AGENDA
Planning Commission
Wednesday, April 21, 2021 – 7:00 p.m.
Remote Electronic Meeting

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540). According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications. Public meetings are monitored, and violations of statutes will be prosecuted.

Join Online @ www.zoom.us/join or Call 1-929-205-6099
Meeting ID: 960 7195 9142  |  Passcode: 635629

I. Call to Order

II. Roll Call

III. Statement on Remote Meeting

IV. Approval of the March 15, 2021 Planning Commission Meeting Minutes

V. Correspondence

VI. Brief Public Comments & Questions (Limited to 3 minutes)
If you would like to comment on an Agenda Item Only, please click “Raise Hand” at the bottom of your screen or by pressing Alt+Y. The Zoom Moderator will unmute you when it is your turn to speak.

VII. Public Hearing
A. Special Land Use – Major Home Business – Dog Grooming

VIII. Old Business
A. Special Land Use – Major Home Business – Dog Grooming
B. Special Land Use – Two Family – Diekevers

IX. New Business
A. Pre-Application – Salvage Car Dealership
B. Pre-Application – Eastbrook Homes

X. Reports
A. Attorney Report
B. Staff Report
C. Commissioner Comments

XI. Extended Public Comments & Questions (Limited to 4 minutes)
If you would like to comment on a Non-Agenda Item Only, please click “Raise Hand” at the bottom of your screen or by pressing Alt+Y. The Zoom Moderator will unmute you when it is your turn to speak.

XII. Adjournment
MEETING MINUTES
GRAND HAVEN CHARter TOWNSHIP
PLANNING COMMISSION
MARCH 15, 2021
Remote Electronic Meeting

I. CALL TO ORDER
Cousins called the meeting of the Grand Haven Charter Township Planning Commission to order at 7:00pm.

II. ROLL CALL
Members present: Cousins, Wilson, Chalifoux, Taylor, Reenders, Hesselsweet, Wagenmaker, Mesler and Lemkuil
Members absent: None
Also present: Community Development Director Fedewa and Attorney Bultje

Without objection, Cousins instructed Fedewa to record the minutes.

III. STATEMENT ON REMOTE MEETING
It was noted the Planning Commission was meeting remotely on the Zoom platform because of health concerns associated with COVID-19 pandemic. Information on this remote meeting has been posted so that the public may participate. All officials present noted they are meeting remotely and are located within Grand Haven Charter Township.

IV. APPROVAL OF MINUTES
Without objection, the minutes of the February 15, 2021 meeting were approved.

V. CORRESPONDENCE – None

VI. PUBLIC COMMENTS – None

VII. OLD BUSINESS
A. Review the DDA Report

Fedewa provided an overview through a memorandum dated March 11th.

The Planning Commission noted the following points of discussion:

- Chalifoux expressed concerns over the use of TIF Plans because he feels it “takes away” from other millage-funded organizations such as Harbor Transit and Four Pointes. Forcing these organizations to find alternative means of funding to make up for what is lost in the TIF Plan.
  - Fedewa explained a TIF Plan does not “take away” from these organizations. The TIF captures the property tax revenue from the growth/increase in taxable value each year as the properties within the DDA boundaries are improved and become more valuable.
• Chalifoux questioned why the Future Land Use Map would have to change to support the DDA boundary adjustment. If the Future Land Use Map does not support the DDA boundaries now, then it should not be expanded.
  o Fedewa explained the Future Land Use Map is a living document that requires the municipality to review and consider updating every 5 years. The Map changes as the needs of the community change.

• Two members indicated the Commission will need to be thoughtful when the Future Land Use Map is reviewed this year because a change from Agricultural Preservation to Commercial is significant. The intent of the Future Land Use Map and the US-31 Overlay Zone were to provide natural beauty through the Township.

• Chair Cousins requested the term “Week” on page 3 be revised to “Step” for consistency with the staff memos.

  **Motion** by Taylor, supported by Wagenmaker to **approve** the Final DDA Report, with the terminology amendment, and direct staff to forward it to the Downtown Development Authority Board for their review and consideration.

  **Which motion carried**, as shown by the following roll call vote, with Chalifoux voting against the motion because he philosophically disagrees with the use of TIF Plans:

  **Ayes:** Wilson, Taylor, Wagenmaker, Mesler, Lemkuil, Hesselsweet, Reenders, Cousins

  **Nays:** Chalifoux

  **Absent:** None

VIII. NEW BUSINESS

A. Presentation by Staff – Planning Commission Bylaws

Fedewa presented a slide show highlighting the main points of the Bylaws.

Subsequently, Fedewa provided an overview of the proposed amendments through a memorandum dated March 11th. The amendments focus on codifying the actual practices of the Commission and Staff and empowering the Planning Commission to address unique cases where a member may have a conflict of interest.

  **Motion** by Taylor, supported by Chalifoux, to **approve** the revised Bylaws and Rules of the Planning Commission, as presented, and authorize the Chairperson and Secretary to sign the document.

  **Which motion carried unanimously**, as shown by the following roll call vote:

  **Ayes:** Wilson, Taylor, Wagenmaker, Mesler, Chalifoux, Lemkuil, Hesselsweet, Reenders, Cousins

  **Nays:** None

  **Absent:** None
B. Presentation by Bultje – Special Land Use Authority + Q&A

Attorney Bultje presented information through a memorandum dated March 15th.

Highlights of the presentation and Q&A session included:

- A Special Land Use (SLU) is a use the Township has determined to be generally suitable for an area if additional standards are considered to mitigate the potential for negative impacts.
- The Planning Commission must determine whether the application is a “good fit” for the area.
- Commission can negotiate with the applicant to improve the submittal. Meaning, if the standards only meet the bottom line the PC can negotiate to improve the application, so it is a better “fit” for the location.
  - This negotiation cannot amount to variances or PUD concessions.
  - For example, reducing the size of a building to be more cohesive; revising rooflines to provide variety; requiring parking in the rear, etc.
- The Township does not owe an applicant the highest and best use of a piece of property. The courts have ruled the Township owes a “reasonable use” of the land.
  - For example, if a two-family dwelling is not suitable in a particular location the application can be denied as long as there are unique reasons. The applicant still maintains a “reasonable use” because a single family dwelling could be built and sold instead.
- The Planning Commission does not owe an applicant a “quick” response either. If there are uncertainties surrounding an application, then it should be tabled. This would allow more time to consider the application and what revisions may be necessary to improve its suitability in that location.
- Some Commissioners want to consider increasing the minimum lot width for two-family dwellings or establishing increased side yard setbacks.
  - Per Bultje, the zoning ordinance is a living document and if certain aspects are not working well, then text amendments should be pursued.

IX. REPORTS

A. Attorney’s Report – none

B. Staff Report

  - The City of Grand Rapids obtained a variance from the ZBA to locate a ground-mounted solar array in the front yard of the Lake Michigan Filtration Plant. Expect a Site Plan Review application soon.
  - Will need to schedule a special meeting in April for the City of Grand Rapids application and a Major Home Occupation application.

C. Commissioner Comments – none
X. EXTENDED PUBLIC COMMENTS – None

XI. ADJOURNMENT

Without objection, the meeting adjourned at 8:46 pm.

