County Road Commission, Ottawa County Water Resources Commissioner, Michigan Department of Natural Resources, Michigan Department of Energy, Great Lakes, and Environment, Michigan Department of Public Health, and other appropriate state and county review and enforcement agencies or their successors ("the Agencies") having direct authority over any aspect of the proposed site condominium project.
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## Section 17.07

**PLANNING COMMISSION RECOMMENDATIONS.**

- (A) The Planning Commission shall hold a public hearing on the preliminary site condominium project plan. The public hearing shall be noticed in accordance with requirements of the Zoning Act.
- (B) After reviewing the preliminary site condominium project plan, and after holding a public hearing, the Planning Commission shall prepare a written statement of recommendations regarding the proposed site condominium project, including any suggested or required changes in the plan. The Planning Commission shall provide a copy of its written recommendations to the applicant and to the Township Board.

## Section 17.08

**FINAL PLAN REVIEW AND APPROVAL BY THE TOWNSHIP BOARD.**

- (A) After receiving the Planning Commission's recommendations on the preliminary plan, the applicant shall submit to the Zoning Administrator a minimum of ten (10) hard copies and an electronic copy of a final site condominium development plan which complies with the requirements of this Section and of [Section 18.06](#) of this Chapter. The Zoning Administrator may alter the number of required copies based on the needs of the Planning Commission and Board of Trustees. The Zoning Administrator shall determine if all revisions required by the Planning Commission have been made. If they have, the application shall be placed on the Township Board agenda. If they have not, then the applicant must revise the application prior to appearing on a Township Board agenda.
- (B) The final site condominium project plan submitted by the applicant shall incorporate all of the recommendations, if any, made by the Planning Commission based on its prior review of the preliminary plan. If any of the Planning Commission's recommendations are not incorporated in the final plan, the applicant shall clearly specify in writing which recommendations have not been incorporated and the reasons why those recommendations have not been incorporated. Except for changes made to the plan as necessary to incorporate the recommendations of the Planning Commission, the final plan shall otherwise be identical to the preliminary plan which was reviewed by the Planning Commission. Changes made to the plan other than those necessary to incorporate the recommendations of the Planning Commission shall be reviewed by the Planning Commission as provided by this Chapter prior to approval of the plan by the Township Board.
- (C) After receiving the Planning Commission's recommendations on the site condominium development plan from the applicant, the Township Board shall proceed to review and may approve, deny, or approve with conditions, the plan in accordance with the standards provided by [Section 17.06](#), and other applicable procedures, standards, and requirements provided by this Chapter.