GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, OCTOBER 22, 2018

WORK SESSION – CANCELLED

REGULAR MEETING – 7:00 P.M.

I. CALL TO ORDER

II. PLEDGE TO THE FLAG

III. ROLL CALL

IV. APPROVAL OF MEETING AGENDA

V. CONSENT AGENDA
   1. Approve October 8, 2018 Board Minutes
   2. Approve Payment of Invoices in the amount of $367,135.53 (A/P checks of $241,396.67 and payroll of $125,738.86)
   3. Approve

VI. PRESENTATION – IChallengeU – (Marketing Fire/Rescue Services)

VII. PUBLIC HEARING
   1. PUD – Millhouse Bayou Condos
   2. PUD – Lincoln Pines Expansion

VIII. OLD BUSINESS
   1. First Reading – PUD – Millhouse Bayou Condos
   2. First Reading – PUD – Lincoln Pines Expansion

IX. NEW BUSINESS
   1. First Reading – Rezoning – Millhouse Bayou Outlot – RR to R-2
   2. First Reading – Zoning Text Amendment – Accessory Buildings & Non-Conforming Chapter

X. REPORTS AND CORRESPONDENCE
   1. Committee Reports
   2. Manager’s Report
      a. DPW September Report
   3. Others

XI. EXTENDED PUBLIC COMMENTS/QUESTIONS ON NON-AGENDA ITEMS ONLY
    (LIMITED TO THREE MINUTES, PLEASE.)

XII. ADJOURNMENT

NOTE: The public will be given an opportunity to comment on any agenda item when the item is brought up for discussion. The supervisor will initiate comment time.
GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, OCTOBER 8, 2018

REGULAR MEETING

I. CALL TO ORDER
Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:00 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL
Board members present: Redick, Larsen, Meeusen, Kieft, Behm, and Reenders
Board members absent: Gignac

Also present was Manager Cargo, Community Development Director Fedewa, and Public Services Director VerBerkmoes.

IV. APPROVAL OF MEETING AGENDA

Motion by Clerk Larsen and seconded by Trustee Behm to approve the meeting agenda. Which motion carried.

V. APPROVAL OF CONSENT AGENDA
1. Approve September 24, 2018 Board Minutes
2. Approve Payment of Invoices in the amount of $821,512.32 (A/P checks of $717,468.30 and payroll of $104,044.02)
3. Approve Hire of Part-time Fire Fighter James Shaw
4. Approve Schmidt Bros. Excavating Bid for Removal of Mercury Park In-Line Skate Rink ($17,410)
5. Approve Engineering Agreement for 2019 Pathway Extension with Prein and Newhof ($375,500)

Motion by Trustee Meeusen and seconded by Trustee Redick to approve the items listed on the Consent Agenda. Which motion carried.

VI. PRESENTATION – Dangerous Building Officer Ray Nelson on Passow Enforcement

Dangerous Building Officer Nelson explained that he did not find the home to be dangerous and believed that the Dangerous Building Ordinance should not have been used in this instance.

Manager Cargo agreed that this was not a suitable situation for the Dangerous Building. However, the decision was made because basement support columns were missing, and trusses were known to have been cut; which was believed to create a danger insomuch as it would impact the “structural strength” of the home pursuant to the ordinance.
Mr. & Mrs. Passow and their real estate representative (i.e., Reynolds) noted that all of the unpermitted construction work was completed by the previous home owner – who was a licensed builder. Except for a few items, the Township’s electrical, mechanical and plumbing inspectors have approved the unpermitted work by conducting a basic “safety inspection”.

Manager Cargo noted that an enforcement letter would be forwarded ASAP that delineates the outstanding issues – focusing on any structural deficiencies. Further, the letter will recommend that Mr. & Mrs. Passow hire a structural engineer to verify the sufficiency of the unpermitted structural modifications to their home.

The Board did not object to this approach to resolve the unpermitted construction work.

VII. OLD BUSINESS
1. **Motion** by Trustee Meeusen supported by Trustee Behm authorizing the Board audit policy, as submitted. **Which motion carried** pursuant to the following roll call vote:
   - Ayes: Larsen, Kieft, Meeusen, Redick, Behm, Reenders
   - Nays: 
   - Absent: Gignac

VIII. NEW BUSINESS
1. **Motion** by Clerk Larsen supported by Trustee Redick to postpone further action on the Right-of-Way work amendment to the Water System Ordinance until October 22nd. This is a first reading. **Which motion carried**.

2. **Motion** by Clerk Larsen supported by Trustee Behm to postpone further action on the Right-of-Way work amendment to the Sewer Usage and Administration Ordinance until October 22nd. This is a first reading. **Which motion carried**.

IX. REPORTS AND CORRESPONDENCE
a. Committee Reports
   i. Personnel Committee will meet on November 7th at 7:00 a.m.
   ii. Parks and Recreation Committee will meet on October 18th at 6:30 p.m.

b. Manager’s Report
   i. September Building Report
   ii. September Enforcement Report
   iii. Manager Cargo noted that the Budget Work Session is scheduled for October 30th at 6:00 p.m.

c. Others

X. PUBLIC COMMENTS
a. Rich Houtteman *(Port Sheldon Township)* introduced himself as the new Lakeshore Community Affairs Manager for Consumers Energy.

b. Brett Tompkins *(120421 Gaddini Court)* demanded that the Township fund 100% of the paving of all gravel roads in the Township before spending monies on any other “utopian projects”.

