AGENDA
Planning Commission
Monday, June 19, 2023 – 6:00 p.m.

I. Call to Order

II. Roll Call

III. Pledge to the Flag

IV. Approval of the April 17, 2023 Planning Commission Meeting Minutes

V. Correspondence

VI. Brief Public Comments & Questions (Limited to 3 minutes)

VII. Public Hearings:
   A. Special Land Use – Agritourism – Reenders
   B. Rezoning – Addition to STR Overlay –10621 Lakeshore Dr.
   C. Rezoning – Addition to STR Overlay –10615 Lakeshore Dr.

VIII. Old Business:
   A. Special Land Use – Agritourism – Reenders
   B. Rezoning – Addition to STR Overlay –10621 Lakeshore Dr.
   C. Rezoning – Addition to STR Overlay –10615 Lakeshore Dr.

IX. New Business:
   A. Preapplication – JOST – Storage & Manufacturing Addition

X. Reports
   A. Staff Report
   B. Commissioner Comments

XI. Extended Public Comments & Questions (Limited to 4 minutes)

XII. Adjournment

Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a “Speakers Form” located on the counter. Completed forms must be submitted to Township Staff prior to the meeting.
I. CALL TO ORDER
Wilson called the meeting of the Grand Haven Charter Township Planning Commission to order at 6:00pm.

II. ROLL CALL
Members present: Wilson, Hesselsweet, Cousins, Frifeldt, Mesler, Taylor, and Wagenmaker
Members absent: Lemkuil and Reenders
Also present: Senior Planner Thibault and Associate Planner Chaphalkar

Without objection, Wilson instructed Chaphalkar to record the minutes.

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MINUTES
Without objection, the minutes of the March 20, 2023 meeting were approved.

V. CORRESPONDENCE - None

VI. PUBLIC COMMENTS - None

VII. PUBLIC HEARING
A. Zoning Map Amendment – AG Zoning to RR – House Trust
Wilson opened the public hearing at 6:01pm.

Thibault provided an overview through a memorandum dated April 13th.

There being no further comments, Wilson closed the hearing at 6:04pm.

B. Special Land Use – Gas Station – Southtown
Wilson opened the hearing at 6:04 pm.

Thibault provided an overview through a memorandum dated April 13th.

The applicant’s representative – Gordon Julius III of Julius Architecture was present, but did not speak on the matter.

There being no further comments, Wilson closed the hearing at 6:14pm.

VIII. OLD BUSINESS
A. Zoning Map Amendment – AG Zoning to RR – House Trust

The Planning Commission noted the following points of discussion:

- Supportive of the proposed rezoning due to error in the Zoning Map.

Motion by Taylor, supported by Frifeldt, to recommend the Township Board approve the rezoning application for 15434 Lincoln St. from Agricultural (AG) and Rural Residential (RR) to Rural Residential (RR) based on the application meeting the rezoning standards of the Zoning Ordinance and Master Plan.

Which motion carried unanimously.

B. Special Land Use – Gas Station – Southtown

The Planning Commission noted the following points of discussion:

- Questioned lighting requirements at site perimeter.
  - Thibault confirmed compliance with the Zoning Ordinance.
- Inquired if the site would include a propane filling station.
  - Julius clarified there is no proposed propane station.
- Asked if the formerly proposed food truck was still included in the current review.
  - Julius explained the food truck was no longer proposed to be located on site.

Motion by Cousins, supported by Wagenmaker, to conditionally approve the Southtown Market Site Plan Review application for a gas station located at 14064 172nd Ave. based on it meeting the requirements of the Zoning Ordinance. This motion is subject to, and incorporates, the following report. Approval is conditioned upon the following:

1. (18.07.B, 5.07.I.1) Provide letters of approval from OCWRC prior to any building permits being issued.


3. (3.02.A) minimum of seventy-five (75%) percent of landscape plans must include native plants
   a. Spec. thornless variety of Gleditsia tricanthos
   b. Remove or find suitable alternative for Euonymus alatus ‘Compactus’; MISIN identified species as invasive.

4. (4.02.A.4.a.ii, 4.02.B.9.c) The landscape screen adjacent to the parking areas must be 36-inches in height consisting of shrubs, hedges, berm, wall, or combination thereof and meet the minimum planting sizes associated.
   a. Sub. Juniperus chinensis ‘viridis’ for a compliant species of shrub that meets the minimum planting size requirement. Plant sizes to be verified upon installation to meet size requirements prior to Certificate of Occupancy being provided.
Which motion carried unanimously.

SPECIAL LAND USE REPORT – GAS STATION – SOUTHTOWN MARKET

1. The application meets the site plan review standards of Section 18.07.G of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

A. 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.

B. 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.

C. 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.

D. 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.

E. 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.

F. 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.

G. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire/Rescue Department.

H. 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.

I. 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.

J. 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.
K. 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.

L. 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.

M. 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.

N. 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.

O. 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.

P. The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained. This approval is based on the affirmative findings that the standards of Section 12.34 have been fulfilled.

IX. NEW BUSINESS

A. Site Plan Review – CMA Building Addition

Thibault provided an overview through a memorandum dated April 13th.

Representatives from Abonmarche Engineering and Westwind Construction were present, but did not speak on the matter.

The Planning Commission noted the following point of discussion:

- Discussed proposed parking reduction, supportive of the proposed four parking spaces for current use.

Motion by Wagenmaker, supported by Cousins, to conditionally approve the CMA Site Plan Review application for an addition located at 17121 Hayes St. based on it meeting the requirements of the Zoning Ordinance. This motion is subject to, and incorporates, the following report. Approval is conditioned upon the following:

1. The allowance for a reduction in the required number of parking spaces applies only to the use of the building as approved.

2. Upon a change in the use of the building, the applicant must demonstrate the provisions of Section 5.06.I in the opinion of the Planning Commission or submit a site plan demonstrating compliance with the requirements associated with that use.

SITE PLAN REVIEW REPORT – CMA BUILDING ADDITION

3. The application meets the site plan review standards of Section 18.07.G of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

A. 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.

B. 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.

C. 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.

D. (4) 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.

E. 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.

F. 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.

G. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire/Rescue Department.

H. 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.

I. 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.

J. 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.

K. 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.

L. 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.

M. 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.
N. 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.

O. 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.

P. The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained.

B. Preapplication – Mixed Use PUD- Piper Lakes West

Chaphalkar provided an overview through a memorandum dated April 13th.

Denny Cherette, Founder/CEO of Cherette Group, and Andrea Masvero Executive Vice President of Cherette Group were present to provide the following information:

- Provided an overview of the development, need for housing in the area, and reaffirmed an understanding of the PUD process and desire to work with the Township through it.
- Noted significant wetland presence on the subject properties, currently working with EGLE to mitigate potential impact.
- Discussed required stormwater basin sloping as current proposal utilized OCWRC 3:1 slope requirement, not the Township’s 5:1 slope requirement.
- Confirmed the existing amenities are sized appropriately to be shared with potential expansion.

The Planning Commission noted the following points of discussion:

- Discussed stormwater basin sloping requirements.
- Questioned if the existing amenities were to be shared with new development and if they were large enough to handle additional people.
- Discussed the commercial outlot and proposed curb cut on the Northeast corner regarding its proximity to the intersection and presence of wetlands.

X. REPORTS

A. Staff Report

- Thibault updated the status of the Beacon Roofing development with respect to the current status and condition of the property.

B. Commissioner Comments

- Discussed sidewalk requirements for new developments.

XI. EXTENDED PUBLIC COMMENTS – None

XII. ADJOURNMENT

**Without objection**, the meeting adjourned at 7:18 p.m.
Respectfully submitted,

Cassandra Chaphalkar
Acting Recording Secretary
June 9, 2023

Rory Thibault, Senior Planner
Grand Haven Charter Township
13300 168th Av.
Grand Haven, MI 49417

RE: REZONING of 70-07-28-300-008 at 10621 Lakeshore Dr.
70-07-28-300-011 at 10615 Lakeshore Dr.

We strongly object to the rezoning of the parcels listed above for short term rental. This area includes many senior citizen dwellings. In our experience in Ottawa Co. where short term rental is allowed, late night rowdy gatherings, loud music, drinking parties are the norm. Also they have put up tents on the beach which isn't allowed here, and dogs not on leashes. This devalues our property and makes it less desirable. These people will not follow our Poplar Dunes Assn. rules and regulations.

Sincerely,

Jack and Marcia Brace
10545 Lakeshore Dr.
West Olive MI 49460
616 402 3040
jackman49417@yahoo.com
PUBLIC NOTICE

RESIDENTS OF GRAND HAVEN CHARTER TOWNSHIP and other interested parties, take notice that the Grand Haven Charter Township Planning Commission will hold a public hearing on Monday, June 19, 2023 at 6:00 p.m. at the Grand Haven Township Hall, 13300 168th Avenue, Grand Haven, Michigan 49417. Phone: (616) 842-5988.

The purpose of the hearing will be to hear any and all comments regarding the proposed rezoning of 70-07-28-300-008 located at 10621 Lakeshore Dr. to be added to the Short Term Rental (STR) Overlay District.

Written comments regarding this Rezoning application must be received no later than Friday, June 16th. They may be directed to:

Rory Thibault, Senior Planner
Grand Haven Charter Township
13300 168th Avenue
Grand Haven, MI 49417
rthibault@ght.org

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meeting Act), MCLA 41.72a (2) (3) and the Americans with Disabilities Act (ADA).

The Grand Haven Charter Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the public hearing upon seven (7) days’ notice to the Grand Haven Township.

Individuals with disabilities requiring auxiliary aids or services should contact the Personnel Director, 13300 168th Avenue, Grand Haven, MI 49417. Phone: (616) 842-5988.

A COPY OF THIS NOTICE IS ON FILE IN THE OFFICE OF THE CLERK.

Steve Wilson, Chairman
Grand Haven Charter Township Planning Commission

PUBLISH LEGAL AD: June 3, 2023
Mr. Steve Wilson, Chairman and GH Township Planning Commissioners, Mr Thibault and Planning Staff

We reside at 10511 Lakeshore Drive. Our home is on a shared driveway (Poplar Drive) just south of the shared driveway (Sunset Trail) where the properties in question are located. We respectfully request that the Planning Commission reject the attached zoning request for 10615 Lakeshore Dr. for many reasons including the following:

1. We moved to our current residence with the understanding that it was not in a short term rental district. We did not want to be adjacent to a STR District. Since moving to this property we have made significant expenditures and improvements relying upon the fact that we are not in an STR District.

2. Our neighborhood is already fairly dense already due to shared driveways and a shared beach. Those with easements and use of the shared beach include the Dunes Subdivision residences just east of Lakeshore.