Stacey Fedewa, AICP
Acting Recording Secretary
Community Development Memo

DATE: April 16, 2021

TO: Planning Commission

FROM: Stacey Fedewa, AICP – Community Development Director

RE: Special Land Use for Major Home Based Business – Wirtz Dog Grooming

PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Parcel Number</th>
<th>Parcel Size</th>
<th>Application Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>17822 Hunters Ln</td>
<td>70-03-32-200-014</td>
<td>0.46-acres</td>
<td>Special Land Use</td>
</tr>
</tbody>
</table>

Existing Zoning

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>Existing Land Use</th>
<th>Existing Infrastructure</th>
<th>Existing Site Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>Single Family</td>
<td>Municipal Water Paved Road</td>
<td>Single Family Dwelling Attached Garage Garden Shed</td>
</tr>
</tbody>
</table>

Master-Planned Zoning

<table>
<thead>
<tr>
<th>Direction</th>
<th>Surrounding Zoning &amp; Land Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>Zoning</td>
</tr>
<tr>
<td>S</td>
<td>R-1</td>
</tr>
<tr>
<td>E</td>
<td>R-1</td>
</tr>
<tr>
<td>W</td>
<td>R-1</td>
</tr>
</tbody>
</table>

BACKGROUND

In the fall of 2020, the applicants—John and Kaila Wirtz—approached the Township as the first Major Home Based Business. However, you may recall the ordinance required an amendment because the language prohibited customers from visiting the site. This regulation prevented the Wirtz’s from being eligible and would have also precluded businesses such as a therapist seeing a patient, an accountant from seeing customers, etc.

The solution was to revise the provision. It now states the Township’s intention and provides guidelines for the Planning Commission to consider when hearing an application.

During the interim, the applicants obtained a Minor Home Based Business permit on 9/3/2020 to operate the grooming business as the homeowner with no employees.
The applicants have been successful during the first stage of their business with Kaila grooming the dogs. The applicant’s growth model aligns with the Township’s intention for this special land use. Enabling budding entrepreneurs to start small in their homes and eventually grow into a brick and mortar.

At this stage, the applicants are ready to grow by hiring up to 2 employees, pursuant to the regulations outlined below. **Staff recommends using the table below as a guideline for the discussion points with the applicant.**

<table>
<thead>
<tr>
<th>Section</th>
<th>Provisions – Land Use Requirements</th>
<th>Staff Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.21.B.1</td>
<td>The operation of a Home Based Business shall be conducted within the Dwelling Unit, attached or detached Accessory Building, or rear yard.</td>
<td>Attached garage</td>
</tr>
<tr>
<td>12.21.B.2</td>
<td>The Home Based Business shall be conducted by the person or persons occupying the Lot as their principal residence and up to two (2) on-site employees. Additional employees may meet at the Main Building solely for purposes of receiving instructions regarding work to be conducted at another site or collecting equipment or materials necessary for their work at another site, or documents related to their employment.</td>
<td>Kaila Wirtz + up to 2 employees. No other staff will meet at the home for instructions.</td>
</tr>
<tr>
<td>12.21.B.3</td>
<td>One parking space per employee is required. Parking on grass is prohibited. Spaces for employees must be on a hard surface. On-street parking shall not be counted towards required parking space.</td>
<td>Driveway is 20’ x 60’ which equates to six 10’ x 20’ spaces.</td>
</tr>
</tbody>
</table>
| 12.21.B.4 | The Home Based Business shall not create negative impacts on surrounding residential property, in the opinion of the Planning Commission. | The Planning Commission will need to weigh the information from the neighbors in conjunction with the applicant’s presentation and steps that may be taken to mitigate concerns:
  * 14887 178th explained to staff an incident where the owner’s dog broke the fence, ran into her yard, and thought she would be bitten.
  * 17840 Hunters explained to staff customers will park at her home, let dogs relieve themselves, and one person entered their garage.
  * Letters of opposition were received in September 2020 when the initial public hearing was scheduled but canceled due to the need for a text amendment.
  * 1 additional letter of opposition were received this month. |
<p>| 12.21.B.5 | The floor area used for the Home Based Business shall not exceed fifty percent (50%) of the Gross Floor Area of the Dwelling Unit. | GFA of the dwelling is 1,939 sf. The attached garage is 624 sqft. Floor area proposed for business = 32.2%. |
| 12.21.B.6 | It is the intent of these regulations to limit the number of customers visiting the site of the Major Home Based Business as much as possible and maintain the residential character of the neighborhood while still balancing the economic interests of the business. | |</p>
<table>
<thead>
<tr>
<th>12.21.B.6.a</th>
<th>No in-person retail sales may take place as part of the Major Home Based Business (online or mail order retail is permitted, as is wholesale).</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.21.B.6.b</td>
<td>On-site services shall be considered on a case-by-case basis due to the variable nature of business models. To ensure the intent of this provision is met, the Planning Commission may establish limitations such as hours of operation.</td>
<td>Please see applicant's narrative. Website: <a href="https://cgcgrooming.com">https://cgcgrooming.com</a></td>
</tr>
<tr>
<td>12.21.B.7</td>
<td>Outside storage must be located in the rear yard and must be fully screened from surrounding properties by an opaque fence.</td>
<td>Rear yard is fenced, but staff is not aware of any proposed storage.</td>
</tr>
<tr>
<td>12.21.B.8</td>
<td>In the event of complaints by surrounding property owners or occupants, the Planning Commission shall hold a public hearing and determine whether the Home Based Business is in violation of this Ordinance. Home based businesses found in violation of this Ordinance shall be subject to the voiding of their Special Land Use permit.</td>
<td>TBD</td>
</tr>
</tbody>
</table>

Staff contacted the applicant to raise awareness to these complaints, and received to following answers:

1. Recommended artwork, statue, landscaping, etc. of some type to delineate their driveway in an attempt to prevent customers from disrupting neighbors.
   a. Answer: “we can start using a car decal that indicate the business exists at our home.”

2. Inquired if there are dogs in the home and if they are licensed because staff was unable to find any dog licenses in our system.
   a. Answer: there are two dogs—a yorkie mix and a rottweiler.
      i. No answer has been received in regard to the license, rabies vaccination, or other records being up-to-date on shots.
As the Planning Commission may recall, training was conducted during the March 15th meeting by Attorney Bultje. As requested, the criteria for the typical Report of Findings are incorporated into a table below for individual evaluation.