-2-
XI. **ADJOURNMENT**

Motion by Clerk Larsen and seconded by Treasurer Kieft to adjourn the meeting at 7:53 p.m. **Which motion carried.**

Respectfully Submitted,

Laurie Larsen  
Grand Haven Charter Township Clerk

Mark Reenders  
Grand Haven Charter Township Supervisor
Community Development Memo

DATE: October 17, 2018
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Residential PUD – Millhouse Bayou Condos

BACKGROUND

The developer, Mike Bosgraaf, is proposing to build a condo development on 152nd Avenue on Millhouse Bayou. On October 1st the Planning Commission adopted a motion recommending the Board conditionally approve the proposed development.

PROPOSED PROJECT

The proposed project would consist of a 9.1-acre site with 26 condos. The condos would be comprised of 11 two-unit condos and 1 four-unit condo.

Also included is the maximum density allowance of a 25% bonus in exchange for preserving over 40% of open space. The open space will preserve 2.83-acres of
the bayou, floodplain, and wetlands along with an additional 1.1-acres of general open areas. This brings the total amount to 3.93-acres, which grants the 25% density bonus, which afford the developer a total of 26-units.

A sidewalk is proposed along the southern edge of the roadway.

**Setbacks**

The developer is proposing setbacks that align with both Lincoln Pines and Stonewater. A departure request is proposed.

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**MINIMUM BULK DESIGN REQUIREMENTS FOR ATTACHED CONDOMINIUMS**

<table>
<thead>
<tr>
<th>TWO UNIT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>FRONT YARD + (SIDEWALK SIDE)</td>
<td>30 FT.</td>
</tr>
<tr>
<td>FRONT YARD + (NON SIDEWALK SIDE)</td>
<td>24 FT.</td>
</tr>
<tr>
<td>SIDE YARD + (SIDEWALK SIDE)</td>
<td>10 FT.</td>
</tr>
<tr>
<td>SIDE YARD + (NON SIDEWALK SIDE)</td>
<td>18 FT.</td>
</tr>
<tr>
<td>REAR YARD + (SIDEWALK SIDE)</td>
<td>46 FT.</td>
</tr>
<tr>
<td>REAR YARD + (NON SIDEWALK SIDE)</td>
<td>44 FT.</td>
</tr>
<tr>
<td>DEPRESSED YARD</td>
<td>20 FT.</td>
</tr>
<tr>
<td>MIN. IRISHY =</td>
<td>35 FT.</td>
</tr>
<tr>
<td>LOT SIZE PER UNIT =</td>
<td>4800 SF.</td>
</tr>
<tr>
<td>LOT SIZE PER UNIT (NON SIDEWALK) =</td>
<td>4200 SF.</td>
</tr>
</tbody>
</table>

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**ATTACHED CONDOMINIUM LOT DETAIL**

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**Elevation Rendering**
Signage & Lighting

The developer is proposing an entrance sign and streetlight that both comply with current ordinance requirements.

Landscaping Buffer

The developer is proposing to maintain existing trees around the perimeter as much as possible. In the few areas where they do not exist, or cannot be saved, new screening trees will be planted.

DEPARTURE REQUESTS

The developer is requesting 1 departure from the zoning ordinance, as well as two exceptions to the Private Road Ordinance. That said, while the Planning Commission can provide a recommendation to the exception request for a reduced road width, the Township Board is the only governing body permitted to approve the exception.

<table>
<thead>
<tr>
<th>Section</th>
<th>Regulation</th>
<th>Developer Request</th>
<th>Staff Response</th>
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<tr>
<td>21.02 PC</td>
<td>Side yard setback shall be a minimum of 10’ with a total combined of 25’.</td>
<td>Requesting an 8’ side yard setback with a total combined of 16’.</td>
<td>The request is consistent with other residential PUD’s approved recently.</td>
</tr>
<tr>
<td>4.1 PC</td>
<td>Maximum number of premises on a private road shall be limited to 24 per entrance to a public road.</td>
<td>Requesting 1 entrance only from 152nd Avenue.</td>
<td>The Fire/Rescue Dept supports the request because IFC allows up to 30 dwellings per entrance.</td>
</tr>
<tr>
<td>4.3.C.3 PC</td>
<td>Minimum width of a private road serving more than 8 premises is 30’.</td>
<td>Requesting a 24’ width, which is consistent with three other developments within 1-mile: Bayou Pointe, Landon Lane, and Hunters Woods.</td>
<td>The Fire/Rescue Dept was supportive of a 26’ width, which is consistent with OCRC requirements.</td>
</tr>
</tbody>
</table>
If the Board finds the application complies with the standards, the following motion can be offered:

**Motion to present and postpone** further action until November 12th on the Millhouse Bayou Condos PUD application and rezoning of 14100 152nd Avenue, 15014 Bignell Drive, and Parcel No. 70-07-01-151-011 from RR to Planned Unit Development. **This is the first reading.**

If the Board finds the application does not comply with the standards, the following motion can be offered:

**Motion to deny** the Millhouse Bayou Condos PUD application, and direct staff to draft a formal motion and report 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 Board finds the applicant must make revisions, the following motion can be offered:

**Motion to table** the Millhouse Bayou Condos PUD application, and direct the applicant to make the following revisions:

1. *List the revisions.*

Please contact me if this raises questions.
October 15, 2018

Ms. Stacey Fedewa
Planning and Zoning Official
Grand Haven Township
13300 168th Avenue
Grand Haven, MI 49417

RE: Millhouse Bayou Condominiums | Final PUD
Grand Haven Township, Ottawa County, Michigan

Dear Ms. Fedewa:

Enclosed please find ten (10) sets of the Final PUD submittal items for the proposed Millhouse Bayou Condominiums Planned Unit Development, located at Unaddressed and 15014 Bignell Drive. Each set includes the following:

- Narrative
- Sign Detail
- Light Specification Sheet
- Architectural Elevations & Floorplans, 8.5x11
- Site Plan Set, 24x36

It is our desire to be placed on the October 22, 2018 Township Board agenda for Final PUD review and consideration.