3. We had negative experiences in our prior lakefront neighborhood (not in Grand Haven Township) with short term rentals that were nearby. One of the cottages was very small (1300 feet with 3 small bedrooms but the short-term rental companies rearranged it with bunk beds, pullouts, daybeds and sofa sleepers in all of the living areas to accommodate 3 families. They packed multiple families in to up the rent. This was a common occurrence. At least those cottages had their own separate driveways and separate 100 foot of frontage and dedicated or unshared beach.

4. We have noticed the same circumstances at various weekly rentals within a few miles of our home. There are large volumes of guests and cars and noise and they seem largely unmonitored. As you know, noise travels a lot along the Lakeshore. It is much easier to control noise with owner occupants or at least long-term tenants. We know Grand Haven Township has worked hard on the rules and restrictions for STRs but they seem difficult to enforce.

5. It appears that when the township passed this ordinance, they intentionally kept our areas with shared narrow drives and shared beaches out of the short-term rental zone. That seemed well reasoned, especially in our case where the Dunes subdivision residents across Lakeshore also have easement and use of this shared beach. To add additional traffic and people to this area would be inconsistent with the original plan and ill-advised. It also seems to be the epitome of “spot zoning”.

Thank you for your consideration, your time, and your service to our Township.

Sincerely,

Charles and LeaAnne Janssen
We believe that if individuals wish to invest in or run a short term rental business they should do so in the areas already allowing this. We think the Township should be hesitant to expand these areas, especially on a piecemeal or spot zoning type of basis.

Charles A. Janssen
Attorney
Foster Swift Collins & Smith PC
313 South Washington Square
Lansing, MI 48933-2193
Phone: 517.371.8262
Fax: 517.367.7373
cjanssen@fosterswift.com
www.fosterswift.com

DISCLAIMER/CONFIDENTIALITY: This communication, along with any documents, files or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. Any document attached is a legal document and should not be changed or altered without the knowledge and approval of legal counsel. The sender takes no responsibility for any alterations, additions, revisions or deletions to any such document. Due to software and printer variations, documents printed at the recipient's location may vary from the original printed document.
PUBLIC NOTICE

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Written comments regarding this Rezoning application must be received no later than Friday, June 16th. They may be directed to:

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Steve Wilson, Chairman
Grand Haven Charter Township Planning Commission

PUBLISH LEGAL AD: June 3, 2023
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The purpose of the hearing will be to hear any and all comments regarding the proposed rezoning of 70-07-28-300-008 located at 10621 Lakeshore Dr. to be added to the Short Term Rental (STR) Overlay District

Written comments regarding this Rezoning application must be received no later than Friday, June 16th. They may be directed to:

Rory Thibault, Senior Planner
Grand Haven Charter Township
13300 168th Avenue
Grand Haven, MI 49417
rthibault@ght.org

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Steve Wilson, Chairman
Grand Haven Charter Township Planning Commission

PUBLISH LEGAL AD: June 3, 2023
Dear Mr. Thibault:

Thank you for your prompt response to my request for the overlay showing where houses in the green zone may have STR and the red zone where STR were not included.

WE RESPECTFULLY REQUEST THAT THE APPLICANTS REZONING REQUEST BE DENIED.

Reasons.
1. Both houses are in the red zone.

2. To change zoning the applicants must demonstrate rental history greater than 5 years without complaints. Located outside of a traditional platted neighborhood or subdivision. Having water frontage.

3. Our property is in the Poplar Trail Association. The Dunes and Poplar Trail have a private beach which allows owners and their guests to use the beach. There is no public access.

4. Uncertain if the tile cottage septic can handle up to 12 people using the bathroom.

5. The Tile cottage is within 14 feet of our lot line and 43 feet of our house.

6. Ordinance No. 595 and the RED and GREEN zones were thoughtfully laid out and we believe residents had a chance to contribute too.

7. A big concern is the potential for excessive noise and the fact that strangers may not be as thoughtful as our friends and neighbors.

8. If the rezoning is approved, in a way, our property has in a sense been rezoned.

Respectfully submitted,

Mike and Mary Podein
10569 Lakeshore Dr.
West Olive, MI 49460
70-07-28-300-014
616-204-6500
michaelwpodein@gmail.com
From: Mike
To: Rory Thibault
Subject: Rezoning request of 2 parcels. 10615 Lakeshore Dr. West Olive, MI. 70-07-28-300-011 herein referred to as the Tile Cottage and 10621 Lakeshore Dr. 70-07-28-300-008
Date: Tuesday, June 13, 2023 12:41:58 PM
Dear Mr. Thibault:

Thank you for your prompt response to my request for the overlay showing where houses in the green zone may have STR and the red zone where STR were not included.

WE RESPECTFULLY REQUEST THAT THE APPLICANTS REZONING REQUEST BE DENIED.

Reasons:
1. Both houses are in the red zone.
2. To change zoning the applicants must demonstrate rental history greater than 5 years without complaints. Located outside of a traditional platted neighborhood or subdivision. Having water frontage.
3. Our property is in the Poplar Trail private beach which allows the owners and their guests to use the beach. Located outside of a traditional platted neighborhood or subdivision. Having water frontage.
4. Not sure if the Tile cottage septic can handle up to 12 people using the bathroom. Located outside of a traditional platted neighborhood or subdivision. Having water frontage.
5. The Tile cottage is within 14 ft of our lot line and 43 ft. of our house. Located outside of a traditional platted neighborhood or subdivision. Having water frontage.
6. Ordinance No. 595 and the RED and GREEN zones were thoughtfully laid out and I believe residents had a chance to contribute too.
7. A big concern is the potential for excessive noise and the fact strangers may not be as thoughtful as our friends and neighbors.
8. If the Rezoning is approved, in a way our property has in a sense been rezoned.

Respectfully submitted,
Nice job, well done.

Sent from my iPhone

On Jun 14, 2023, at 7:11 PM, john santa maria <jwendelsm@gmail.com> wrote:

Dear Mr. Thibault:

As nearby home-owners located at 10551 Lakeshore Drive we are very concerned about this request to rezone and as such cannot support it. Our concerns include:

1. The potential for excessive noise and for other disorderly behaviors that could impact us and nearby neighbors.

2. Even though there would be a limit allowing for a maximum number of people to stay overnight, that does not say that their guests (renters) could not have many more people for just the day to enjoy the beach. If for example the number of people is limited to a total of 12 (say 2 to 3 families), there could also easily be another 6 to 10 of their friends there for the day just to use the beach area and bathroom facilities of these rental homes. Is 12 for example just the maximum number of people allowed to stay overnight in each of the dwellings or is it the actual maximum number of people allowed on the property irregardless if they are staying overnight or just for the day to use the beach?

3. Are the septic systems at both locations capable of handling such numbers of people including any day guests that might be there?

4. If on a nice summer lake day the renters have additional guests there for the day is there enough parking on the property to support their numbers or will they be parking on the shoulder of lakeshore drive which could obstruct the Dunes and Popular Trail drivers when entering and exiting their access roads off of Lakeshore Drive creating a traffic hazard.

5. If any of the renters become excessively noisy and/or disrespectful will we be able to immediately contact someone (a real person and not a voicemail, recording, or call back number) to deal with the issue in real time?
Thank you for taking our concerns into consideration.

Sincerely,

John Santa Maria
10551 Lakeshore Drive
West Olive, Mi.
Dear Mr. Thibault:

As nearby home-owners located at 10551 Lakeshore Drive we are very concerned about this request to rezone and as such cannot support it. Our concerns include:

1. The potential for excessive noise and for other disorderly behaviors that could impact us and nearby neighbors.

2. Even though there would be a limit allowing for a maximum number of people to stay overnight, that does not say that their guests (renters) could not have many more people for just the day to enjoy the beach. If for example the number of people is limited to a total of 12 (say 2 to 3 families), there could also easily be another 6 to 10 of their friends there for the day just to use the beach area and bathroom facilities of these rental homes. Is 12 for example just the maximum number of people allowed to stay overnight in each of the dwellings or is it the actual maximum number of people allowed on the property irregardless if they are staying overnight or just for the day to use the beach?

3. Are the septic systems at both locations capable of handling such numbers of people including any day guests that might be there?

4. If on a nice summer lake day the renters have additional guests there for the day is there enough parking on the property to support their numbers or will they be parking on the shoulder of lakeshore drive which could obstruct the Dunes and Popular Trail drivers when entering and exiting their access roads off of Lakeshore Drive creating a traffic hazard.

5. If any of the renters become excessively noisy and/or disrespectful will we be able to immediately contact someone (a real person and not a voicemail, recording, or call back number) to deal with the issue in real time?

Thank you for taking our concerns into consideration.

Sincerely,

John Santa Maria
10551 Lakeshore Drive
West Olive, Mi.
Dear Mr. Rory Thibault, as we will not be able to attend the meeting on the 19th of June, I am submitting my comments in writing below and in the attached PDF.

Please confirm that this communication was received via return e-mail so we are assured it is delivered by the delivery deadline of 16 June 2023.

Thank you for your service to our township and for your consideration to our comments to this matter.

Ed & Tina
312-838-7749
Homeowner’s Association. As such, We have deeded access to a common beach area easement on Lake Michigan shared exclusively with our neighbors. A few years back, our association included an RCC (Rules, Conditions, Covenants) prohibition of any STR within the Dunes HOA properties. This same beach easement that the Dunes has deeded access to, and which is bound by rules use and RCC’s, is the same beach easement that would be affected by any zoning change allowing STR as proposed above.

The allowing of STR on these properties will significantly impact and change the established tranquil community environment and enable conditions for beach use not desired by ourselves or our neighbors. Prior to our RCC prohibition of STR, a community member did allow STR one summer. It caused significant disturbances and problems including overcrowding on the beach, parking overcrowding, disregard for morning and evening noise pollution rules, and overall disruption to the desired community beach environment. In addition, the STR were not bound by any of association RCC and left the easement owner and associations potentially liable for any damage or injury as our insurance policies are restricted to homeowners.

We purchased our property in such a community so we may enjoy the area and beach in a manner that aligns with our desires. In addition, our property cost and taxes are inflated to properly reflect the community and beach access. Had we wanted to live in a community which allowed STR, we would have elected to do so. But we specifically chose not to, and to buy in an area free of STR. We therefore strongly and respectfully petition the GHT Planning Commission to reject any zoning change as proposed in the above REFERENCE, allowing STR Overlay District.

Thank you for your consideration. We look forward to the Commission’s favorable response.
TO: Rory Thibault, Senior Planner  
Grand Haven Charter Township  
133000 168th Ave.  
Grand Haven, MI 49417  
rthibault@ght.org

FROM: Ed & Tina Schoenleber  
17248 Sandgate Place  
West Olive, MI 49460  
Dunes HOA Member

REFERENCE: 19 June 2023 Hearing, proposed rezoning of 70-07-28-300-011 located at 10615 Lakeshore Dr., and proposed rezoning of 70-07-28-300-008 located at 10621 Lakeshore Dr., for adding to the Short-Term Rental (STR) Overlay District

SUBJECT: Comments in opposition to any zoning change that would allow such STRs

Thank you for providing this notice to the public and for opportunity to comment on the above referenced hearing. We are submitting this written request as we will not be able to attend the hearing on 19th June 2023.