<table>
<thead>
<tr>
<th>Section</th>
<th>Provisions – Special Land Use Criteria</th>
<th>Staff Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.04.A</td>
<td>The proposed use shall be consistent with, and promote the, intent and purpose of this Ordinance.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.B</td>
<td>The proposed use shall be of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the zoning district in which it is located, as well as any adjacent zoning districts.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.C</td>
<td>The proposed use shall not have a substantially detrimental effect upon, nor substantially impair the value of, neighboring property.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.D</td>
<td>The proposed use shall be reasonably compatible with the natural environment of the subject premises and surrounding area.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.E</td>
<td>The proposed use shall not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.F</td>
<td>The proposed use shall not interfere, with or unduly burden, the water supply facilities, sewage collection and disposal systems, park and recreational facilities, and other public services, nor shall the Township bear unreasonable costs to improve infrastructure to serve the proposed use.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.G</td>
<td>Traffic and assembly of people relating to the use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.H</td>
<td>The proposed use shall be consistent with the health, safety, and welfare of the Township.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>12.04.I</td>
<td>The proposed use shall be such that traffic to, from, and on the premises and the assembly of persons relating to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and, the general character and intensity of the existing and potential development of the neighborhood.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>Section</td>
<td>Provision – Site Plan Review Criteria</td>
<td>Staff Notes</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>12.04.J</td>
<td>The Planning Commission may, when considering an application for a Special Land Use, which includes an existing building, agree to grant a departure from access management requirements in this Ordinance if the Planning Commission finds the standards in this section can be met even if the departure is granted.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>18.07.G.1</td>
<td>The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.</td>
<td>The Planning Commission need to make a determination if this standard is met.</td>
</tr>
<tr>
<td>18.07.G.2</td>
<td>Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.</td>
<td>The existing driveway would be used by customers. The Planning Commission need to make a determination if this standard is met.</td>
</tr>
<tr>
<td>18.07.G.3</td>
<td>The arrangement of public or private vehicular and pedestrian connections to existing or planned street in the area shall be planned to provide a safe and efficient circulation system for traffic within the Township.</td>
<td>The Planning Commission need to make a determination if this standard is met.</td>
</tr>
<tr>
<td>18.07.G.4</td>
<td>Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.</td>
<td>N/A, there are no proposed changes to the property.</td>
</tr>
<tr>
<td>18.07.G.5</td>
<td>Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.6</td>
<td>The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.</td>
<td>There is already a fence surrounding the rear yard of the property. The Planning Commission could require additional plantings to screen the property from neighbors.</td>
</tr>
<tr>
<td>18.07.G.7</td>
<td>All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire/Rescue Department.</td>
<td>N/A, There are no proposed changes to the property.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>18.07.G.8</td>
<td>All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission, and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance or any other Township Ordinance. Except that the Planning Commission may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.9</td>
<td>Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety. Sidewalks shall terminate in an appropriate fashion consistent with the needs and safety of pedestrians. No sidewalk shall terminate into landscaping.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.10</td>
<td>Appropriate measures shall be taken to ensure that removal of surface water will not adversely affect neighboring properties of the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.11</td>
<td>Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.12</td>
<td>All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts of public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.</td>
<td>There are no proposed outside storage areas.</td>
</tr>
<tr>
<td>18.07.G.13</td>
<td>Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits must comply with this Ordinance and the requirements of the Ottawa County Road Commission and/or the Michigan Department of Transportation.</td>
<td>Customers enter through the garage. No additional driveways are proposed as part of this project.</td>
</tr>
</tbody>
</table>
Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary county, state, Federal, and Township permits before final site plan approval or an occupancy permit is granted. The Planning Commission must determine if this standard has been met.

Appropriate fencing may be required by the Planning Commission around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands. There is already a fence surrounding the rear yard of the property.

The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained. The Planning Commission must determine if this standard has been met.

### SAMPLE MOTIONS

If the Planning Commission finds the application meets the standards, the following motion can be offered:

**Motion to conditionally approve** the Wirtz application for a major home-based business, providing pet grooming, located at their residence at 17822 Hunters Lane because it meets the requirements set forth by the Zoning Ordinance. This motion is subject to and incorporates the following conditions and report.

1. Must provide documentation showing the dogs in the home are licensed and up-to-date on necessary shots to ensure the safety of customers and their dogs.

2. The business shall be limited to a maximum of 3 dogs at any given time to ensure the maximum of 5 animals per property is not exceeded.

3. *List other conditions here*

If the Planning Commission finds the application does not meet the applicable standards, the following motion can be offered:

**Motion to deny** the Wirtz Special Land Use application, and direct staff to draft a formal motion and report for those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds revisions are necessary, the following motion can be offered:

**Motion to table** the Wirtz Special Land Use application, and direct the applicant to make the following revisions:

1. *List the revisions.*
1. This approval is based on the affirmative findings that each of the following standards of Section 12.04 have been fulfilled, as shown in the above memo.

2. The application meets the site plan review standards of Section 18.07.G of the Zoning Ordinance. Specifically, the Planning Commission finds as shown in the above memo.

Eastbrook Homes – Proposed Development
My wife and I live at 14881 Fairmount Ct. We are opposed to allowing a commercial business in our residential neighborhood. This area is zoned residential for a reason. We feel this would only lead to more commercial development in our neighborhood. Thank you for asking us our opinion.

Steve and Mary Fran Buth
9-3-2020

To whom it may concern;

This letter is being written in regards to the application placed by John and Kaila Wirtz requesting to establish a major home based business for dog grooming at 17822 Hunter Lane.

This property and all properties in the neighborhood are residential homes within proximity to each other. Our family has called Hunter Lane home for over 20 years. We define home as a safe place to raise a family, to escape the chaos and noise of the city and business limits, a place to unwind and rest comfortably after work and enjoy the nature and beauty of our yard in peace and serenity.

Allowing for a dog grooming business to be run out of a residential neighborhood home will significantly disrupt all of the previously mentioned. It will cause a disturbance to the peace we have become accustomed to. Potential dog grooming clients will bring their pets in for grooming; there will be continuous dog barking, cars will constantly drive back and forth on the unpaved road; causing noise and dust clouds, car door slamming, a concern of yard damage and where cars will potentially park. Most importantly leading to an unsafe environment for children to play outdoors in an otherwise safe and restricted area.

During these difficult times, our neighborhood and its residents must be assured that home is a safe and stress-free place to reside. Accepting such a business in a residential location is a completely unacceptable and unsympathetic decision.

Our family and neighborhood profoundly oppose the application requested as it would disrupt our everyday lives and cause stress and unrest. Dog grooming is not a business to be run from a residential property as it has far too many complications that will greatly affect all surrounding neighbors. We 100% oppose the approval of this request and believe such a business needs to be run out of a business zone property only.

Respectfully,
The Gasior family

616-844-0852
April 13, 2021

Stacey Fedewa, AICP
Community Development Director
Grand Haven Charter Township
13300 - 168th Avenue
Grand Haven, Michigan 49417

Dear Director:
We are writing to express our opposition to a Special Land Use application to expand an existing minor home business to a Major Home Based Business for dog grooming at 17822 Hunters Lane, Grand Haven Township.
We have occupied our home on 178th Avenue for 39 years. During that time we have seen many changes to the neighborhood, the most stunning of which is the deterioration of the “rural” feel of our property. Vehicular traffic as well as pedestrian use has increased by a significant amount. To allow a home-based business to establish itself in a residential area only compounds traffic concerns and is contrary to zoning requirements which support the quiet enjoyment of those neighborhoods. We also fear that such a business will negatively impact the value of our property, by contributing to the noise and odors it will assuredly produce.
Finally, the applicant’s own dog has escaped into our yard in the past; how can we trust that the same will not occur with multiple animals on premises, entrusted to an employee?
We urge you to reject this expansion to allow a Major Dog Grooming operation.

Very truly yours,

Lee Haslick
Marcia Haslick
Lee and Marcia Haslick
14887 - 178th Avenue
Grand Haven, Michigan 49417

August 25, 2020

Stacey Fedewa, AICP
Community Development Director
Grand Haven Charter Township
13300 - 168th Avenue
Grand Haven, Michigan 49417

Dear Director:
We are writing to express our opposition to the Special Land Use application for a Dog Grooming business on Hunters Lane, to be discussed at the Township Planning Commission meeting on September 8.
We are opposed to the granting of this variance on quality of life grounds. During the 38 years we have occupied our home on 178th Avenue we have seen many changes in the neighborhood, the most stunning being the loss of the rural "feel" of our property. To allow a home-based business to be established in a residential neighborhood compounds traffic concerns and runs contrary to zoning requirements which have been established to allow for the quiet enjoyment of those neighborhoods. We also fear that such a business will negatively impact the value of our property. Finally we object to the noise and odors such a business is likely to produce.
We urge you to reject the application for this Dog Grooming business.