If you have any questions or require additional information, please don’t hesitate to contact me at (616) 575-5190 or via email at nmiller@nederveld.com.

Sincerely,

Nolan Miller
Project Manager
MILLHOUSE BAYOU CONDOMINIUMS
Final Planned Unit Development
The subject parcel consists of an existing bayou and surrounding natural areas, which account for well over 25% of the land area of the site. There are two existing homes on the property; one is located on 152nd Avenue and will remain. The other home is located in the northeast area of the site and will be removed, along with its accessory unit and driveway. Overhead utilities will remain servicing the existing house on 152nd Ave. The utility pole and lines will be removed in the northeast corner.

The proposed Millhouse Bayou Condominiums PUD will consist of 11 two-family dwellings and 1 four-family dwelling (for a total of 26 units). The bayou accounts for 2.83 acres; the lot rezone is 0.55 acres; and the PUD totals 9.10 acres for a total site acreage of approximately 12.48 acres. The PUD will include 3.93 acres of open space on a development area of 9.10 acres for a total of more than 43 percent open space.

The proposed use of the site is consistent with the goals and objectives of the Grand Haven Township Master Plan as this site is future planned to be medium density residential. The proposed density of the site is calculated to be approximately 2.16 units per acre. This density is not only in line with the R-2 zoning district, which a future medium density residential designation corresponds with in the current zoning ordinance, but also meets the criteria of the allowable PUD density.

The proposed entrance onto the private road will meet local and county standards and are under review by the Ottawa County Road Commission. The Township Fire Chief has not reviewed the plan, but we believe the proposed site will permit necessary access for emergency vehicles. A pedestrian sidewalk is proposed on the south side of the private road and could potentially connect to the existing sidewalk on 152nd Avenue if deemed safe and necessary.

The existing Millhouse Bayou captures runoff from topography naturally sloping toward it. All proposed storm water collection basins will be perforated leach basins; all proposed storm sewer pipe will be perforated leach pipe. A storm water quality unit to treat the first flush is proposed between units 18 and 19.

By connecting to the existing sanitary sewer and water main in 152nd Avenue, the proposed PUD will not unduly burden any public services. All public and private utility services with the proposed PUD will be buried. The water main will loop through the site connecting to both 152nd Avenue and Bignell Drive.

A buffer of trees will be preserved along as much of the perimeter of the development as possible and site design and construction will conform to the requirements of the Ottawa County Soil Erosion and Sedimentation Control Office. "Best Management Practices" will be employed to minimize and prevent erosion both onsite and offsite. The proposed PUD has been designed to protect or enhance natural features at the perimeter of the site, as well as all of the existing bayou. Most of the condominium units on the south side of the road will provide walk-out basements in order to better accommodate existing topography. These units will 'back' on to Millhouse Bayou to take advantage of the views and amenities offered by the natural features. The condominium units on the north side will provide day-light windows due to the existing topographic conditions.
The construction schedule is as follows:
Start road and utility construction in December 2018.
Complete road and utility construction in Spring 2019.
Estimated building construction and sales fully complete by 2022.

The future homes within the proposed PUD will use a combination of architectural features, building articulation, generous windows, and utilize many of the building materials characteristic to Grand Haven Township.

**List of Departures**

- We are requesting a departure from the required 30’ road width, proposing 24’ wide private road with bituminous overlay.
  The following list of developments provide 24’ wide roads and in proximity of the Millhouse Bayou Condominium Development:
    - Bayou Pointe Private – Bayou Pointe Condominiums; located across the 152nd
    - Landon Lane PVT; located just to the south
    - Hunters Woods; located 1 mile to the south
Aluminum post/rail/caps
Sandblasted sign

SIGN DETAIL
Millhouse Bayou Condominiums
American Revolution LED Series 247CL

Decorative Full Cutoff (FCO) LED Luminaire

- Long-life platform: both the LED light engine and electronic multi-volt driver (120-277V) are rated 100,000 hrs at 25°C ambient (per LM-80)
- Surge protection device (standard) exceeds ANSI C62.41 Category C1 criteria (surge tested at 20kV/10kA)
- P3, P5 and P7 NEMA receptacle options available
- Downward lumens exceed that of a typical 100W HPS platform
- 3K, 4K and 5K CCT choices
- CSA listed at 30°C

The American Revolution Full Cutoff LED

The 247CL’s upscale aesthetics and install friendly features make it an extremely versatile product. It’s downward directed lumens are especially well-suited for residential areas, city streetscapes, green spaces and retail areas, but the universal appeal of the standard and full cutoff 247CL offering provides a uniform look for almost any application. The 247CL employs a square frame and contoured hood to create a classic aesthetic style. State-of-the-art features like its tool-less cupola, hinged hood, terminal block, and optional trigger latch make installation a breeze. For added flair, the 247CL is also available with a decorative ladder rest (optional).
# American Revolution LED Series 247CL