We are residents of property in the Dunes subdivision and members of the Dunes Homeowner’s Association. As such, We have deeded access to a common beach area easement on Lake Michigan shared exclusively with our neighbors. A few years back, our association included an RCC (Rules, Conditions, Covenants) prohibition of any STR within the Dunes HOA properties. This same beach easement that the Dunes has deeded access to, and which is bound by rules use and RCC’s, is the same beach easement that would be affected by any zoning change allowing STR as proposed above.

The allowing of STR on these properties will significantly impact and change the established tranquil community environment and enable conditions for beach use not desired by ourselves or our neighbors. Prior to our RCC prohibition of STR, a community member did allow STR one summer. It caused significant disturbances and problems including overcrowding on the beach, parking overcrowding, disregard for morning and evening noise pollution rules, and overall disruption to the desired community beach environment. In addition, the STR were not bound by any of association RCC and left the easement owner and associations potentially liable for any damage or injury as our insurance policies are restricted to homeowners.

We purchased our property in such a community so we may enjoy the area and beach in a manner that aligns with our desires. In addition, our property cost and taxes are inflated to properly reflect the community and beach access. Had we wanted to live in a community which allowed STR, we would have elected to do so. But we specifically chose not to, and to buy in an area free of STR. We therefore strongly and respectfully petition the GHT Planning Commission to reject any zoning change as proposed in the above REFERENCE, allowing STR Overlay District.

Thank you for your consideration. We look forward to the Commission’s favorable response.
# Community Development Memo

**DATE:** June 15, 2023  
**TO:** Planning Commission  
**FROM:** Rory Thibault – Senior Planner  
**RE:** Special Land Use – Agritourism – Reenders Blueberry Farm

## 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>9981 West Olive Rd.</td>
<td>70-07-35-100-007</td>
<td>235 Acres</td>
<td>Special Land Use</td>
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<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>Existing Land Use</th>
<th>Existing Site Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural (AG)</td>
<td>Blueberry Farming</td>
<td>None</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>Agricultural (AG)</td>
<td>N : RR/AG Residential/Farming</td>
</tr>
<tr>
<td></td>
<td>S : RR/AG Residential/Farming</td>
</tr>
<tr>
<td></td>
<td>W : RP/AG Residential/Farming</td>
</tr>
<tr>
<td></td>
<td>E : - US-31</td>
</tr>
</tbody>
</table>
Michigan is a Right to Farm (RTF) state and the RTF Act defines a “farm operation” as meaning the operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products. This definition includes, but is not limited to marketing produce at roadside stands or farm markets.

Although the RTF Act includes farm markets in the definition of a farm operation, this definition does not define a farm market or describe specific marketing activities. The Generally Accepted Agricultural Management Products (GAAMPs) for Farm Markets were developed originally in 2010 to provide guidance as to what constitutes an on-farm market and farm market activities.

- The commercial agricultural production of blueberries on the property is regulated by the RTF Act, preempting local government regulations.
- A Special Land Use was approved in 2008 for the “Markets for the Sale of Farm Products”
  - This use covered the market area of the subject property that is open to the public and sells blueberry products (jams and baked goods are considered processed products with the namesake ingredient, fresh and processed product sales of the commercial business exceed greater than 50% of the total sales, therefore the additional arts/craft items are permissible and still fall under the Farm Market GAAMPs allowed)
  - The sale of baked goods is now regulated by the Farm Markets GAAMPs, preempting local government regulations.
- The processing of the agricultural product (blueberries) into the baked goods (blueberry pie, blueberry donuts) is not the subject of RTFA nor GAAMPs but rather regulated by the Agricultural Processing Act – this means it can be regulated locally.

The Land Use that encompasses the processing of blueberries into baked goods (pies and donuts) per local Zoning regulations is Agri-tourism.

Source: https://www.canr.msu.edu/videos/cultivating-local-farm-economies-planning-and-zoning-for-agritourism; State Contact: Ryan Coffey Hoag, MSU Extension Educator, 231-689-5086
Per the applicant:  
Reenders Blueberry Farms, LLC proposes to convert an existing storage area in the building to a cooler and a pie baking area for blueberry pies. This would include an oven that is essentially the size of residential kitchen stoves. The lost storage area would be replaced by enclosing an existing roofed porch area on the West side of the existing building. A second request is to grant a special land use for an existing permitted donut making area. While Reenders Blueberry Farms, LLC worked with the Township on this use in the past, apparently the formal approval of the special land use was never obtained.

Both of these uses are located in an existing agricultural building. Members of the public are not allowed into the non-retail portions of this building. The building is properly ventilated and contains sufficient fire wall and other safety features to protect members of the public that visit the adjacent Farm Market.
SPECIAL LAND USE REQUIREMENTS

Site Plan Review and Special Land Use Requirements are largely not applicable:

- Because the property is preempted from local regulations in part by RTFA and Farm Market GAAMPs; and
- Because the property is a previously developed site; and
- Because the change of use is confined to the building itself; and
- Because the scope by which local regulations can be levied is limited to the following categories:
    - Setbacks, building permits required
  - Parking & Driveways
    - Surfacing is preempted
  - Ingress and Egress
  - Signage

Community Development

Planning Staff have reviewed the drawings for the proposed special land use and approve of the plans dated 04/06/23. The Planning Commission has discretion regarding the following points:

1. The number of parking spaces shall be determined on a case-by-case basis, upon consideration of the character of the specific agricultural tourism use being proposed.
   a. There are no additions or subtractions of the proposed parking area
2. The Planning Commission may waive the requirement for parking lot paving, upon making the determination that a grass or gravel surface will be adequate to handle the anticipated level of traffic. In making a determination regarding paving the Planning Commission shall consider the types of vehicles anticipated (e.g., volume of bus traffic, size and weight of vehicles, etc.). If paving is not required, then the site plan shall include a commitment to provide dust control.
   a. The parking lot is paved
3. The Planning Commission may waive parking lot lighting requirements upon making the determination that the facility will be used only during daylight hours.
   a. No changes in the hours of operation nor are lights proposed
4. The Planning Commission may waive parking lot landscaping requirements upon making the determination that existing vegetation to be retained on the site satisfies the objectives of the Ordinance and maintains the rural, non-commercial character of the site.
   a. No changes to the landscaping are proposed.
   b. While technically the regulations related to parking lot perimeter landscaping are able to be levied (i.e. the addition of a landscaping buffer of 30-inches within a 10-feet maintained landscaping bed), the Planning Commission may elect to waive this requirement considering the scope of the development, the nature of the site, and the extent of the existing landscaping

Public Services & F/R

There is no water or sewer in this location, therefore Public Services has no comments.
Fire/Rescue has reviewed the drawings for the proposed special land use and offer the following comments that will need to be resolved prior to the issuance of a Building permit. These items will not be made conditions of approval but are provided to the applicant to resolve during the building application and review process.

- If the cooking operations create any grease laden vapors or utilize cooking oils the operation will require a class 1 hood, in compliance with the *International Fire Code* and *NFPA 96: Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*. If the operations do not produce grease laden vapors, it may still require a class 2 hood for vapor removal.
- For a class 1 hood, a manual activation “pull station” is required near a means of egress, at least 10 feet and no greater than 20 feet from the hood.
- A class “K” fire extinguisher is required within 20 feet of the cooking appliances.
- Cooking oil storage size and dimensions need to be shown.
- Proper exit lighting and position of fire extinguishers in facility will be subject to field inspection on completion.

### SAMPLE MOTIONS

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

**Motion to approve** the Special Land Use application to allow an “Agri-tourism” use consisting of the processing of blueberry pies and donuts associated with their existing “Agricultural” and “Markets for the sale of farm products” operations on the property located at 9981 West Olive Road, Parcel # 70-07-35-100-007. This approval is based on the application meeting the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance. This motion is subject to, and incorporates, the following report.

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

**Motion to direct staff to draft a formal motion and report, which will deny** the Special Land Use application, with 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 the application is in need of revisions before a determination can be made, the following motion can be offered:

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

1. **List the revisions.**
1. The application meets the site plan review standards of Section 18.07.G of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

   A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.

   B. The site will be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

   C. Safe, convenient, uncontested, and well defined vehicular and pedestrian circulation is provided for ingress/egress points and within the site. Drives, streets and other circulation routes are designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

   D. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area are planned to provide a safe and efficient circulation system for traffic within the township.

   E. Removal or alterations of significant natural features are restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission has required 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.

   F. Areas of natural drainage such as swales, wetlands, ponds, or swamps are 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.

   G. The site plan provides reasonable visual and sound privacy for all dwelling units located therein and adjacent thereto. Landscaping shall be used, as appropriate, to accomplish these purposes.

   H. All buildings and groups of buildings are arranged so as to permit necessary emergency vehicle access as requested by the fire department.

   I. All streets and driveways are developed in accordance with the Ottawa County Road Commission specifications, as appropriate.

   J. Appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions have been made to accommodate stormwater, prevent erosion and the formation of dust.

   K. Exterior lighting is arranged so that it is deflected away from adjacent properties and so it does not interfere with the vision of motorists along adjacent streets, and consists of sharp cut-off fixtures.

   L. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential districts or public streets, are screened.

   M. Entrances and exits are provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site.

   N. The site plans conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

   O. The general purposes and spirit of this Ordinance and the Master Plan of the Township are maintained.

2. The Planning Commission also finds the Project complies with the Overlay Zone findings and statement of purpose found in Section 8.01, 8.05, and 8.06 of the Zoning Ordinance.

   A. The Project accommodates a variety of uses permitted by the underlying zoning, but ensures such uses are designed to achieve an attractive built and natural environment.
B. The Project provides architectural and site design standards that are more demanding than required elsewhere in the Township in order to promote harmonious development and complement the natural characteristics in the western sections of the Township.

C. The Project promotes public safety and efficient flow of vehicular traffic by minimizing conflicts from turning movements resulting from the proliferation of unnecessary curb cuts and driveways.

D. The Project ensures safe access by emergency vehicles.

E. The Project encourages efficient flow of traffic by minimizing the disruption and conflicts between through traffic and turning movements.

F. The Project preserves the capacity along US-31 and other roads in the Overlay Zone by limiting and controlling the number and location of driveways and requires alternate means of access through service drives.