Very truly yours,

Lee Haslick
Marcia Haslick
AUGUST 25, 2020
ST ACEY FEDEWA, AICP
COMMUNITY DEVELOPMENT DIRECTOR
GRAND HAVEN CHARTER TOWNSHIP
13300 168TH AVE, GRAND HAVEN, MI 49417

DEAR DIRECTOR FEDEWA

We wish to object to the Special Land Use requested by John and Kaila Wirtz at 17822 Hunters Lane. This has been a residential neighborhood for 50 years and should remain so without the addition of commercial business into the homes. You allow one Special Use application and others will follow. The nature of the family neighborhood will then begin to change for the worse.

Hunters Lane is a dead end gravel road which requires frequent maintenance. The dust from the road is terrible until it is treated, but this does not last long. Having a business at the end of the street will only increase traffic on the road which will increase necessary maintenance and snowplowing. The increased traffic will also be a danger to neighborhood children. The houses at the east end of the road each have small children. Parking will be a problem if their driveway is full. The noise from barking dogs would be an additional nuisance to the neighborhood.

Please keep this neighborhood residential without commercial business.

Sincerely yours,

William Kitzmiller
Donna Kitzmiller
Dear Stacy / Bill Cousins

I am writing in regards to the “Special Land Use” application submitted by John and Kaila Wirtz of 17822 Hunters Lane. We **Strongly Oppose** approving this application, not just because of the negative by-products of such a business, but because in general it is a business and not a single family home. One of the consideration when choosing where to live is the neighborhood in which to live. All residents of any neighborhood have a huge portion of their lives and money invested in their neighborhood. We purchase our homes based on the rules in place for that neighborhood. It’s not fair to change the rules after the fact. If this change is permitted it will crack the door and lead to more “Special Land Use” applications. Where does it stop? Where will the line be drawn? The precedent will be set and Grand Haven Township will not be able to deny other similar applications. Isn’t this why there are “Land Use” restriction in the first place. This is similar to living in a “Condo” association where pets are not permitted and then allowing someone to have a dog because they want one. How does that effect the neighbor’s enjoyment of their home? Is it better than it was before? I don’t think so. If the Wirtz’s want to open a business, they need to act like all other businesses and open it in an area designated as a business district, not bring their business to a designated residential area. This decision should not be based on a majority sentiment one way or another, but on the designated land use itself. Any opposition should be enough to deny the request. By changing the “Land Use” you would be imposing the desires of one resident on the surrounding residents against their will and changing the neighborhood forever. Will this add to the quality of life in our neighborhoods? Will your legacy be the group that let this happen under your watch? Think about where you and your loved ones live, would you approve a business next to your home? Any business?

Thank You,

David Vallier
Both my wife and I oppose granting a Special Land Use application by John and Kaila Wirtz to establish a Major Home Based Business for Dog Grooming at 17822 Hunters Lane, Grand Haven, MI 49417.

This is a residential area. To crack the door open for any type of home based business would set the precedent for future requests. We also believe the increase traffic on 178th Street would be noticeable. Another concern is how many dogs would be at their residence.

We vote against the Wirtz’s application/request.

Richard and Michal Wheeler
14900 Fairmount Ct.
Grand Haven, MI 49417

Sent from my iPad
SPECIAL LAND USE APPLICATION

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlay Zone</td>
<td>$500</td>
<td>$1,000</td>
</tr>
<tr>
<td>Regular</td>
<td>$400</td>
<td>$1,000</td>
</tr>
<tr>
<td>Amendment</td>
<td>$250</td>
<td>$500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Utility Escrow**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Extension</td>
</tr>
<tr>
<td>Lift Station</td>
</tr>
</tbody>
</table>

Procedural information is included with this application. The remaining provisions can be found at [www.grandhaventry.com](http://www.grandhaventry.com).

Applicant Information

Name: Kaila Wirtz
Phone: 616-264-5520
Address: 17822 Hunters Lane
Email Address: cgggrandhaven@gmail.com

Owner Information (If different from applicant)

Name: ____________________________
Phone: ______________________________
Email: ______________________________
Address: ____________________________

Property Information

Address/Location: 17822 Hunters Lane
Parcel Number: 70.03.32.200.014
Current Zoning: R-1
Size (acres): .46
Master-Planned Zoning: MDR

Description of Proposed Use/Request (attach additional pages as needed)

Please see attached paper for requested use of Home Based Business.

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance books and following all applicable requirements, including those of Chapters 12 and 18 of the Zoning Ordinance.

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

Kaila Wirtz
Signature of applicant

Digitally signed by Kaila Wirtz
Date: 2021.03.11 12:01:14 -05'00'

3/11/2021
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.
Description of Home-Based Business Use

Dear Planning Commission,

Our names are John & Kaila Wirtz. We are applying for a Special Use Permit for my Wife’s home-based business. Based on Section 12.21 in the GHT Zoning brochure, this will be based out of our garage, that is attached to the home. With the business growing, we will be looking to add additional employees to the business within the next two to three months. That is why we are reaching out in accordance with section 12.21 label “Home Based Businesses” to maintain the residential feel while growing our small business.

In the section I want to address issues that might arise while operating a dog grooming business. First, we know that we can have only five dogs on the premise at a time. With five dogs will come noise from barking. We have a system in place that will work with how we run the business from our home. We will only schedule one to two dogs per hour based on what service the customer request. We have a system in place that is based on the service provided by the size and type of dog. This will determine how long the service will last. Since the business has been opened, since September 2020, Kaila has been able to maintain the residential feel while growing her business. With having the time constrains put in place this will allow for reduced noise from the dogs and the number of dogs on the property. Second issue that we saw on the list was the parking situation. In the topographical map of our house, there are two sections that are highlighted. The yellow section is parking that is on our property, which will allow for four cars to be parked. The red section is an easement that is owned by our neighbor.

For Kaila’s business to grow we need help from the planning commission. Working out of our home is not the end goal. We feasibly see Kaila’s business outgrowing the space in our garage within two to three years. At that time, we will save money for a down payment on either property and build our own building or purchase a pre-existing building and remodel it to fit the needs of the business model. We know that the township will receive complains about this home-based business, but please understand that working from home allows us to save on expensive, unnecessary overhead if we are given time to build our brand to focus on the long-term goals for this business. Please feel free to reach out about any other concerns that may arise during this decision process.

Thank You,

John & Kaila Wirtz
DATE: April 16, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Special Land Use – Two-Family Dwelling – Diekevers

PROPERTY DETAILS

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Parcel Number</th>
<th>Parcel Size</th>
<th>Application Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>15705 Comstock</td>
<td>70-03-35-190-023</td>
<td>0.6-acres (~26,000 sf)</td>
<td>Special Land Use</td>
</tr>
</tbody>
</table>

Existing Zoning | Existing Land Use | Existing Infrastructure | Existing Site Improvements
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2</td>
<td>Vacant</td>
<td>Municipal Water</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paved Road</td>
<td></td>
</tr>
</tbody>
</table>

Master-Planned Zoning | Surrounding Zoning & Land Uses
<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medium Density Residential</td>
<td>R-2</td>
<td>Single Family</td>
</tr>
<tr>
<td>N</td>
<td>R-2</td>
<td>Single Family</td>
</tr>
<tr>
<td>S</td>
<td>R-1/R-2</td>
<td>Single Family</td>
</tr>
<tr>
<td>E</td>
<td>R-2</td>
<td>Single Family</td>
</tr>
<tr>
<td>W</td>
<td>R-2</td>
<td>Single Family</td>
</tr>
</tbody>
</table>

Motion to remove the Diekevers Duplex application from the table for further consideration.