**Decorative Full Cutoff LED Luminaire**

## Ordering Information

<table>
<thead>
<tr>
<th>Series</th>
<th>Performance Package</th>
<th>Voltage</th>
<th>Color Temperature (CCT)</th>
<th>Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>247CL</td>
<td>20LEDE10 20 Chips, 1050 mA Driver, 73 input watts</td>
<td>Mvolt</td>
<td>3000K</td>
<td>R2 Type II</td>
</tr>
<tr>
<td></td>
<td>20LEDE70 20 Chips, 700 mA Driver, 46 input watts</td>
<td>120-277V</td>
<td>4000K</td>
<td>R3 Type III</td>
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<tr>
<td></td>
<td>10LEDE10 10 Chips, 1050 mA Driver, 29 input watts</td>
<td>347 347V</td>
<td>5000K</td>
<td>R5 Type V</td>
</tr>
<tr>
<td></td>
<td>10LEDE70 10 Chips, 700 mA Driver, 26 input watts</td>
<td>480 480V</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10LEDE53 10 Chips, 525 mA Driver, 19 input watts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10LEDE35 10 Chips, 350 mA Driver, 14 input watts</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

## Options

- **Paint**:
  - Black (standard)
  - Gray
  - Dark Bronze
  - White
  - Bronze

- **Photocontrol** (blank):
  - 3 pin NEMA Photocontrol Receptacle (standard)
  - No Photocontrol Receptacle
  - 5 pin NEMA Photocontrol Receptacle (dimmable driver included)
  - 7 pin NEMA Photocontrol Receptacle (dimmable driver included)
  - Solid State Lighting Photocontrol (120-277V)
  - Solid State Long Life Photocontrol

**Miscellaneous**

- NL NEMA Label
- TL Tool-less Entry
- LDR 3 Ladder Rest
- SH Shorting Cap
- DE 7 ROAM Dimming Enabled
- DM 7 DM 0V-10V dimmable driver only (leads attached)
- HSS House Side Shield
- XL Not CSA Listed
- CR Enhanced Corrosion Resistant Finish
- SS Stainless Steel Hardware

**Notes:**

1. Other colors available, please contact factory
2. PC and SH not available with NR option
3. Ships with unit, field install
4. Standard failure mode="Fail Off"
5. Photocontrols supplied with ANSI Standard Turn-On levels
6. Specifies a ROAM dimming enabled fixture with dimming control module factory installed. NEMA photocontrol receptacle required. Additional hardware and services required. ROAM deployment must be purchased separately.

Five-year limited warranty. Full warranty terms located at [www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx](http://www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx)

Product specifications may change without notice. Please contact your sales representative for the latest product information.
Main

Owner’s Suite 12'-6" x 12'-6"
Family 16'-2" x 12'-6"
Dining 10'-10" x 11'-6"
Office 10'-6" x 10'-2"
2 Stall Garage 18'-3" x 21'-3"

Bedrooms 1 - 3
Bathrooms 1.5 - 2.5

Total Conditioned Space 1955
Main Floor 1200
Sunroom Option 120
Lower Level Option 635
2 Stall Garage 422
Deck 100
Total 2477

Lower

Bedroom #2 12'-5" x 10'-3"
Family Rm 24'-6" x 15'-10"
Storage
Mech
Unexcavated

*Options may vary.

BOSGGRAF Homes
148 South River Ave
Suite 100
Holland, MI 49423
616-667-3333
bosgraaf.com
BOSGRAAF HOMES

SERIES NAME: TRADITIONAL
MODEL NAME: TOWNHOME CONDOS
LOCATION: XXXXXXXXXXX
JOB NUMBER: XXXXXX

SQUARE FOOTAGE

<table>
<thead>
<tr>
<th>LEFT UNIT</th>
<th>RIGHT UNIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAIN FLOOR: 1,377 SQ. FOOT</td>
<td>MAIN FLOOR: 1,200 SQ. FOOT</td>
</tr>
<tr>
<td>TOTAL LIVING SPACE: 1,377 SQ. FOOT</td>
<td>TOTAL LIVING SPACE: 1,200 SQ. FOOT</td>
</tr>
<tr>
<td>2-STALL GARAGE: 422 SQ. FOOT</td>
<td>2-STALL GARAGE: 422 SQ. FOOT</td>
</tr>
<tr>
<td>BASEMENT/Foundation: 715 SQ. FOOT</td>
<td>BASEMENT/Foundation: 625 SQ. FOOT</td>
</tr>
</tbody>
</table>

SCALE: 1/8" = 1'-0"

FRONT ELEVATION

Sheet Index

- COVER SHEET
- FOUNDATION PLAN & DETAIL
- MAIN FLOOR PLAN & DETAIL
- FIRST FLOOR PLAN
- SECOND
- ROOF
- FRONT & REAR ELEVATION
- RIGHT & LEFT ELEVATION
- BASEMENT ELECTRICAL PLAN
- MAIN FLOOR ELECTRICAL PLAN
- MECHANICAL DETAILS
- CABINET PLANS
- FLOORING PLANS
- FLOORING PLANS

By signing here and initialing subsequent pages, Buyer acknowledges the plans and specifications for the home and acknowledges the following:

1. Buyer acknowledges that all plans and specifications are subject to change and all material substitutions are subject to change without written notice by BOSGRAAF Homes without notice to Buyer as long as the change or substitution does not materially affect the value of the property.