G. The Project seeks to reduce the number and severity of crashes by improving traffic operations and safety.

H. The Project requires coordinated access among adjacent lands where possible.

I. The Project provides landowners with reasonable access, although the number and location of access points may not be the arrangement most desired by the Developer.

J. The Project requires demonstration that prior to approval of any land divisions, the resultant parcels are accessible through compliance with the access standards.

K. The Project preserves woodlands, view sheds, and other natural features along the corridor.

L. The Project ensures that distractions to motorists are minimized by avoiding blight and clutter while providing property owners and businesses with appropriate design flexibility and visibility.

M. The Project implements the goals expressed in the US-31/M-45 Corridor Study.

N. The Project establishes uniform standards to ensure fair and equal application.

O. The Project addresses situations where existing development within the Overlay Zone does not conform to the standards.

P. The Project promotes a more coordinated development review process with the Michigan Department of Transportation and the Ottawa County Road Commission.

3. This approval is based on the affirmative findings that the standards of Section 12.09 have been fulfilled.

A. The Planning Commission waives the parking lot landscaping requirements upon making the determination that existing vegetation is to be retained.
May 31, 2023

Rory Thibault, Senior Planner  
Grand Haven Charter Township  
13300 168th Avenue  
Grand Haven, MI 49417

Re: Special Land Use Application for Reenders Blueberry Farms, LLC  
9981 West Olive Road, West Olive, MI 49460 – PP #70-07-35-100-007

Dear Mr. Thibault:

On behalf of Reenders Blueberry Farms, LLC, the owner and operator of the Farm Market located at 9981 West Olive Road (US-31), West Olive, MI 49460, located on a part of PP #70-07-35-100-007, enclosed please find the following:

1. Special Land Use Application;
2. Special Land Use Narrative with: Exhibit A: location map/GIS photo of current building and surrounding property; and, Exhibit B: Drawing showing the proposed renovations and improvements;
3. The first and last page of the Farm Lease Agreement pursuant to which Reenders Blueberry Farms, LLC leases PP #70-07-35-100-007 (and other property) from Reenders Bros. Blue Acres, the owner of fee title to the underlying real property; and,
4. A check for the application fee.

As you are aware, you have indicated that the existing and previously approved Farm Market use may continue as it is preempted by the Generally Accepted Agricultural and Management Practices (GAAMPS) for Farm Markets as developed by the Michigan Department of Agriculture & Rural Development pursuant to the Michigan Right to Farm Act. You have also indicated that the proposed baking facility and kitchen for the making and baking of blueberry pies and existing donut service area are not considered part of the existing Farm Market Use and that a Special Land Use Application is required because these uses are not preempted by the GAAMPS for Farm Markets.

While our client, Reenders Blueberry Farms, LLC, has elected to submit the enclosed Special Land Use Application, please be advised that the submission of the enclosed Special Land Use Application and related materials does not mean that we agree that such a Special Land Use Application is required for the proposed uses; in this regard, we are submitting the enclosed Special Land Use Application and related materials on behalf of Reenders Blueberry Farms, LLC without waiving its right to contest the requirement for the requested Special Land Use Application.
Grand Haven Charter Township
May 31, 2023
Page 2

Please contact our office if you have any questions. Thank you for your assistance in this matter.

Very truly yours,

VARNUM

[Signature]

Dean F. Reisner

DFR/Ike
Enclosures

21204225
SPECIAL LAND USE APPLICATION

**Application Type** | **Fee** | **Escrow**
--- | --- | ---
Overlay Zone | $500 | $1,000
Regular | $400 | $1,000
Amendment | $250 | $500

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

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

---

**Applicant Information**

**Name**: Dryer Architectural Group  
**Phone**: 616-846-5400  
**Address**: 220.1/2 Washington Ave, Grand Haven, MI 49417  
**Email Address**: dryerarch@gmail.com

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

**Name**: Bruce Reenders of Reenders Bros. Blue Acres (owner) & Reenders Blueberry Farms, LLC (Tenant)  
**Phone**: 616-402-9750  
**Email**: bruce@reendersbb.com  
**Address**: 15037 Groesbeck St., Grand Haven, MI 49417

**Property Information**

**Address/Location**: 9981 W Olive Rd, West Olive, MI 49460  
**Parcel Number**: 70.-07-35-100-007  
**Current Zoning**: (AG) Agricultural District  
**Size (acres)**: 235.1272  
**Master-Planned Zoning**: (AG) Agricultural District

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

Refer to attached Narrative and Drawing for proposed use / scope of work.

---

**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.

**Signature of applicant**:  
**Date**: 05.24.2023

---

*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.*
For Office Use Only

Date Received ____________________ Fee Paid? ____________________
Materials Received: Site Plans __________ Location Map __________
Survey __________ Legal Description __________

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:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Signature of Planning Commission Chair ______________ Date ______________

Last Revised 12/31/18
Section 12.01

PURPOSE.

This Chapter provides a set of procedures and standards for Special Land Uses of land or structures which, because of their unique characteristics, require special consideration in relation to the welfare of adjacent properties and the community as a whole. The regulations and standards, herein, are designed to allow practical latitude for the applicant, and at the same time maintain adequate provisions for the protection of the health, safety, convenience, and general welfare of Grand Haven Charter Township. For purposes of this Ordinance, all Special Land Uses within the various districts are subject to the conditions and standards of this Chapter. In addition, the following uses shall conform to the specific standards cited in this Ordinance, as applicable.

Section 12.02

APPLICATION PROCEDURES.

Special Land Use Applications must be submitted to the Zoning Administrator, for review by the Planning Commission. All Special Land Use Applications must be accompanied by a Site Plan, which will be reviewed by the Planning Commission as described in Chapter 18. Prior to any decision, the Planning Commission shall hold a public hearing as described in the Michigan Zoning Enabling Act.

Special Use Process

![Diagram of the Special Use Process]

- Zoning Administrator
  - Special Use
    - Revisions (if required)
  - Site Plan
    - See Chapter 18
  - Planning Commission Decision
    - Revisions (if required)
  - Planning Commission Decision

EFFECTIVE MARCH 22, 2020
SPECIAL LAND USE NARRATIVE FOR REENDERS FARM MARKET

Reenders Blueberry Farms, LLC currently leases approximately 235 acres situated on the West side of US-31/West Olive Road in Grand Haven Township, PP #70-07-35-100-007, from an affiliate, Reenders Bros. Blue Acres. Reenders Blueberry Farms, LLC grows blueberries on much of the property, and operates a Farm Market in a building on the property. Attached to the Farm Market is an agricultural building which is used by Reenders Blueberry Farms, LLC, its owners and employees for agricultural purposes, including office, training, maintenance, storage, and employee eating purposes. Pursuant to Chapter 18 of the Grand Haven Charter Township Zoning Ordinance (the “Zoning Ordinance”), attached as Exhibit A is location map of the current building and surrounding property.

Reenders Blueberry Farms, LLC proposes to convert an existing storage area in the building to a cooler and a pie baking area for blueberry pies. This would include an oven that is essentially the size of residential kitchen stoves. The lost storage area would be replaced by enclosing an existing roofed porch area on the West side of the existing building. A second request is to grant a special land use for an existing permitted donut making area. While Reenders Blueberry Farms, LLC worked with the Township on this use in the past, apparently the formal approval of the special land use was never obtained. Pursuant to Chapter 18 of the Grand Haven Charter Township Zoning Ordinance, attached as Exhibit B is a drawing from Dryer Architectural Group showing the proposed renovations and improvements to the existing building.

Both of these uses are located in an existing agricultural building. Members of the public are not allowed into the non-retail portions of this building. The building is properly ventilated and contains sufficient fire wall and other safety features to protect members of the public that visit the adjacent Farm Market.

Satisfaction of Standards of Section 12.04 of the Zoning Ordinance. The proposal meets the special land use criteria of Section 12.04 of the Zoning Ordinance, as discussed below:

(A) The uses are consistent with the intent and purposes of the Zoning Ordinance. The property is within the Agricultural District (AG). The agricultural building is located far from adjacent parcels, and the vast majority of adjacent parcels are used for agricultural purposes. The proposed special uses are agricultural-related and are consistent with agricultural uses pursuant to the Michigan Department of Agriculture and Rural Development’s Farm Market Generally Accepted Agricultural Management Practices (GAAMPs) adopted in accordance with Michigan’s Right to Farm Act. The proposed uses are also consistent with Michigan’s Agri-Tourism initiatives and satisfies the requirements of Section 12.09 of the Township’s Zoning Ordinance on Agri-Tourism (see below).

(B) The proposed uses are of such size and character as to be compatible with adjacent uses of land and the orderly development of the AG zoning district and adjacent zoning districts. As noted above, the proposed uses will fit within the footprint of an existing agricultural building. They take up relatively little floor space. They provide products that will be sold on site to existing customers. The nature and character of the property
will not change. In fact, members of the public, including neighbors, will not even be able
to tell when the proposed uses are operational.

(C) The proposed uses will not have a substantially detrimental effect upon nor impair
the value of neighboring property. Neighbors will not be able to tell when the proposed
uses are in operation. They create no noise, odor, glare, or smoke that would be detectible
at neighboring properties.

(D) The proposed use will be reasonably compatible with the natural environment of
the premises and surrounding area. The uses will primarily rely upon blueberries grown
on site. The donuts and pies will leave the site via customer vehicles as opposed to trucks
used to move blueberries that are taken to blueberry processing facilities or distribution
centers.

(E) The proposed uses will not unduly interfere with provision of adequate light or air,
nor overcrowd the land or cause a severe concentration of population. The proposed uses
would be located within an existing agricultural building. The rest of the property would
not be changed. No light or air will be impacted, and no additional population will occupy
the land.

(F) The proposed uses will not interfere with the water supply facilities, sewer disposal
systems, park and recreation facilities or other public services. The Township shall not
bear unreasonable costs to improve infrastructure to serve the proposed uses. The existing
utilities will easily handle the minor amounts of water used by and wastewater generated
by the proposed uses. No other public services are needed than those that currently serve
the property.

(G) Traffic generated will not be hazardous or inconvenient to the neighborhood nor
unduly conflict with normal traffic. The uses should not generate any noticeable increase
in traffic. The plan is for existing customers to purchase the items produced along with the
blueberries that they stop to purchase. The property abuts US-31, with is a primary
highway in the area. The proposed uses will not generate traffic for any residential
neighborhood.

(H) The proposed uses are consistent with the health, safety and welfare of the
Township. The proposed uses are consistent with the state and Township’s important
agricultural industry, and the burgeoning Agri-Tourism industry. They could increase
employment in the area, and increase the amount of taxes paid to the State and
Township. The proposed uses produce no detrimental by product.

(I) The proposed uses will not conflict with normal traffic and will be use safe and
convenient routes for pedestrian traffic, particularly routes that protect children. The
proposed uses will not generate traffic that will use residential streets in the
Township. Vehicles will enter the property from US-31 and leave that same way.
(J) The proposed uses utilize an existing building, which does not require access management.