BACKGROUND

The application was previously presented to Planning Commission at the February 15th meeting. At that time the applicant was not present to discuss the application with Commissioners.

In the time since the previous meeting, staff have made contact with the applicant regarding the concerns and questions that were noted. A new set of plans have been provided, the only changes are to the site itself and no revisions were made to the size of the building.
Staff have reviewed the new set of plans; the following topics of conversation were previously mentioned and need to be discussed by the Planning Commission. **See the staff email dated 3/22/2021 where the direction provided by the PC was supplied to the applicant**, which is included in the meeting packet materials.

### TOPICS OF CONVERSATION

<table>
<thead>
<tr>
<th>Topic</th>
<th>Staff Notes on the Revised Plans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling unit size</td>
<td>No change in size is proposed.</td>
</tr>
</tbody>
</table>
| Turnout parking pads         | - New plan offers two possible site plans, the preferred option locates additional parking in the rear, with two access points on Comstock Street.  
                             | - There is an alternate site plan that features one driveway that is flares out towards the garage in order to accommodate more vehicles.  
                             | - There has not been any correspondence received by staff to indicate approval for either plan from the OCRC.                                                      |
| OCWRC / OCEHD Approval       | A permit has been issued for the sewage disposal system, but no correspondence has been received from the OCWRC.                                                    |
| Required landscaping        | Each site plan appears to meet the landscaping requirements. Staff will need to verify the minimum planting sizes are met.                                      |
Garbage can screening

No proposed screening for garbage cans is included in either site plan. Staff recommend this be added as a condition of approval.

Lawn maintenance

There is no Township ordinance addressing the issue of lawn maintenance, so there is potential for the lawn to not be maintained and the Township would not have the ability to address it through code enforcement. Staff recommends this be discussed with the applicant.

Privacy fence adjacent to neighboring properties.

- Arborvitaes are proposed along each side lot line to help screen the dwellings from neighbors on either side.
- A privacy fence is proposed to divide the rear lot to provide separation for residents of the duplex.
- The concerned neighbor who requested to split the cost of a fence, abandoned the partnership and has since installed their own 6-foot wooden privacy fence.

**PROPOSAL**

The owner, Bernie Diekevers, is proposing to build a two-family dwelling. Each unit would be **1,820 sqft**, contain **3 bedrooms and 2½ baths** and include a **1 stall attached garage of 252 sqft**.

The total size of the building is 3,639 sqft of dwelling. When the garages are added in, the total size is 4,144 sqft. The footprint of the building is 2,280 sqft. Proposed setbacks are: 65’ front yard, 91’ rear yard, 48’ west side yard, and 27’ east side yard, which is **92% more** separation than required.

**SPECIAL LAND USE REQUIREMENTS**

<table>
<thead>
<tr>
<th>Section 12.04 – Special Land Use Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-family dwellings are only subject to the Special Land Use Criteria and do not contain separate and distinct regulations such as a gas station.</td>
</tr>
</tbody>
</table>

**Criterion**

- The proposed use shall be consistent with and promote the intent and purpose of this Ordinance.
- The proposed use shall be of such location, size, density, and character as to be compatible with adjacent uses of land and the orderly development of the zoning district in which it is located, as well as any adjacent zoning districts.
- The proposed use shall not have a substantially detrimental effect upon, nor substantially impair the value of, neighboring property.
- The proposed use shall be reasonably compatible with the natural environment of the subject premises and surrounding area.
- The proposed use shall not unduly interfere with provision of adequate light or air, nor overcrowd land or cause a severe concentration of population.
The proposed use shall not interfere, with or unduly burden, the water supply facilities, sewage collection
and disposal systems, park and recreational facilities, and other public services, nor shall the Township bear
unreasonable costs to improve infrastructure to serve the proposed use.

Traffic and assembly of people relating to the use will not be hazardous, or inconvenient to the neighborhood,
or unduly conflict with the normal traffic of the neighborhood.

The proposed use shall be consistent with the health, safety, and welfare of the Township.

The proposed use shall be such that traffic to, from, and on the premises and the assembly of persons
relating to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the
normal traffic of the neighborhood, considering, among other things: safe and convenient routes for
pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to
streets and intersections, and, the general character and intensity of the existing and potential development
of the neighborhood.

The Planning Commission may, when considering an application for a Special Land Use, which includes an
existing building, agree to grant a departure from access management requirements in this Ordinance if the
Planning Commission finds the standards in this section can be met even if the departure is granted.

The criteria for the typical Report of Findings are incorporated into a table below for individual
evaluation.

<table>
<thead>
<tr>
<th>Section</th>
<th>Provision</th>
<th>Staff Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.04.A</td>
<td>The proposed use shall be consistent with, and promote the, intent and</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td></td>
<td>purpose of this Ordinance.</td>
<td></td>
</tr>
<tr>
<td>12.04.B</td>
<td>The proposed use shall be of such location, size, density, and character</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td></td>
<td>as to be compatible with adjacent uses of land and the orderly development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>of the zoning district in which it is located, as well as any adjacent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>zoning districts.</td>
<td></td>
</tr>
<tr>
<td>12.04.C</td>
<td>The proposed use shall not have a substantially detrimental effect upon,</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td></td>
<td>nor substantially impair the value of, neighboring property.</td>
<td></td>
</tr>
<tr>
<td>12.04.D</td>
<td>The proposed use shall be reasonably compatible with the natural</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td></td>
<td>environment of the subject premises and surrounding area.</td>
<td></td>
</tr>
<tr>
<td>12.04.E</td>
<td>The proposed use shall not unduly interfere with provision of adequate</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td></td>
<td>light or air, nor overcrowd land or cause a severe concentration of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>population.</td>
<td></td>
</tr>
<tr>
<td>12.04.F</td>
<td>The proposed use shall not interfere, with or unduly burden, the water</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td></td>
<td>supply facilities, sewage collection and disposal systems, park and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>recreational facilities, and other public services, nor shall the Township</td>
<td></td>
</tr>
<tr>
<td></td>
<td>bear unreasonable costs to improve infrastructure to serve the proposed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>use.</td>
<td></td>
</tr>
</tbody>
</table>
12.04.G  Traffic and assembly of people relating to the use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood. The Planning Commission must determine if this standard has been met.

12.04.H  The proposed use shall be consistent with the health, safety, and welfare of the Township. The Planning Commission must determine if this standard has been met.

12.04.I  The proposed use shall be such that traffic to, from, and on the premises and the assembly of persons relating to such use will not be hazardous, or inconvenient to the neighborhood, nor unduly conflict with the normal traffic of the neighborhood, considering, among other things: safe and convenient routes for pedestrian traffic, particularly of children, the relationship of the proposed use to main thoroughfares and to streets and intersections, and, the general character and intensity of the existing and potential development of the neighborhood. The Planning Commission must determine if this standard has been met.

12.04.J  The Planning Commission may, when considering an application for a Special Land Use, which includes an existing building, agree to grant a departure from access management requirements in this Ordinance if the Planning Commission finds the standards in this section can be met even if the departure is granted. The Planning Commission must determine if this standard has been met.