2. Furthermore, all additional use, duplication, publication, sale or distribution of plans, without permission of BOSGRAAF Homes represents a violation of federal copyright law and is subject to legal procedures and penalties.

Signature: ___________________ Date: __________

XXX XXXX
COVER SHEET
SCALE: 1/8" = 1'-0"
NOTE:
Panelboard location to be determined per utility location on the site.
LEGEND

1. Neighborhood Access Point
2. Millhouse Bayou
3. Open Space
4. Entry Sign
5. Building Envelope

NOTES

- Total Acreage: 12.48 ac
- Bayou Area: 2.83 ac
- Floodplain Area: 0.88 ac
- PUD Area: 8.22 ac
- R-2 Lot Rezone: 0.55 ac
- Total Open Space: 3.93 ac (31.3%)
- Total Length of Street: 1,127'
- Total Residential Units: 26
- Two Unit Condos (11): 22
- Four Unit Condos (1): 4

MILLHOUSE BAYOU CONDOMINIUMS
SITE PLAN RENDERING

Proposed Lot Rezone to R-2

September 21, 2018
Scale 1" = 50'
North
Community Development Memo

DATE: October 17, 2018
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Residential PUD – Lincoln Pines – Expansion

BACKGROUND

- 2014 – the Lincoln Pines PUD was approved for a 99-lot single family subdivision.
- 2016 – the first phase of 38-lots, was officially platted.
- 2018 – in January an amendment was approved to reconfigure the development and add condos, which included 72-lots and 53-units, totaling 125 units.
- 2018 – the developer acquired an additional 20-acres of land.

PROPOSAL

A PUD application has been submitted rather than a PUD Amendment because the additional land is being added, so that is why departures are being requested as well.

The additional acreage brings the total size of the development to 80-acres. Another reconfiguration is being requested, which would add more subdivision lots and relocate the condos. The new proposal would include 114 platted lots and 48 condo units, bringing the total number to 162 dwellings.

Included with this proposal is eliminating the second entrance to Lincoln Street and instead, constructing the second entrance on 144th Avenue. This design is preferred by DPW for watermain looping, and the Ottawa County Road Commission.
This would also result in the need to convert some of the public roads to private because the condo driveways are unable to meet the spacing standards of the Ottawa County Road Commission.

The development would include **16.53-acres of open space (20.7%)**, and **still includes sidewalks** in the existing portion as well as the expanded portion. Both of which would connect to the new pathways the Township will construct on 144th Avenue and Lincoln Street in 2019.

The developer is also proposing to exclude a 0.91-acre outlot from the PUD. If approved, the developer would submit an application to rezone from RR to R-1.

### DEPARTURE REQUESTS

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### SAMPLE MOTIONS

If the Board finds the application complies with the standards, the following motion can be offered:

**Motion** to present and postpone further action until November 12th on the Lincoln Pines Expansion PUD application and rezoning of Parcel No. 70-07-12-400-007 from RR to Planned Unit Development. **This is the first reading.**

If the Board finds the application does not comply with the standards, the following motion can be offered:

**Motion** to deny the Lincoln Pines PUD expansion, and direct staff to draft a formal motion and report 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 Board finds the applicant must make revisions, the following motion can be offered:

**Motion** to table the Lincoln Pines PUD expansion and direct the applicant to make the following revisions:

1. *List the revisions.*
Community Development Memo

DATE: October 16, 2018

TO: Township Board

FROM: Stacey Fedewa, AICP – Community Development Director

RE: Millhouse Bayou Outlot – Rezoning (RR to R-2) – 0.55 Acres Only

BACKGROUND

The applicant, Mike Bosgraaf (developer of the Millhouse Bayou Condos PUD), wants to divide one of the parcels comprising the project site to create an outlot that has an existing dwelling. This property is located at 14100 152nd Avenue and is 1.18-acres in size. Applicant is proposing to divide and rezone 0.55-acres from RR to R-2 in order to comply with the minimum lot width requirement. The remainder of the land would be included in the PUD rezoning. On October 15th the Planning Commission recommended the Board approve the Conditional Zoning Agreement.

The application was tested against the “Three C’s” evaluation method.

COMPATIBILITY

Is the proposed rezoning compatible with the existing developments or zoning in the surrounding area?

Adjacent zoning:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Current Zoning</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-3</td>
<td>Duplex</td>
</tr>
<tr>
<td>South</td>
<td>RR</td>
<td>Single Family</td>
</tr>
<tr>
<td>East</td>
<td>RR</td>
<td>Single Family</td>
</tr>
<tr>
<td>West</td>
<td>R-2</td>
<td>Vacant</td>
</tr>
</tbody>
</table>
**CONSISTENCY**

Is the proposed rezoning consistent with the goals and objectives of the Master Plan and does it coincide with the Future Land Use Map in terms of an appropriate use of the land?

The 2016 Future Land Use Map has master-planned the subject parcel for Medium Density Residential, the applicant is requesting a rezoning to R-2, which is consistent.

The Statement of Purpose for the RR district:

- The R-2 Single Family Residential District is designed to be a restrictive residential district to encourage an environment of predominately low-density single-family dwellings, together with a minimum of other residentially related facilities and activities to serve the residents in the Township. Lots or parcels in this district should be supported by certain infrastructure features, including paved roads, natural gas, municipal water, and, if available, sanitary sewer.