**Satisfaction of Standards of Section 18.07 of the Zoning Ordinance.** The proposal meets the special land use criteria of Section 18.07.G of the Zoning Ordinance, as discussed below:

1. The uses proposed will not adversely affect the public health, safety, or welfare. As noted above, neighbors will not be able to tell when the proposed uses are in operation. The proposed uses create no noise, odor, glare, or smoke that would be detectible at neighboring properties. The proposed uses are consistent with the state and Township’s important agricultural industry, and the burgeoning Agri-Tourism industry. They could increase employment in the area, and increase the amount of taxes paid to the State and Township.

2. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation will be provided for ingress/egress points and within the site. As noted above, the proposed uses will not conflict with normal traffic and will be use safe and convenient routes for pedestrian traffic, particularly routes that protect children. Vehicles will enter the property from US-31 and leave that same way.

3. The arrangement of public or private vehicular and pedestrian connections to existing or planned street in the area are planned to provide a safe and efficient circulation system for traffic within the Township. The proposed uses will not generate traffic that will use residential streets in the Township. As noted above, vehicles will enter the property from US-31 and leave that same way as has historically been the case for the Farm Market located on the property.

4. There will be no removal or alteration of significant natural features on the property.

5. The proposed uses will not alter or affect areas of natural drainage such as swales, wetlands, ponds, or swamps on the property.

6. The proposed use will impact any neighboring properties so there is no need for fences, walls, barriers, or landscaping on the property.

7. There will be no change to the footprint of the building so there will be no determinantal impact on emergency vehicle access.

8. There will be no new streets and/or driveways developed on the property. As noted above, vehicles will enter the property from US-31 and leave that same way as has historically been the case for the Farm Market located on the property.

9. There is no need for sidewalks or pathways for pedestrian access or safety. As noted above, vehicles will enter the property from US-31 and leave that same way as has historically been the case for the Farm Market located on the property.
(10) The proposed uses will not adversely affect drainage on neighboring properties, cause erosion on neighboring properties or cause the formation of dust on neighboring properties.

(11) Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.

(12) No outside storage areas or areas for the storage of trash will be visible from residential districts of public streets.

(13) Entrances and exits to the property will not change. As noted above, vehicles will enter the property from US-31 and leave that same way as has historically been the case for the Farm Market located on the property.

(14) The proposed uses will conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances.

(15) There is no need for fencing to minimize or prevent trespassing or other adverse effects on adjacent lands.

(16) The general purposes and spirit of the Zoning Ordinance and the Master Plan of the Township shall be maintained. In this regard, the proposed uses are consistent with the state and Township's important agricultural industry, and the burgeoning Agri-Tourism industry. They could increase employment in the area, and increase the amount of taxes paid to the State and Township.

**Satisfaction of Standards of Section 12.09 of the Zoning Ordinance (Agri-Tourism).** The proposed uses also satisfy the requirements of Zoning Ordinance Section 12.09 Agri-Tourism. The proposed uses will not impair the continued enjoyment, use, and future development of adjacent and nearby properties. Neighboring property owners will not be able to tell that the proposed uses are in place. The current uses of the property for agricultural and Agri-Tourism use will continue, as allowed by state law and prior Township approvals. The proposed uses will be contained within existing agricultural buildings, and customers will continue to use existing access drives and parking facilities. The hours of public use of the Farm Market will not change. The existing agricultural building will continue in nearly the same way. Public restrooms will continue to be available.

**Satisfaction of Standards of Section 12.40 of the Zoning Ordinance (Roadside Farm Stands).** The requirements of Zoning Ordinance Section 12.40 Roadside Farm Stands will continue to be met if the proposed uses in the agricultural building (not in the Farm Market) are approved. The produce will be grown on site. Pie crust and sugar will comprise no more than 25% of the total sales.
Satisfaction of Standards for Farm Market Generally Accepted Agricultural Management Practices (GAAMPs). Finally, the Farm Market will continue to comply with the GAAMPs. Specifically, pursuant to the GAAMPs for Farm Markets, the blueberry pies and blueberry donuts prepared and sold at the Reenders Blueberry Farms, LLC Farm Market will be considered as produced on and by Reenders Blueberry Farms, LLC because at least fifty percent (50%) of the product’s primary or namesake ingredient (i.e., blueberries) was produced on and by Reenders Blueberry Farms, LLC.

Summary. In summary, the proposed uses will benefit the citizens of the Township and provide an additional revenue stream to a long-time tax-paying employer in the Township. The proposed uses have so little impact that people living in the area will not even notice a change when they begin operating. Therefore, Reenders Blueberry Farms, LLC requests that the Planning Commission approve of the two proposed special land uses.
FARM LEASE AGREEMENT

THIS FARM LEASE AGREEMENT (the "Lease") is made as of January 1, 2014 (the "Effective Date"), by and between Reenders Bros. Blue Acres, a Michigan co-partnership with a registered office address of 13752 168th Avenue, Grand Haven, MI 49417 (the "Landlord"), and Reenders Blueberry Farms, LLC, a Michigan limited liability company with a registered office address of 14079 168th Avenue, Grand Haven, MI 49417 (the "Tenant").

BACKGROUND INFORMATION

A. Landlord owns 510 ( ) acres of farmland in Ottawa County, Michigan, legally described on the attached Exhibit A (the "Land").

B. Tenant desires to lease the Land, together with all improvements thereon, all appurtenances and all hereditaments, from Landlord according to the terms of this Lease and Landlord is willing to lease the Land, together with all improvements thereon, all appurtenances and all hereditaments, to Tenant according to the terms of this Lease.

STATEMENT OF AGREEMENT

NOW, THEREFORE, for their mutual convenience and protection, and in consideration of the mutual covenants and benefits contained in this Lease, Landlord and Tenant mutually agree to enter into this Lease with the following terms and conditions:

1. **Lease of Farmland.** Subject to the terms of this Lease, Landlord leases to Tenant, for the purpose of producing blueberries and associated activities, the Land together with all improvements, appurtenances, and hereditaments located on or associated with the Land (collectively, the "Farm"). Tenant's production of blueberries includes any and all practices that Tenant deems reasonably appropriate for growing blueberries on the Farm, including, but not necessarily limited to, fertilizing applications, irrigation, application of insecticides and herbicides, tilling, ditching, tilling, planting, and harvesting blueberries.

2. **Term of Lease.** The lease period begins on the Effective Date of this Lease and shall end on December 31, 2024 for an initial term of ten (10) years (the "Initial Term"), with a renewal, at Tenant's option, for a subsequent 5-year term (the "Renewal Term"). If Tenant is not in default under any of the terms and provisions of this Lease at the time of renewal, Tenant may exercise the right to extend this Lease for the Renewal Term by delivering written notice to Landlord on or before November 1, 2024 (the "Renewal Notice"). If Tenant timely delivers the Renewal Notice and Tenant is not in default under any of the terms and provisions of this Lease at the time of renewal, then this Lease shall renew on the same terms and conditions in this Lease. Landlord and Tenant agree that any and all references to the Term of this Lease are hereby deemed to include the Initial Term of this Lease and the Renewal Term, as well as any subsequent renewals and/or extensions of this Lease.
"Lease ROFR Acceptance"). Upon Tenant's delivery of such Lease ROFR Acceptance to Landlord, Landlord and Tenant shall execute a new lease (the "New Lease"). The New Lease shall contain terms, conditions and provisions identical to the terms, conditions and provisions of this Lease, except that (i) the base rent for the New Lease shall be as provided for in this Section 21 (b); (ii) the initial term of the New Lease shall be five (5) years; and (iii) the Effective Date of the New Lease shall be the first date following the expiration of this Lease. If Tenant does not deliver the Lease ROFR Acceptance within the provided thirty (30) day period, Landlord, for the period of six (6) months after the expiration of the thirty (30) day period (the "Lease Grace Period"), may lease the Farm to a Third Person without having to deliver a Lease ROFR Notice to Tenant; provided, that (i) such lease may not have a base rental rate lower than the base rental rate specified in the last Lease ROFR Notice provided to Tenant; and (ii) such lease must include obligations on the Third Person for the payment of all expenses described in Section 4 hereof. If a lease with any Third Person is validly consummated within the Lease Grace Period, then the Lease ROFR shall terminate and no longer be of any force or effect.

(c) If a lease with any Third Person is not validly consummated within the Lease Grace Period and Landlord thereafter receives and desires to accept an offer by a Third Person (or desires to make such an offer to a Third Person) to lease the Farm or a portion thereof, this Lease ROFR shall not terminate and shall continue in effect for the remainder of the Lease ROFR Term.

IN WITNESS OF WHICH, Landlord and Tenant have signed this Lease as of the Effective Date hereof.

LANDLORD:

Reenders Bros. Blue Acres

By: [Signature]
Lawrence Reenders
Its: Partner

TENANT:

Reenders Blueberry Farms, LLC

By: [Signature]
Kenneth Reenders
Its: Member
Community Development Memo

DATE: June 15, 2023
TO: Planning Commission
FROM: Rory Thibault – Senior Planner
RE: STR Overlay – 10621 Lakeshore Dr.

BACKGROUND

The applicant, Jeff MacKeigan, is requesting to rezone 2.7-acres located at 10621 Lakeshore Dr. (Parcel No. 70-07-28-300-008), to be included in the Short Term Rental (STR) Zoning Overlay.

This rezoning application is to be evaluated in similar fashion to all rezoning requests – through the traditional Three C’s approach. Additional criteria for the consideration of properties to be included in the STR Overlay Zone is described in following:

- STRs are not allowed in traditional neighborhoods nor subdivisions
- STRs are prohibited in areas that are not adjacent to Lake Michigan and whose members have testified against STRs
- Consideration for additional properties will be based on proving a lengthy rental history without corresponding complaints.

These attributes were determined during the joint and public meetings of the Township Board and Planning Commission primarily because of the potentially negative or harmful effects impacting the residential character of neighborhoods. All factors will be weighed to determine if the rezoning request is recommended for approval or not. The property is subject to the Rental Regulation Ordinance. Those standards are to provide for and protect the welfare of full-time residents and to discourage the purchasing of property for Short-Term Rental uses when it would be inconsistent with the neighborhood in which the property is located.

The rezoning application was tested against the “Three C’s” evaluation method, as revised for STR properties.