<table>
<thead>
<tr>
<th>Section</th>
<th>Provision</th>
<th>Staff Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.07.G.1</td>
<td>The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.</td>
<td>The size of the dwelling units are larger than the surrounding houses, but on par with new construction standards.</td>
</tr>
<tr>
<td>18.07.G.2</td>
<td>Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.</td>
<td>The Township encourages utilizing single driveways rather than multiple to encourage safety.</td>
</tr>
<tr>
<td>18.07.G.3</td>
<td>The arrangement of public or private vehicular and pedestrian connections to existing or planned street in the area shall be planned to provide a safe and efficient circulation system for traffic within the Township.</td>
<td></td>
</tr>
<tr>
<td>18.07.G.4</td>
<td>Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.</td>
<td>There are no noted significant natural features located on the property.</td>
</tr>
<tr>
<td>18.07.G.5</td>
<td>Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.6</td>
<td>The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.</td>
<td>The adjacent neighbor has constructed a privacy fence around their property.</td>
</tr>
<tr>
<td>18.07.G.7</td>
<td>All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire/Rescue Department.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>18.07.G.8</td>
<td>All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission, and/or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance or any other Township Ordinance. Except that the Planning Commission may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing.</td>
<td>Correspondence from OCRC approving the double driveway has not yet been received.</td>
</tr>
<tr>
<td>18.07.G.9</td>
<td>Sidewalks or pathways shall be deemed to be required along all public and private roadways unless the applicant provides compelling evidence, in the opinion of the Planning Commission, that they are not necessary for pedestrian access or safety. Sidewalks shall terminate in an appropriate fashion consistent with the needs and safety of pedestrians. No sidewalk shall terminate into landscaping.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.10</td>
<td>Appropriate measures shall be taken to ensure that removal of surface water will not adversely affect neighboring properties of the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.11</td>
<td>Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.</td>
<td>Staff anticipate any lighting would be residential in nature.</td>
</tr>
<tr>
<td>18.07.G.12</td>
<td>All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts of public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.</td>
<td>Screening details for trash containers was not submitted.</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
<td>Determination</td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>18.07.G.13</td>
<td>Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits must comply with this Ordinance and the requirements of the Ottawa County Road Commission and/or the Michigan Department of Transportation.</td>
<td>N/A</td>
</tr>
<tr>
<td>18.07.G.14</td>
<td>Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary county, state, Federal, and Township permits before final site plan approval or an occupancy permit is granted.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>18.07.G.15</td>
<td>Appropriate fencing may be required by the Planning Commission around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
<tr>
<td>18.07.G.16</td>
<td>The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained.</td>
<td>The Planning Commission must determine if this standard has been met.</td>
</tr>
</tbody>
</table>

SAMPLE MOTIONS

If the Planning Commission finds the application meets the standards, the following motion can be offered:

**Motion** to **conditionally approve** the Diekevers application to construct a two-family dwelling at 15705 Comstock Street because it meets the requirements set forth by the Zoning Ordinance. This motion is subject to, and incorporates, the following conditions and report.

1. Submit a revised set of drawings to address the following:
   a. Decrease the size of the building to have a cohesive scale of home sizes in the vicinity.
   b. Provide outdoor screening areas for garbage cans.
   c. Provide a plan to ensure long-term lawn maintenance.

2. Submit planting details for the landscape plan to confirm compliance for administrative approval prior to obtaining a building permit.

3. The reserve drain field shall not be constructed at this time. If necessary, to construct in the future, a revised landscape plan shall be submitted for administrative review.

4. Shall provide a designated location for the storage and screening of refuse containers.

5. **List additional conditions here...**
If the Planning Commission finds the application does not meet the applicable standards, the following motion can be offered:

**Motion to deny** the Diekevers Special Land Use application, and direct staff to draft a formal motion and report for those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Planning Commission finds revisions are necessary, the following motion can be offered:

**Motion to table** the Diekevers Special Land Use application, and direct the applicant to make the following revisions:

1. *List the revisions.*

Please contact me prior to the meeting with questions or concerns.

---

**REPORT (TO BE USED WITH A MOTION FOR APPROVAL)**

1. This approval is based on the affirmative findings that each of the following standards of Section 12.04 have been fulfilled, as shown in the above memo.

2. The application meets the site plan review standards of Section 18.07.G of the Zoning Ordinance. Specifically, the Planning Commission finds as shown in the above memo.
Good afternoon,

Thank you for the email, and appreciate the documents provided.

Let me circle back to the original question about the duplex on Mercury. That building permit was issued in 2017 under a prior zoning ordinance. The property is zoned R-3, which is a multi-family district, and two-family is a permitted use. The 2017 ordinance exempted two-family dwellings from site plan review. Hence, you did not require Planning Commission approval prior to obtaining a building permit.

The property on Comstock is zoned R-2, which is a single-family district and acts as an intermediary between multi-family and traditional single-family. The R-2 district allows duplexes by special land use, which requires Planning Commission approval. You would have needed to go through this approval process for Comstock whether you applied today or 10 years ago.

Let’s review the findings from the 2/15 public hearing. The minutes are attached for your review. The Planning Commission will need to see revisions to the plans if it is going to be approved. This is a two-family dwelling surrounded by single-family and the goal is to have it “fit” within the area. I believe the PC will want to see the following addressed:

1. **Reduce the size of the building.** One unit is about 1,800 sqft which is larger than most homes in the area.

2. The **turnout parking pads** in the front yard will not be approved. Either the garages and driveways will need to be enlarged; or the parking will need to be in the rear yard. To be frank, the PC may require the parking in the rear regardless.

3. The landscape plan proposes 2 shrubs in front of each unit. The provision states: “…must have a 10’ wide landscape area adjacent to the walls for at least 50% of their total width.”
   a. The front wall of the house is 56’. 50% of that is 28’. Add the 10’ width and **you need 280 sqft of landscaping adjacent to the walls.** Consider bringing some of it around the corners to screen the side walls visible as vehicles pass by.

4. Historically, we have had issues with tenants bringing their **garbage cans** back inside the garage for screening. The PC may require an outdoor storage area with screening to assist.

5. There may be concerns regarding tenants being responsible for **lawn maintenance.** How are you assuring they have the equipment to do so? Is there a schedule? Do they hire someone else? Could you hire a company and pass along the cost in the rent?
   a. The Township does not have a tall grass or noxious weeds ordinance, so if the lawn
maintenance gets out of control our office does not have much authority to address.

The next PC agenda is Wednesday, April 21\textsuperscript{st}. If you intend to submit revised plans, I will need \textbf{7 hard copies and 1 electronic copy by April 12\textsuperscript{th}}.

Please let me know if this raises further questions.

Best regards,

Stacey Fedewa, AICP
Community Development Director
Grand Haven Charter Township
616.604.6326 direct
616.260.4982 cell
sfedewa@ght.org

---

\textbf{From:} Diekevers Roofing <info@diekeversroofing.com>
\textbf{Sent:} Monday, March 22, 2021 11:52 AM
\textbf{To:} Stacey Fedewa <SFedewa@ght.org>
\textbf{Subject:} UPDATE

Hi,
I was just wondering if you received our last email regarding Comstock St. with the attachments. Please let me know if you need anything else :-)