**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?

Parcels in R-2 should be supported by minimum infrastructure features including a paved road, municipal water, and if available, sanitary sewer. This property is on 152nd Avenue, which is paved, and is connected to sanitary sewer.

However, the property is not connected to municipal water. Thus, the applicant has requested a Conditional Zoning Agreement, which indicates the subject property would be connected to municipal water in exchange for being rezoned to the R-2 Single Family Residential District.

**SAMPLE MOTIONS**

If the Board finds the rezoning application meets the applicable standards, the following motion can be offered:

**Motion to present and postpone** the Zoning Map Amendment Ordinance concerning the rezoning of 0.55-acres at 14100 152nd Avenue from Rural Residential (RR) to Single Family Residential (R-2), with the remaining 0.63-acres to remain RR. Further action will be postponed until November 12th when the zoning map amendment ordinance and Conditional Zoning Agreement will be considered for adoption. **This is the first reading.**
If the Board finds the rezoning application does not meet the applicable standards, the following motion can be offered:

**Motion to deny** the Bosgraaf application for a Conditional Zoning Agreement for 14100 152nd Avenue to rezone from Rural Residential (RR) to Single Family Residential (R-2) because the application does not meet the requirements and standards set forth by the Grand Haven Charter Township Zoning Ordinance, Master Plan, and Future Land Use Map.

If the Board finds the rezoning application is premature or needs revisions, the following motion can be offered:

**Motion to table** of the Bosgraaf application for a Conditional Zoning Agreement, and direct the applicant to address the following items:

1. *List the items*…

Please contact me prior to the meeting if you have questions.
This Agreement is between Grand Haven Charter Township, a Michigan charter township, at 13300 – 168th Avenue, Grand Haven, Michigan 49417 (the “Township”) and T Bosgraaf Homes LLC, 148 South River Suite 100, Holland, Michigan 49423 (the “Owners”).

This Agreement is based upon the following facts.

A. The Township has adopted the Grand Haven Charter Township Zoning Ordinance (the “Zoning Ordinance”), which includes the Grand Haven Charter Township Zoning Map (the “Zoning Map”).

B. The Owners have an interest in certain property in the Township, which property is located at 14100 152nd Avenue, part of Parcel Number 70-07-01-151-008 (the “Property”), the legal description of which is attached as Exhibit A.

C. The Property is included in the RR Rural Residential District of the Zoning Map.

D. The Township’s Planning Commission recommended that the Property be rezoned to the R-2 Single Family Residential District.

E. The Township’s Community Development Director, by memorandum dated October 10, 2018, discussed the proposed rezoning to the R-2 Single Family Residential District with the Planning Commission.

F. The Township Board is reluctant to rezone the Property to the R-2 Single Family Residential District, because the Property does not connect to the municipal water system, which is a minimum requirement of the District.

G. Under Section 405 of Public Act 110 of the Public Acts of 2006, as amended, a landowner may voluntarily offer in writing, and a township may approve, certain conditions which attach to a rezoning of property in that township.

H. The Owners have submitted a voluntary offer to engage in zoning under Section 405.

THEREFORE, the parties agree as follows.

Section 1. Rezoning of the Property. The Township has adopted a Zoning Map Amendment Ordinance (the “Amendment Ordinance”), rezoning the Property to the R-2 Single
Family Residential District, contingent on this Agreement taking effect. This Agreement is contingent upon the Amendment Ordinance taking effect and remaining valid.

Section 2. **Condition of Rezoning.** Rezoning the Property to the R-2 Single Family Residential District shall be conditioned upon the Owner, and any subsequent owner of the Property, complying with the condition that the Property shall be connected to the municipal water system.

Section 3. **Township Findings.** The Township finds that the Property should be rezoned to the R-2 Single Family Residential District. That rezoning would be compatible with surrounding property, it would be appropriate given that municipal water is available to the Property, the Property is already connected to municipal sanitary sewer, and it would fit the purpose of the R-2 Single Family Residential district as stated in Section 9.01 of the Zoning Ordinance.

Section 4. **Compliance.** The development of the Property pursuant to this Agreement shall be subject to compliance with all Federal, State, County, and Township laws and ordinances.

Section 5. **Binding Nature of This Agreement.** The Owners acknowledge that this Agreement will run with the Property and will be binding upon successor owners of the Property.

Section 6. **Recording of This Agreement.** The Township and the Owners acknowledge that this Agreement shall be recorded by the Township with the Ottawa County Register of Deeds.

Section 7. **Violation of This Agreement by the Owners.** If the Owners violate any provision of this Agreement, that violation shall constitute a violation of the Zoning Ordinance and shall be subject to legal enforcement action and judicial abatement action as provided by law.

Section 8. **Acknowledgment by the Owners.** The Owners acknowledge that no permit or approval shall be granted under the Zoning Ordinance for any use or development that is contrary to this Agreement.

Section 9. **Time Period.** The obligation of the Owners to connect the Property to municipal water shall be effective immediately and shall remain in effect throughout the term of this Agreement, as long as the Property is maintained in the R-2 Single Family Residential District.