COMPATIBILITY

Is the proposed rezoning compatible with the existing developments or zoning in the surrounding area?
The adjacent zoning is:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Current Zoning</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-1 / STR</td>
<td>Residential – unplatted</td>
</tr>
<tr>
<td>East</td>
<td>AG / non STR</td>
<td>Land Conservancy</td>
</tr>
<tr>
<td>West</td>
<td>-</td>
<td>Lake Michigan</td>
</tr>
<tr>
<td>South</td>
<td>R-1 / non STR</td>
<td>Residential – Unplatted with HOA</td>
</tr>
</tbody>
</table>

The property is unplatted, but partially encumbered by an unrecorded plat of the “Dunes”. Unplatted properties further north and south are located in the STR Overlay Zone.

During the original review process for determining where STRs should occur the property was identified with other properties sharing the attributes of being 1) unplatted, 2) accessed by a private road, and 3) acting as a neighborhood/subdivision. Other areas that meet this criteria are shown on the map included in the Meeting Packet. In most cases, only those with an Association were included in the STR Overlay Zone, unless they requested to be removed.

### CONSISTENCY

*Is the proposed rezoning consistent with the goals and objectives of the Master Plan, Rental Regulation Ordinance and does it coincide with the STR Overlay Map in terms of an appropriate use of the land? Does the proposed rezoning demonstrate a consistent history of renting in the past without resident complaint?*

The property has been owned by the family since 1988, there has been no rental history in that time. There have not been any recorded enforcements against the property. The property is owned by the applicant’s mother who has a Principal Residence Exemption on the property.

<table>
<thead>
<tr>
<th>STATEMENT OF PURPOSE FOR STR Overlay Zone</th>
<th>SITE CONSISTENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not in a traditional neighborhood or subdivision</td>
<td>Abuts non-platted residential areas; partially encumbered by unrecorded Dunes Tract. HOA formed to the South but property is not eligible to join.</td>
</tr>
<tr>
<td>Adjacent to Lake Michigan</td>
<td>Yes</td>
</tr>
<tr>
<td>No adjacent owner testimony against STRs</td>
<td>None recorded previously; correspondence was received as of 06/15/23 stating members of “Poplar Drive Dunes Association” to the immediate South and “The Dunes’ Homeowners’ Association” to the east are not supportive</td>
</tr>
<tr>
<td>Demonstrated history of renting without complaints</td>
<td>No rental history</td>
</tr>
</tbody>
</table>
CAPABILITY

Does the proposed rezoning require an extension of public sewer and water, roadway improvements, or enhanced fire and police protection, and if so, is it in an area capable of being provided with such services?

The property has direct access to Lakeshore Drive. The existing gravel driveway encroaches into the property to the south not owned by the applicant. The south 20-feet of the property has a non-exclusive right to an easement and right of way from Lakeshore Dr. and Lake Michigan, i.e. “Sunset Trail,” to provide access for the (3) premises to the south. This appears as a private road on GIS, and was established prior to our Private Roads and Driveways Ordinance. The property must meet all applicable Zoning requirements, performance standards, and other considerations outlined in the Rental Regulation Ordinance.

SAMPLE MOTIONS

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

**Motion** to recommend the Township Board **deny** the rezoning application for 10621 Lakeshore Dr. to be included in the Short Term Rental Overlay Zone on the basis of the application not meeting the standards of the Short Term Rental Ordinance.

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

**Motion** to recommend the Township Board **approve** the rezoning application for 10621 Lakeshore Dr. to be included in the Short Term Rental Overlay Zone on the basis of the application meeting the standards of the Short Term Rental Ordinance.

Please contact me prior to the meeting if you have questions.
Community Development Memo

DATE: June 15, 2023

TO: Planning Commission

FROM: Rory Thibault – Senior Planner

RE: STR Overlay – 10615 Lakeshore Dr.

BACKGROUND

The applicant, Jeff MacKeigan, is requesting to rezone 0.23-acres located at 10615 Lakeshore Dr. (Parcel No. 70-07-28-300-011), to be included in the Short Term Rental (STR) Zoning Overlay.

This rezoning application is to be evaluated in similar fashion to all rezoning requests – through the traditional Three C’s approach. Additional criteria for the consideration of properties to be included in the STR Overlay Zone is described in following:

✓ STRs are not allowed in traditional neighborhoods nor subdivisions
✓ STRs are prohibited in areas that are not adjacent to Lake Michigan and whose members have testified against STRs
✓ Consideration for additional properties will be based on proving a lengthy rental history without corresponding complaints.

These attributes were determined during the joint and public meetings of the Township Board and Planning Commission primarily because of the potentially negative or harmful effects impacting the residential character of neighborhoods. All factors will be weighed to determine if the rezoning request is recommended for approval or not. The property is subject to the Rental Regulation Ordinance. Those standards are to provide for and protect the welfare of full-time residents and to discourage the purchasing of property for Short-Term Rental uses when it would be inconsistent with the neighborhood in which the property is located.

The rezoning application was tested against the “Three C’s” evaluation method, as revised for STR properties.

COMPATIBILITY

Is the proposed rezoning compatible with the existing developments or zoning in the surrounding area?
The adjacent zoning is:

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<td>Residential – unplatted</td>
</tr>
<tr>
<td>East</td>
<td>R-1 / non STR</td>
<td>Residential – unplatted; unrecorded The Dunes tract</td>
</tr>
<tr>
<td>West</td>
<td>R-1 / non STR</td>
<td>Residential – unplatted; unrecorded The Dunes tract</td>
</tr>
<tr>
<td>South</td>
<td>R-1 / non STR</td>
<td>Residential – Unplatted; unrecorded The Dunes tract, Poplar Drive Dunes Association</td>
</tr>
</tbody>
</table>

The property is not located in a recorded platted neighborhood or subdivision. The property is part of an unrecorded tract, “The Dunes.”

The recorded plat of “The Dunes Subdivision” and corresponding “The Dunes Homeowners' Association” are east of Lakeshore Dr. on Sandgate Place. Likewise, other properties to the south are part of the “Poplar Drive Dunes Association.”

During the original review process for determining where STRs should occur the property was identified with other properties sharing the attributes of being 1) unplatted, 2) accessed by a private road, and 3) acting as a neighborhood/subdivision. Other areas that meet this criteria are shown on the map included in the Meeting Packet. In most cases, only those with an Association were included in the STR Overlay Zone, unless they requested to be removed.

**CONSISTENCY**

*Is the proposed rezoning consistent with the goals and objectives of the Master Plan, Rental Regulation Ordinance and does it coincide with the STR Overlay Map in terms of an appropriate use of the land? Does the proposed rezoning demonstrate a consistent history of renting in the past without resident complaint?*

The owner has provided the short term rental history of 2019-2020 and 2022-2023; the applicant states it has been rented since 1985. In that time there have not been any recorded enforcements against the property. The property is owned by an LLC consisting of members of the Mackeigan Family.

<table>
<thead>
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<th>STATEMENT OF PURPOSE FOR STR OVERLAY ZONE</th>
<th>SITE CONSISTENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not in a traditional neighborhood or subdivision</td>
<td>Abuts non-platted residential areas; part of unrecorded Dunes Tract. HOA formed to the South but property is not eligible to join.</td>
</tr>
<tr>
<td>Adjacent to Lake Michigan</td>
<td>No, but has recorded easement access of 20-feet across property to the North.</td>
</tr>
</tbody>
</table>
No adjacent owner testimony against STRs

None recorded previously; correspondence was received as of 06/15/23 stating members of “Poplar Drive Dunes Association” to the immediate South and “The Dunes’ Homeowners’ Association” to the east are not supportive.

Demonstrated history of renting without complaints

35 years of rental history; no enforcements recorded.

**CAPABILITY**

*Does the proposed rezoning require an extension of public sewer and water, roadway improvements, or enhanced fire and police protection, and if so, is it in an area capable of being provided with such services?*

A non-exclusive right to an easement and right of way from Lakeshore Dr. and Lake Michigan is recorded and described as Sunset Trail for access to the premises. This appears as a private road on GIS, and was established prior to our Private Roads and Driveways Ordinance. This access serves 10621 Lakeshore Dr., which has also applied for rezoning into the STR Overlay Zone. It likewise appears to serve 10589 Lakeshore Drive and 17270 Sunset Trail, however deeds have not been provided to verify if a dedicated easement is present for those properties. Those properties are not owned by the MacKeigan family. The property must meet all applicable Zoning requirements, performance standards, and other considerations outlined in the Rental Regulation Ordinance. To note, Short-Term Rentals are not permitted for any Dwelling that is served by a private road serving eight or more Premises, according to the Township’s Private Roads and Driveways Ordinance, as amended or restated, unless the Dwelling is included in the Short-Term Rental Overlay Zone. Further, parking spaces shall be located on a driveway that consists of asphalt, concrete, or gravel.

**SAMPLE MOTIONS**

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

**Motion** to recommend the Township Board **deny** the rezoning application for 10615 Lakeshore Dr. to be included in the Short Term Rental Overlay Zone on the basis of the application not meeting the standards of the Short Term Rental Ordinance.

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

**Motion** to recommend the Township Board **approve** the rezoning application for 10615 Lakeshore Dr. to be included in the Short Term Rental Overlay Zone on the basis of the application meeting the standards of the Short Term Rental Ordinance.

Please contact me prior to the meeting if you have questions.
Dear Senior Planner Rory Thibault,

Thank you for working with us to have our two properties (10615 Lakeshore Drive and 10621 Lakeshore Drive) rezoned into the Short-Term Rental Overlay Zone. Both properties fit the criteria and are compatible with the surrounding area.

We own both properties. We purchased 10621 Lakeshore Drive in August of 1988, and it is Suzanne MacKeigan’s primary residence. We purchased 10615 Lakeshore Drive in April of 2021 (owners: Suzanne MacKeigan, Jeffrey MacKeigan, Shannon MacKeigan).

We appreciate the GHT staff, the Planning Commission, and the Township Board working with us to add these two properties to the STR Overlay. The Overlay approach offers the most flexibility, as stated in multiple GHT memos.

Below we provide answers to key questions on rezoning being compatible and consistent with the goals/objectives and appropriate use of the land.

- **Is the proposed rezoning compatible with the existing developments or zoning in the surrounding area?**
- **Is the proposed rezoning consistent with the goals and objectives of the Rental Regulation Ordinance and does it coincide with the STR Overlay Map in terms of an appropriate use of the land?**

**10621 Lakeshore Drive**
- Our property at 10621 Lakeshore Drive sits adjacent to 10625 Lakeshore Drive, which is in the STR Overlay Zone, and in total, 34 adjacent lakefront properties to the North are all in the STR Overlay, making this both consistent and compatible.
- 10621 Lakeshore Drive has 120 feet of private Lake Michigan access.
- We have attached information (survey) related to the private road Sunset Trail on the MacKeigan property at 10621 Lakeshore Drive.
- MacKeigan property at 10621 Lakeshore owns private driveway/road and grants ingress and egress easement to three neighboring properties, one of which we own at 10615 Lakeshore.
- No HOA agreements
- No Rental history

**10615 Lakeshore Drive**
- Our property at 10615 Lakeshore Drive sits adjacent to our property at 10621 Lakeshore Drive. Since 1977, 10615 Lakeshore Drive has had Lakeshore access by means of a 20-foot Lake Michigan access easement through the south 20 feet of our above property at 10621 Lakeshore Drive. See attached 1977 Deed and 1988 Deed.
- Extensive Short-Term Rental history for over 35 years from at least 1985 to current. As one example, from 1985-1995, Harry and Kathleen Verhey and their three children, Bonnie, Matt,
and Rob, rented from the prior owner of 10615 Lakeshore Mary Heiles. In addition, as neighbors of Mary Helies, we know firsthand 35 years of short-term rental at 10615 Lakeshore Drive. See an excerpt as an example of the 35-year rental history from Mary Helies.