Thank you,

Carolyn Diekevers
Diekevers Roofing
P: 616-452-3263
F: 616-452-8990
Toll Free- 1-800-442-1241
1058 Godfrey Ave SW
Grand Rapids, MI 49503
info@diekeversroofing.com
www.diekeversroofing.com
LOT 27 LOT 26
27'-9" 48'-0" 19'-6"
30'-0" 32'-3 1/2" 30'-0"
124'-4"
N90°00'00"E 132.19'
N89°59'35"E 131.96'
N01°10'44"E 200.32'
N01°06'51"E 200.33'
SETBACK 10'-0"
FRONT SETBACK 50'
REAR SETBACK 50'
S2 S3 S4 S1 L5 L6 L2 L4 L7
15 ARBORVITAE
ZONING INFORMATION
ZONING: R2 SINGLE FAMILY RESIDENTIAL
SETBACKS
FRONT 50'
SIDE 10'
REAR 50'
MINIMUM LOT AREA: 13,000 SF
MINIMUM LOT WIDTH: 80'
MAXIMUM HT: 35'
STORIES: 2 1/2
PROPERTY INFORMATION
PARCEL #: 70-03-35-190-023
AREA: .61 ACRES (26,752 S.F.)
RESIDENCE INFORMATION
PROPOSED FOOTPRINT: 4,572 S.F. (2,286 EA.)
TOTAL IMPERVIOUS SURFACE: 10,387 S.F. (38% LOT COVERAGE)
TOTAL LANDSCAPE AREA: 16,365 S.F.
TREES REQUIRED: 34 (16,365/ 500)
TREES PROPOSED: 38
FRONT LANDSCAPING REQD: 280 S.F
FRONT LANDSCAPING PROP.: 1,565 S.F.

description: a parcel of land situated in the

township of grand haven, county of ottawa, state of michigan and

described as follows to wit:

LOT 26 AND THE EAST 57 FEET OF LOT 27, PEACH PLAINS

SUBDIVISION NO. 1, AS RECORDED IN LIBER 9 OF PLATS ON PAGE 68.

fence detail

CONCRETE
TREATED 2x4, TYP.
1 1/2" 5'-8" 4" 3'-0" 6"
6'-0" 3'-6"
1'-0"

1x6 CEDAR
1x6 CEDAR
1x6 CEDAR
CONT.
2x8 CEDAR
TREATED 4x4 POST@ 4'-0" O.C.

15705 COMSTOCK ST.
GRAND HAVEN, MI, 49417

04-12-21 SLU REVIEW
ZONING INFORMATION
ZONING: R2 SINGLE FAMILY RESIDENTIAL

SETBACKS:
FRONT 50'  
SIDE 10'  
REAR 50'

MINIMUM LOT AREA: 13,000 SF
MINIMUM LOT WIDTH: 80'
MAXIMUM HT: 35'
STORIES: 2 1/2

PROPERTY INFORMATION
PARCEL #: 70-03-35-190-023
AREA: .61 ACRES (26,752 S.F)

RESIDENCE INFORMATION
PROPOSED FOOTPRINT: 4,572 S.F. (2,286 EA.)
TOTAL IMPERVIOUS SURFACE: 6,717 S.F. (25% LOT COVERAGE)
TOTAL LANDSCAPE AREA: 21,862 S.F.

TREES REQUIRED: 41 (21,862/500)
TREES PROPOSED: 42

FRONT LANDSCAPING REQD: 280 S.F
FRONT LANDSCAPING PROP.: 2,045 S.F.

SCALE: AS NOTED

ALTERNATE
#1

#2
Community Development Memo

DATE: April 16, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Pre-Application Conference – Freedom Auto

<table>
<thead>
<tr>
<th>PROPERTY DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Address</strong></td>
</tr>
<tr>
<td>13662 (13600) 172nd Ave</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>Existing Land Use</th>
<th>Existing Infrastructure</th>
<th>Existing Site Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-1</td>
<td>Industrial</td>
<td>Paved Road, Water, Sewer</td>
<td>1 Main Building, Monopole Tower</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Master-Planned Zoning</th>
<th>Surrounding Zoning &amp; Land Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Direction</strong></td>
<td><strong>Zoning</strong></td>
</tr>
<tr>
<td>N</td>
<td>I-1</td>
</tr>
<tr>
<td>S</td>
<td>I-1</td>
</tr>
<tr>
<td>E</td>
<td>I-1</td>
</tr>
<tr>
<td>W</td>
<td>R-1</td>
</tr>
</tbody>
</table>

**BACKGROUND**

Pursuant to Section 18.05.A, the purpose of a pre-application meeting is to exchange information and provide guidance to the applicant to assist in preparation of application materials. None of the information provided by the Planning Commission is binding upon the Township.

The applicant, Ben Sapak, is proposing a new business, Freedom Auto, that would specialize in selling used cars with a salvage title. This would utilize 5,000 sqft of the existing building at 13600 172nd Avenue. A maximum of four repaired vehicles would be displayed in the parking lot. Other vehicles, including those that are damaged, will be stored inside the facility as well as additional parts for sale. There will be efforts made to recycle as many unusable parts as possible and fluids will be removed and properly disposed of as to not create leakage.
Mr. Sapak’s proposal is a unique business. The vehicles for sale will be offered at a lower price point than traditional dealerships due to the salvage condition, which would appeal to those trying to save money as well as hobbyists interested in fixing up a car. The business hours would allow customers to visit the business outside of traditional work hours.

Operating costs for the business are anticipated to be low. The intention is to grow the business over the next three years before moving to larger facility. Mr. Sapak will provide further details about the plans for the business at the meeting.

The property is located in the US-31 Overlay Zone which has stricter requirements. At this point it appears the intention is to maintain the site as is, so certain requirements for the US-31 Overlay Zone may not be applicable.

**RECOMMENDED DISCUSSION ITEMS**

**Landscaping**

- Front Yard Greenbelt
  - 35’ wide
  - 50% of entire frontage less driveway
    \[(226’ \times 50\%) = 113 – 55’ driveway = 58 \text{ linear feet of landscaping}\]
- Reduce Building Mass
  - Provided along walls that can be viewed from the street

**Site Circulation**

Because there is more than 1 business on this property along with other businesses having access through the property. For this reason, it will be important to review the site circulation. How will the customers and employees of each business navigate the site? Where will cars be displayed?

**STAFF COMMENT**

Ultimately, it appears that Sapak is intending to have as small of a visible footprint as possible. With most of the unattractive aspects of this business being addressed inside the building. Another key aspect will be ensuring the building is setup to support this use group.
Freedom Auto was named for what its mission is. This mission is to provide buyers with vehicles of greater value providing them the freedom to lower, hopefully get rid of car payments. These are late model damaged vehicles that are priced less than half what retail would be. Freedom Auto will offer mainly damaged vehicles which customers purchase and repair or have repaired. Freedom Auto will also offer repaired vehicles. Freedom Auto will additionally offer used and aftermarket parts. Freedom Auto does not perform repair work, any vehicles offered for sale will have been repaired by external sources and comply with all Michigan vehicle inspections. Below are examples of the type of damaged vehicles that will be offered. The second aspect of Freedom Auto is respect to the environment. I have spent my entire life around the auto salvage sector and its VERY lacking in its effort to protect the environment. Freedom Auto will set itself apart from all others by making every attempt to recycle as much of the automobile and possible. No fluids will be allowed to be kept in component parts. Vehicles will not be allowed to drip fluids onto the ground. Plastic parts will be separated and attempted to be recycled.

Freedom Auto proposes to reside at 13662 172nd Ave. Grand Haven MI. 49417. This address is zoned industrial improved-301. Freedom would hold an annual lease on 5000 sq/ft of space in this steel structure. The unit has a restroom and 200 sq/ft. office/showroom space. The unit has its own entrance door and parking spaces per code. Vehicles and parts will be housed inside the structure. Freedom would display no more than 4 repaired vehicles outside in its paved correctly sized lot, per township guidelines. Freedom auto is tailored to serve the public and will have hours of operation 4:30pm to 8:30pm Monday through Friday and 7am to 5pm Saturday. Most customers work full time jobs and are only available after 5PM and Saturday. Freedom Auto will be the only known salvage dealer with these convenient hours of operation.