Section 10. **Reversion of Zoning.** If the condition in Section 2 is not satisfied during the term of this Agreement, then the Property shall be reconsidered for rezoning to the RR Rural Residential District. The reconsideration of rezoning shall be initiated by the Township Board, which shall request that the Planning Commission hold a public hearing on the rezoning of the Property and make a recommendation to the Township Board. The procedure for considering and accomplishing this rezoning shall be the same as applies to all other rezoning requests.

Section 11. **Subsequent Rezoning of the Property.** If the Property is subsequently rezoned to a different zoning classification or to the R-2 Single Family Residential District but subject to the terms of a different agreement or no agreement at all, the terms of this Agreement
shall cease to be in effect. Upon the request of the owner of the Property at the time, the Township shall record with the Ottawa County Register of Deeds a notice that this Agreement is no longer in effect.

Section 12. Amendment of this Agreement. This Agreement may be amended in the same manner that the Property was rezoned to the R-2 Single Family Residential District pursuant to the terms of this Agreement.

Section 13. Township’s Right to Rezone. Nothing in this Agreement shall prohibit the Township from rezoning all or any portion of the Property to another zoning classification. Any such rezoning shall be conducted in compliance with the Zoning Ordinance and applicable law.

Section 14. Miscellaneous. This Agreement shall inure to the benefit of and be binding upon the parties and their respective heirs, personal representatives, members, assigns, and successors. All notices and other documents to be served or transmitted shall be in writing and addressed to the respective parties at the addresses stated on Page 1 of this Agreement or such other address or addresses as shall be specified by the parties from time to time, and may be served or transmitted in person or by ordinary or certified mail properly addressed with sufficient postage. This Agreement has been executed in the State of Michigan and shall be governed by Michigan law. The waiver by any party of a breach or violation of any provision of this Agreement shall not be a waiver of any subsequent breach or violation of the same or any other provision of this Agreement. If any section or provision of this Agreement is unenforceable for any reason, the unenforceability shall not impair the remainder of this Agreement, which shall remain in full force and effect. This Agreement represents the entire understanding and agreement between parties, and all prior understandings and agreements are specifically merged in this Agreement. The captions in this Agreement are for convenience only and shall not be considered as part of this Agreement or in any way amplifying or modifying its terms and provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES: 

T. BOSGRAAF HOMES, LLC, a Michigan limited liability company

By: 

Michael L. Bosgraaf 
Its: Member

GRAND HAVEN CHARTER TOWNSHIP

By: 

Mark Reenders, Supervisor
STATE OF MICHIGAN )
COUNTY OF OTTAWA )

The foregoing Agreement was acknowledged before me this ______ day of ___________, 2018, by Michael L. Bosgraaf, who, being duly sworn says that he is a member of T. Bosgraaf Homes, LLC, a Michigan limited liability company, and that he has executed the Agreement on its behalf.

_____________________________________________________
Notary Public, Ottawa County, Michigan
My Commission Expires: _________________
Acting on Ottawa County, Michigan

STATE OF MICHIGAN )
COUNTY OF OTTAWA )

The foregoing Agreement was acknowledged before me this ______ day of ___________, 2018, by Mark Reenders and Laurie Larsen, respectively the Supervisor and the Clerk of Grand Haven Charter Township, a Michigan charter township, on behalf of the Township.

_____________________________________________________
Notary Public, Ottawa County, Michigan
My Commission Expires: _________________
Acting on Ottawa County, Michigan

Prepared by:
Stacey Fedewa, AICP
Community Development Director
Grand Haven Charter Township
13300 168th Avenue
Grand Haven, Michigan 49417
Telephone: (616) 842-5988
LEGAL DESCRIPTION

14100 152ND AVENUE

14100 152ND AVENUE  70-07-01-151-008

PART OF LOT 8, BLOCK 23, BORCK'S SUPERVISOR'S PLAT NO. 1 AS RECORDED IN LIBER 8 OF PLATS, PAGES 68-70, OTTAWA COUNTY RECORDS, GRAND HAVEN TOWNSHIP, OTTAWA COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 7 OF SAID PLAT; THENCE N00°00'00"E 500.46 FEET ALONG THE WEST LINE OF SAID BLOCK 23 TO THE POINT OF BEGINNING; THENCE CONTINUING N00°00'00"E 160.00 FEET ALONG SAID WEST LINE; THENCE S88°33'47"E 150.00 FEET ALONG THE NORTH LINE OF SAID LOT 8; THENCE S00°00'00"W 160.00 FEET; THENCE N88°33'47"W 150.00 FEET TO THE POINT OF BEGINNING. CONTAINS 0.55 ACRES. SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.
Community Development Memo

DATE: October 18, 2018
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Text Amendment – Accessory Buildings & Non-Conforming Exception

BACKGROUND

As you know, the Township is drafting a new zoning ordinance. One subject that has come up multiple times since this project began are accessory buildings. It appears the current regulations do not provide enough square footage for property owners to store possessions such as a lawn mower, boat, camper, etc.

Being a tourist community with many recreational assets it is not surprising that many residents indulge in those assets. However, when it comes time to store them for the winter many are left with no choice, but to leave them outside because their out-building(s) are not large enough to store everything.

That has transgressed into numerous property owners waiting to construct an accessory building until the regulations have changed because they are in need of the additional square footage allowance.

We’re heading into winter and these residents want to pour foundations before the ground freezes, so they can work on the project through winter. Thus, staff is proposing a text amendment now to incorporate those accessory building regulations to enable residents to begin their projects now instead of next year. On October 15th the Planning Commission adopted a motion recommending the Board approve the text amendment, including two revisions (highlighted in yellow).