- We purchased 10615 Lakeshore Drive before adopting the STR Regulations and agree with GHT Superintendent’s Memos and ordinances that would qualify this property for the STR Overlay Zone map due to the flexibility of the Overlay approach.
- No HOA agreements.

Respectfully,

**Suzanne MacKeigan**
10621 Lakeshore Dr
10615 Lakeshore Dr

**Shannon MacKeigan**
10615 Lakeshore Dr

**Jeffrey MacKeigan**
10615 Lakeshore Dr
RECORDED IN DEEDS

This instrument, Made January 27, 1977,

WITNESSETH, That HOWARD W. FANT and JEAN J. FANT, husband and wife, 10521 Lakeshore Dr., and HAROLD C. SCHOLTZ and GRACE J. SCHOLTZ, husband and wife, 10747 Lakeshore Dr., West Olive, Michigan, in consideration of One ($1.00) Dollar and other considerations CONVEY AND WARRANT to WILLIAM H. HEILES and MARY E. HEILES, husband and wife, as tenants by the entirety, of 707 Fairway Boulevard, Champaign, Illinois, 61820,

the following described lands and premises situated in Township of Grand Haven, County of Ottawa, and State of Michigan, viz:

(1) Commencing at a stone monument at the Southeast (SE) corner of Section 28, Town 7 North, Range 16 West, thence North 89 degrees 50 minutes West 2630.25 to a stone monument in center of highway, thence North 47 minutes West 1392.5 feet to a 3/4 inch gas pipe 2 feet long driven at the Northeast (NE) corner of DUNES TRACT as represented by the unrecorded Plat thereof, which is the North one-half (N½) of the South one-half (S½) of the Southwest fractional quarter (SW ffr. ¼) of Section 28, Town 7 North, Range 16 West, thence North 89 degrees West 1974.24 feet, thence South 1 degree West 20.0 feet to the place of beginning, running thence North 89 degrees West 100.0 feet, thence South 1 degree West 100.0 feet, thence South 89 degrees East 100.0 feet, thence North 1 degree East 100.0 feet to the place of beginning, the same being Lots 24 and 25 of said unrecorded Dunes Tract; and

(2) All of the non-exclusive right, title and interest of the parties of the first part in and to an easement and right of way by way of necessity from the above described lands and premises to and from Lakeshore Drive (formerly called Sheldon Road) and to and from the shores of Lake Michigan over and across a 20.0 foot roadway described as "Sunset Trail" in said unrecorded Dunes Tract also known as "The Dunes", and all of the right, title and interest of the parties of the first part in and to an easement and right of way by prescriptive use of an existing roadway and existing walkway to and from the above described lands and premises to said Lakeshore Drive and the shores of Lake Michigan, said easements and rights of way to be used in common with all other parties having rights therein.

TAX STAMP affixed after recording.
Affidavit on file,

Signed in Presence of

Maryann Schreiber

Signed on the Date first above written

Howard W. Fant

Jean J. Fant

Harold C. Scholtz

Grace J. Scholtz

STATE OF MICHIGAN

COUNTY OF Ottawa

On this 27th day of January, 1977, before me, a Notary Public, in and for said County, personally appeared HOWARD W. FANT, JEAN J. FANT, HAROLD C. SCHOLTZ and GRACE J. SCHOLTZ each respectively described in and who executed the within instrument, who acknowledged the same to be their free act and deed.

Prepared by:
Howard W. Fant
Attorney at Law
10521 Lakeshore Drive
West Olive, Michigan 49460

Notary Public
Maryann Schreiber
October 11, 1980
County, Michigan

I hereby certify that there are no Tax Lists or Titles held by the State or any individual against the within description, and all Taxes on same are paid for the year previous to the date of this instrument, as appears by the records in my office. This certificate does not apply on taxes, if any, now in process of collection.

James K. Dravid

Date January 27, 1977
County Treasurer, Ottawa County, Michigan

SEE FOOT NOTES ON OTHER SIDE
THE GRANTORS, RONARD W. PANT and JEAN J. PANT, husband and wife, whose address is 1515 South Deaplder, Grand Haven, Michigan 49417, CONVEY AND WARRANT to JOHN M. MacKEGAN and SUZANNE M. MacKEGAN, husband and wife, whose address is 72 Sheldon Blvd. S.E., Grand Rapids, Michigan 49503, the following described premises situated in the Township of Grand Haven, County of Ottawa and State of Michigan, to wit:

The South One Hundred Twenty (120) feet of the North one-half (N 1/2) of the Southwest one-quarter (SW 1/4) of Section 28, Town 7 North, Range 16 West, lying West of Lake Shore Road, together with all riparian rights to Lake Michigan;


The description above conveyed is based upon the location of the South one-eighth (8 1/8th) line of said Southwest fractional one-quarter (8W fractional 1/4) of Section 28, Town 8 North, Range 16 West, as shown on a survey of Williams & Works, No. 48323 dated April, 1958, as recorded in the office of the Register of Deeds for the County of Ottawa and State of Michigan in Liber 501 on page 279.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining; To Have and to Hold the said premises, as herein described, with the appurtenances, unto the said parties of the second part to their heirs and assigns, forever. And the said parties of the first part, for themselves, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the delivery of these presents they are well seized of the above granted premises in fee simple; that they are free from all encumbrances whatever except that the parties of the first part do not warrant title to that part of the above described lands and premises lying Southerly of a line described as commencing at the center of said Section 28 and running thence southerly along the one-quarter (1/4) line 1314 feet to the North line of "The Dunes", an unrecorded plat, thence North 89 degrees 00 minutes (89'00") West 2326.1 feet along the North line of said plat to the shore of Lake Michigan, and that they will, and their heirs, executors, and administrators shall Warrant and Defend the same against all lawful claims whatsoever, except as above set forth, and subject to and together with easements, restrictive covenants and rights of way of record, including any of the nonexclusive right, title and interest of the parties of the first part in and to an easement and right of way by prescriptive use of an existing roadway and existing walkway over and across a twenty foot roadway described as "Sunset Trail" situated on and about the South twenty feet of the premises herein conveyed.

For the sum of One and NO/100 ($1.00) Dollar. (Affidavit attached hereto.)

Dated this 13th day of August, 1988.

Signed in the presence of:

Signed by:

RECORDED 1988 AUG 15 PH 127

HOWARD W. PANT

RECORDING OFFICIALS
OTTAWA COUNTY, MI
STATE OF MICHIGAN 
) 
) ss 
COUNTY OF OTTAWA 
)

The foregoing instrument was acknowledged before me, a notary public, this 4th day of August, 1988, by Howard W. Fant and wife, Jean J. Fant.

[Signature]
Notary Public
Ottawa County, Michigan
My Commission Expires: Dec 12, 1990

Prepared by:

Thomas W. Boven, Esq.
Scholten, Fant & Marquis
202 Old Kent Building
P.O. Box 454
Grand Haven, MI 49417-0454
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Total Bookings: 29

$18,142.00  $6,312.30  $1,088.52  $25,542.82  $25,542.82  $0.00
## BVW Unsalted Vacations

**Annual Statement for 2022**

**Owner:**  
Sunset Trail - 10615 Lakeshore Dr  
LLC  
917 Pinecrest Ave SE  
Grand Rapids, MI 49506-3436  
US

**Account:**  
Sunset Trail - 10615 Lakeshore Dr  
LLC

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<tr>
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<td>$412.70</td>
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| Owner: Sunset Trail - 10615 Lakeshore Dr LLC  
| 917 Pinecrest Ave SE  
| Grand Rapids, MI 49506-3436  
| US  
| Account: Sunset Trail - 10615 Lakeshore Dr LLC |

**Reservation #506082 (08/25/2022 - 08/28/2022) 3 Nights**

<table>
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<tr>
<th>Date</th>
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<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>08/28/22</td>
<td>Room Charge</td>
<td>$963.67</td>
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**Reservation #502345 (08/28/2022 - 08/31/2022) 3 Nights**

<table>
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<tr>
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**Reservation #505991 (09/01/2022 - 09/05/2022) 4 Nights**

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<tbody>
<tr>
<td>09/05/22</td>
<td>Room Charge</td>
<td>$1,516.00</td>
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**Reservation #506103 (09/14/2022 - 09/18/2022) 4 Nights**

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<tr>
<td>09/18/22</td>
<td>Room Charge</td>
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**Reservation #506314 (09/29/2022 - 10/02/2022) 3 Nights**

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<td>10/02/22</td>
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**Unit Work Orders**

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<tr>
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<tr>
<td>07/25/22</td>
<td>Work Order #1018</td>
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**Vendor Bills**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>06/16/22</td>
<td>05/18/22 Inv. 580 Deep cleaning</td>
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<tr>
<td>07/22/22</td>
<td>Deep cleaning 5/19</td>
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<td>07/22/22</td>
<td>Touch up 6/20</td>
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<tr>
<td>08/31/22</td>
<td>Emergency bat removal</td>
<td>$125.00</td>
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<td>08/31/22</td>
<td>08/12/22 Internet questions from guest - guest inquired about using ethernet connection instead of WIFI</td>
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<tr>
<td>08/31/22</td>
<td>08/20/22 Purchased and delivered propane tank exchange</td>
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<td>08/31/22</td>
<td>08/20/22 Propane exchange</td>
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**Payments From Owner**

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<tr>
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<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>06/24/22</td>
<td>Check Payment on Owner Account #2068</td>
<td>$534.36</td>
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**Payments To Owner**

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<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
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<tr>
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<td>ACH Payment made to Owner</td>
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<tr>
<td>10/06/22</td>
<td>ACH Payment made to Owner</td>
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<td>08/31/22</td>
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<td>07/06/22</td>
<td>ACH Payment made to Owner</td>
<td>$1,117.04</td>
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Wed Jun 14 20:08:49 EDT 2023  
2 of 3
Owner: Sunset Trail - 10615 Lakeshore Dr LLC
917 Pinecrest Ave SE
Grand Rapids, MI 49506-3436
US

Account: Sunset Trail - 10615 Lakeshore Dr LLC

04/30/2022 Check payment made to Owner 10615 Lakeshore Dr LLC (2068) $534.36

$28,382.51 $28,382.51

Thank you for being a valued owner client in the BVW-Unsalted Vacations management program. Here is your monthly statement. If you have any questions or concerns when reading your statement please let your account manager know and they will be happy to go over it with you.