Freedom Auto is owned by Ben Sapak. I am an engineer by education and have over 30 years in professional sector working for large corporations. I have additionally spent the past 30 years rebuilding damaged automobiles and restoring classic cars and motorcycles as my hobby. I am a proud resident of Grand Haven Township and love Grand Haven. My business plan timeline would have Freedom Auto reside at the proposed address for 3 years, after that time I would desire to move into a larger facility and double the business in size.

Annual sales in year one is projected to be $50K. This business has no liens associated to it, with very low operating expenses. These factors make the business likely to succeed and sound growth potential. Year one will have 1 part time employee. Year 2 will have 1 full time employee and remain stable thru year 3.
Community Development Memo

DATE: April 16, 2021
TO: Planning Commission
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Pre-Application Presentation – Eastbrook Homes – Proposed Development

PRE-APPLICATION GUIDELINES

Pursuant to Section 18.05.A, the purpose of a pre-application meeting is to exchange information and provide guidance to the applicant to assist in preparation of application materials. None of the information provided by the Planning Commission is binding upon the Township.

BACKGROUND

Over the last few months, the Planning Commission has heard staff mention a potential high-density residential development on a 40-acre parcel off Comstock Street. It is currently owned by the Reenders Blueberry family and farmed for blueberries. However, the owners have found it too much work to keep this field, so they approached Eastbrook Homes to inquire if they wanted to purchase and develop the land.

Over the years, Mike McGraw of Eastbrook Homes has had conversations with staff about the Missing Middle Housing types. It has been a goal of staff and McGraw’s to find the right piece of property to bring these needed housing types to fruition.

LOCATION

The location of the development is well suited for higher density with a manufactured home park, industrial park, airport, and a single-family affordable housing development—all to the west and south. See map on next page.
Utilities have made this quite an interesting endeavor.

Let’s start with water:

The Township owns the watermain on Comstock and the City needs to tap into our main to serve the new 30-unit single-family development that contains a percentage of affordable homes. The City needs GHT’s permission to connect.

The Township needs permission from the City to extend the watermain north to serve the 40-acre subject parcel. Cargo is working on an Agreement with the City to delineate each other’s responsibilities and obligations for this project.

Moving on to sewer:

As staff understands, the existing sewer for the airport and industrial parks shown on the map above are at capacity and unable to service any more units. That said, the Township will still need permission to install new sanitary sewer main through the City’s property to service the 40-acres. The Agreement includes this ability.
The tricky part is there isn’t enough fall for the gravity sewer to operate correctly, which will require at least 1 lift station and a force main. This is expensive and will ultimately create more capacity than the 40-acre development needs.

**HOW TO MAKE THE HOMES AFFORDABLE?**

The entire purpose and goal of Missing Middle Housing is to lower the price points. That purpose is defeated when infrastructure costs are rolled into the purchase price. In order to achieve the goal of affordability, staff and the developer have reached out to Ryan Kilpatrick of Housing Next.

Kilpatrick knows the way to lower the listing prices is to remove a big chunk of the infrastructure costs and a way to achieve this is through the Ottawa County Land Bank’s Brownfield Redevelopment Authority (BRA).

In essence, the Land Bank and BRA can subsidize the infrastructure costs IF the development provides a community benefit. The anticipated benefits include:

- Affordable housing will be provided through a percentage of the units being sold at 80% of the Area Median Income (AMI).
- The lift station for the sanitary sewer will be located in a way to enable the Township to extend sewer into the NE quadrant, which are all on private septic systems.
- The ability to provide workforce housing directly adjacent to industrial businesses with amenities within a walkable distance.

The Land Bank staff were pleased with these three benefits and have indicated preliminary staff support of the project.

**WHY IS THIS IMPORTANT?**

The Township really only has 1 housing type that appeals to the young professional (i.e., Millennials)—the apartment complexes. The vast majority of the housing is a typical subdivision, which does not appeal to the young professional.

**Stacey’s Story**

I think the best way to illustrate the young professional perspective is to share my story with you. I am 35 years old, not married, with two degrees, and 6-figures of student loan debt. I grew up in a rural area without any amenities and was too far from town to walk or bike.

I was completing my bachelor’s degree at Michigan State in 2007/2008, which was the beginning of the Great Recession. The housing crisis, homeownership, and confidence in long-term employment shaped me as a Millennial. I trust and rely on myself, and not others. If big organizations (like the Big 3 automakers) can revoke the pension plans of millions and thereby creating a chain reaction of even more home foreclosures.

**The Great Recession caused the Millennial generation to fear homeownership.** My generation starts out behind the 8-ball because of student loan debt. I don’t have the ability to save money for a
down payment because my student loan payments cost more than a mortgage. I can never “get ahead of the curve” and feel confident in my financial position. I’m not willing to put myself in a position where I can lose my home to foreclosure. This is one of the principal reasons I choose to be a renter.

At this point in my life, I want to be “close to the action.” Being able to step out my front door to go for a walk without needing to drive somewhere first is wonderful. Walking to the grocery store to grab a gallon of milk. Having restaurants, doctors, and local businesses within a stone throw of my apartment is exactly what I want. Grand Haven is vibrant and always has some type of activities happening, has oodles of parks, and a wide range of activities because of Lake Michigan and the Grand River.

I do not want to feel trapped in a big house outside of town. I don’t want to miss out on those amenities by feeling “stuck.” To be frank, current homeowners wouldn’t want me to live next door. I don’t have the desire, motivation, or funds available to invest in the property and take pride in homeownership like others. This is one of the many reasons we need a variety of housing types.

All that said, in my future I do see myself living in a house outside of town with rural character. It’s beautiful to live with nature and have privacy from neighbors. I’m not there yet, but in 5 to 10 years I might be and then I will take pride in homeownership.

During my tenure with the Township I have been part of about 1,000 new residential units being approved, but have you ever heard me say I could see myself living there? The answer is no. I would love to live in the 40-acre development being proposed by Eastbrook Homes.

The reason I shared this story about myself, is to highlight a different perspective from a group the Planning Commission may not have regular contact with to gain a personalized understanding of why my generation is leery about over extending ourselves financially, which trickles down to the impact on housing types.

Please contact me if this raises questions.
Development Concept

REENDERS - GRAND HAVEN

4.8.2021

269 Units Shown

20' Wide Alley, Typ.
2-Way, Typical
150' Max. Length Dead-End

New Sanitary Sewer
Canal Walk
Pedestrian Bridge
San. Sewer & Water Connection Laterals, Typ.
66' Street Public ROW, Typ.
30' Wide Road
Parking Both Sides
12' Wide Grass Apron W/ Trees
5'-0" Sidewalk

Improved Drainage
Feature - Canal Walk
Natural Water Feature

Micro-Green - Unique Landscape Design, Typ.
Community Within a Community

Pond
1.45 Ac.
Community Park
Attached 2-Story Townhomes
Attached 3-Story Townhomes
Attached Garages
Patio Homes
Terrace Homes

Connection to Existing Road

BM #2
BM #4
BM #1
BM #5

(30) Units
(6) Units
(58) Units
(36) Units
(33) Units
(72) Units
(34) Units

(13) Units Attached Garage Penthouses
(18) Units Attached Garages Townhomes
(17) Units Attached Garages Penthouses

(17) Units Attached Garage Penthouses
(16) Units Attached Garages Townhomes
(16) Units Attached Garages Penthouses

(13) Units Attached Garage Penthouses
(18) Units Attached Garages Townhomes
(17) Units Attached Garages Penthouses