Income is disbursed via ACH and is initiated at the time the statement is published. It usually takes 1-2 business days for it to settle into your account.

If you happen to owe a balance, payment is due upon receipt. You can mail checks to BVW-Unsalted Vacations at 332 E Lakewood Blvd Suite 400 Holland, MI 49424

Thank you,
BVW-Unsalted Vacations Management Team

Transaction Summary

<table>
<thead>
<tr>
<th>Description</th>
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<tr>
<td>Payments From Owner</td>
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<td>Payments To Owner</td>
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<td>Commission Charge</td>
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<tr>
<td>Date</td>
<td>Description</td>
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<tr>
<td>-----------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td></td>
<td><strong>Unit: Sunset Trail</strong></td>
</tr>
<tr>
<td>Reservation #507874 (05/04/2023 - 05/09/2023) 5 Nights</td>
<td></td>
</tr>
<tr>
<td>05/08/2023</td>
<td>Room Charge</td>
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<tr>
<td>05/08/2023</td>
<td>Commission Charge</td>
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<td>Reservation #507844 (05/26/2023 - 05/29/2023) 3 Nights</td>
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<td>05/29/2023</td>
<td>Room Charge</td>
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<tr>
<td>05/29/2023</td>
<td>Commission Charge</td>
</tr>
<tr>
<td>Payments To Owner</td>
<td>ACH Payment made to Owner</td>
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<tr>
<td>06/09/2023</td>
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<td>Statement Balance:</td>
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<table>
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<tr>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
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</tbody>
</table>

Statement Memo:

Thank you for being a valued owner client in the BVW-Unsalted Vacations management program. Here is your monthly statement. If you have any questions or concerns when reading your statement please let your account manager know and they will be happy to go over it with you.

Income is disbursed via ACH and is initiated at the time the statement is published. It usually takes 1-2 business days for it to settle into your account.

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Thank you,
BVW-Unsalted Vacations Management Team
**Owner:** Sunset Trail - 10615 Lakeshore Dr LLC  
917 Pinecrest Ave SE  
Grand Rapids, MI 49506-3436  
United States

**Account:** Sunset Trail - 10615 Lakeshore Dr LLC

Year: 2023  
Period: 5

<table>
<thead>
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<th><strong>Transaction Summary</strong></th>
<th><strong>Period</strong></th>
<th><strong>YTD</strong></th>
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<td>Beginning Balance</td>
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<td>Payments From Owner</td>
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<td><strong>Net</strong></td>
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This map was automatically generated by the County of Ottawa's GIS Department.

Notes

This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

© Latitude Geographics Group Ltd.
Short Term Rental Map

Eligible Land vs. Non-Eligible Land

Level of Restriction = Overlay Zone

Legend

- Additions to the STR Overlay
- STR - Eligible
- STR - Not Eligible
- Private Road Neighborhoods

Revised 05/22/2022
Community Development Memo

DATE:       June 15, 2022
TO:         Planning Commission
FROM:       Planning Staff – Rory Thibault; Cassie Chaphalkar
RE:         Pre-Application Presentation – JOST Expansion

BACKGROUND

JOST has acquired the property at 14000 172nd Ave. to expand their industrial manufacturing footprint. The existing building is to remain, with an addition proposed on the east side of the building.

This property is 8.24-acres. The parcel is zoned I-1 Industrial and located within the US-31 Overlay District. GHCM and Beacon Roofing are to the North.

The proposed use of the property is principally storage/warehousing with the accessory use of manufacturing based on the stated area dedicated to each use as described in following. Office use and associated employee areas are incidental to the manufacturing use. These uses are permitted by right.

PROPOSED DEVELOPMENT CONCEPT

Jost International is proposing to construct an approximate 43,340 sf building addition to the east of the existing 83,128 sf building located at 14000 172nd Avenue. In addition to the building, additional parking and a loading dock area are proposed, as shown on the site plan set. The building addition will be used for additional production area, as well as for additional storage/warehousing. The entirety of the building will consist of approximately 9,000 sf of office area, approximately 20,000 sf of industrial/assembly area, and approximately 97,000 sf of storage/warehousing.

Access to the site will be via the two existing driveways off 172nd. A total of approximately 225 parking spaces are proposed, which meets Jost’s parking needs (they need this much parking for their use). The building will continue to be serviced by public sanitary sewer and watermain.
The storm water runoff from the proposed improvement area is collected and will be detained/retained in underground storm water holding chambers. The drainage design is subject to the review and approval of OCRWC.

Landscaping will be added along 172nd, with shrubs also being added in front of the parking (both existing and proposed) that is between the existing building and 172nd.

PRELIMINARY STAFF REVIEW

In May, the applicant met with staff for a Preapplication conference. The applicant is aware of the additional US-31 Overlay Zone and Site Plan Review requirements and the requisite approvals from the County as applicable. Because the development involves a building addition/alteration, the site is required to meet the US-31 Overlay Zone requirements for landscaping, circulation and access, woodland protection, architectural treatment and other site design requirements.

At that time Staff informed the applicant of the impervious surface coverage limits (70%) and the applicant has since revised the design to include porous pavement. Due to the extent of the impervious surfacing and parking arrangements, Staff indicated that could be a topic of discussion with the Planning Commission.

The applicant has already submitted a formal application; Staff & PC comments will need to be addressed during the Site Plan Review process.

SUGGESTED DISCUSSION TOPICS

- Parking total: The applicant is requesting an amount of parking which is below the minimum allowable (1/300gsf of floor area = 422 spaces)
• Note: consider the degree to which the site is being paved; further, per 2.08.K a twenty (20) foot deep area adjacent to the rear property line must be maintained in a naturally wooded state, with no trees or other vegetation removed unless they are determined to be dead.

• Aisle width: the applicant is proposing to extend the existing aisle widths in the new parking area. The Zoning Ordinance states that the layout for off-street facilities as described in Section 5.07.B are minimums and maximums (i.e. a drive aisle would not be able to exceed 24-feet).
  o Note: The discussion on this point has been had with other recent developments; the strict definition of the rule was applied specifically in the areas that could be described as parking areas or maneuvering lanes adjacent; with exceptions for turning areas around pump islands and storage yards.

• Landscaping: the applicant does not illustrate any landscaping immediately adjacent to the building except for the areas where existing landscaping is established.
  o Note: Compliance issues regarding landscaping is a continuing concern with the property to the North. Likewise, recent developments have only allowed “offsets” where it was impossible to have landscaping (i.e. a loading door is present) or the removal of existing pavement would cause an undue hardship (i.e. allowing a reduced landscape depth to account for an existing sidewalk to an existing building).

PURPOSE OF PRE-APPLICATION PRESENTATION

At a pre-application presentation, the Planning Commission and property owner shall have an opportunity to exchange information and provide guidance that will assist in the preparation of materials. Also, it is noted that no formal action will be taken, nor will statements made be considered legally binding commitments.
Jost International
Building/Parking Addition
14000 172nd Avenue (Parcel #70-07-04-400-032)

PROJECT NARRATIVE:

Jost International is proposing to construct an approximate 43,340 sf building addition to the east of the existing 83,128 sf building located at 14000 172nd Avenue. In addition to the building, additional parking and a loading dock area are proposed, as shown on the site plan set. The building addition will be used for additional production area, as well as for additional storage/warehousing. The entirety of the building will consist of approximately 9,000 sf of office area, approximately 20,000 sf of industrial/assembly area, and approximately 97,000 sf of storage/warehousing.

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Jost International
Building/Parking Addition
14000 172nd Avenue (Parcel #70-07-04-400-032)

PARKING JUSTIFICATION:

Jost International is proposing to construct an approximate 43,340 sf building addition to the east of the existing 83,128 sf building located at 14000 172nd Avenue. In addition to the building, additional parking and a loading dock area are proposed, as shown on the site plan set. The building addition will be used for additional production area, as well as for additional storage/warehousing. The entirety of the building will consist of approximately 9,000 sf of office area, approximately 20,000 sf of industrial/assembly area, and approximately 97,000 sf of storage/warehousing.

Jost is planning on using the building for many of their business operations. Jost will use the building/addition for landing gear assembly line, cross shaft operation, small parts and kitting operation, shipping landing gear, king pins non-destruct testing, galvanized clean and miscellaneous products assembly, and materials storage supporting the above.

The production work will be completed in shifts. The first shift will have approximately 122 employees. The second shift will have approximately 56 employees. This totals 178 spaces being needed for production employees.

The front office area will have approximately 13 employees.

Jost anticipates approximately 18-20 visitors at the site at various times.

The Michigan Barrier Free parking code requires a total of 8 barrier free spaces for this number of parking spaces, which are necessary cod-wise, but that are not really included in the total mentioned above.

The end result is that Jost needs approximately 219 parking spaces for the property (178 + 13 + 20 + 8 = 219). The current plan illustrates approximately 223 parking spaces being provided at the site.

K:\22209978\OUTGOING\Site Plan Submittal\NarrativeParking.DOC
GRAND HAVEN CHARTER TOWNSHIP

SITE PLAN REVIEW APPLICATION

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
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<tbody>
<tr>
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<tr>
<td>Building Addition</td>
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<td>Amendments &amp; All Others</td>
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<table>
<thead>
<tr>
<th>Utility Escrow**</th>
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<tbody>
<tr>
<td>Main Extension</td>
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<tr>
<td>Lift Station</td>
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</table>

Applicant Information

Name: 172nd Property, LLC
Phone: (616) 550-5697
Address: 5500 Cascade Rd SE, Suite 200, Grand Rapids, MI 49546
Email Address: msi@prop-res.com

Owner Information (if different from applicant)

Name
Phone
Address
Email

Property Information

Address/Location: 14000 172nd Avenue
Parcel Number: 70 - 07 - 04 - 400 - 032
Current Zoning: I-1 Industrial
Size (acres): 8.24 acres +/-
Master-Planned Zoning: Industrial

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

Construct an approximate 43,280 sf building addition and related drives/parking/truck dock areas
to the existing building/facility located on the property. Please see the submitted site plan set for details.

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 18 of the Zoning Ordinance.

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

Signature of applicant: [Signature]  Date: 5/22/2023

* 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.
For Office Use Only

Date Received ____________________ Fee Paid? ____________________
Materials Received: Site Plans ______________ Location Map ____________________
Survey ______________ Legal Description ____________________

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:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Signature of Planning Commission Chair ____________________ Date ______________