WHAT'S CHANGING?

There are four main areas of improvement being proposed:

1. Larger square footage allowance
2. Standardized setbacks and height
3. Eliminate maximum number of buildings
4. Identify prohibitions and exemptions

Aside from these topics, the language remains nearly identical to the current ordinance.
Larger Square Footage Allowance

The additional square footage ranges from 0 sqft – 1,100 sqft and use round numbers. The average increase of all eight categories is 715 sqft. The version presented by the steering committee drafting the new ordinance did not include the “less than ½ acre category,” which meant the range for seven categories was 400 sqft – 1,100 sqft with an average increase of 820 sqft.

This scale has been provided to several realtors who have all agreed this is a great improvement and believe the allowances are spot-on.

Large properties have also experienced difficulty with the current regulations because it does not allow a bigger floor area if the property is larger than 20-acres. Meaning someone with 20-acres has the same allowance as a 100-acre property. The new proposal takes that into account and allows an extra 2,000 sqft for every additional 5-acres over the 20-acre threshold.

Below are the current (gray) vs. proposed (blue) changes to square footage allowance.

<table>
<thead>
<tr>
<th>Lot Area in Acres</th>
<th>Maximum Total Floor Area of the Allowed Accessory Building or Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than one (1) acre</td>
<td>600 square feet</td>
</tr>
<tr>
<td>One (1) acre, but less than two (2) acres</td>
<td>960 square feet</td>
</tr>
<tr>
<td>Two (2) acres, but less than five (5) acres</td>
<td>1,200 square feet</td>
</tr>
<tr>
<td>Five (5) acres, but less than ten (10) acres</td>
<td>1,600 square feet</td>
</tr>
<tr>
<td>Ten (10) acres, but less than fifteen (15) acres</td>
<td>2,000 square feet</td>
</tr>
<tr>
<td>Fifteen (15) acres, but less than twenty (20) acres</td>
<td>2,400 square feet</td>
</tr>
<tr>
<td>Twenty (20) acres or more</td>
<td>3,000 square feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot Area in Acres</th>
<th>Maximum Total Floor Area of the Allowed Accessory Building or Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than one-half (½) acre</td>
<td>600 square feet</td>
</tr>
<tr>
<td>One-half (½) acre, but less than one (1) acre</td>
<td>1,000 square feet</td>
</tr>
<tr>
<td>One (1) acre, but less than two (2) acres</td>
<td>1,500 square feet</td>
</tr>
<tr>
<td>Two (2) acres, but less than five (5) acres</td>
<td>2,000 square feet</td>
</tr>
<tr>
<td>Five (5) acres, but less than ten (10) acres</td>
<td>2,500 square feet</td>
</tr>
<tr>
<td>Ten (10) acres, but less than fifteen (15) acres</td>
<td>3,000 square feet</td>
</tr>
<tr>
<td>Fifteen (15) acres, but less than twenty (20) acres</td>
<td>3,500 square feet</td>
</tr>
<tr>
<td>Twenty (20) acres or more</td>
<td>4,000 square feet</td>
</tr>
<tr>
<td>Every additional five acres:</td>
<td>2,000 additional square feet</td>
</tr>
</tbody>
</table>
Below are real-world spatial examples of larger accessory buildings on small lots. Included in these figures are the percent of total lot coverage the accessory building and dwelling.

<table>
<thead>
<tr>
<th>Example 1</th>
<th>(15085 Bignell)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>13,312 sqft</td>
</tr>
<tr>
<td></td>
<td>0.306 acres</td>
</tr>
<tr>
<td>Accessory Building Size</td>
<td>960 sqft</td>
</tr>
<tr>
<td>Dwelling Size</td>
<td>1,267 sqft</td>
</tr>
<tr>
<td>Percent of Total Lot Coverage</td>
<td>16.7%</td>
</tr>
<tr>
<td>Percent Remaining of Open Land</td>
<td>83.3%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Example 2</th>
<th>(14973 Sharon)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>13,586 sqft</td>
</tr>
<tr>
<td></td>
<td>0.312 acres</td>
</tr>
<tr>
<td>Accessory Building Size</td>
<td>960 sqft</td>
</tr>
<tr>
<td>Dwelling Size</td>
<td>1,206 sqft</td>
</tr>
<tr>
<td>Percent of Total Lot Coverage</td>
<td>15.9%</td>
</tr>
<tr>
<td>Percent Remaining of Open Land</td>
<td>84.1%</td>
</tr>
</tbody>
</table>
Example 3
(15141 155th)

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>14,000 sqft</td>
</tr>
<tr>
<td></td>
<td>0.321 acres</td>
</tr>
<tr>
<td>Accessory Building Size</td>
<td>912 sqft</td>
</tr>
<tr>
<td>Dwelling Size</td>
<td>1,380 sqft</td>
</tr>
<tr>
<td>Percent of Total Lot Coverage</td>
<td>16.4%</td>
</tr>
<tr>
<td>Percent Remaining of Open Land</td>
<td>83.6%</td>
</tr>
</tbody>
</table>

Example 4
(14723 160th)

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>18,640 sqft</td>
</tr>
<tr>
<td></td>
<td>0.428 acres</td>
</tr>
<tr>
<td>Accessory Building Size</td>
<td>960 sqft</td>
</tr>
<tr>
<td>Dwelling Size</td>
<td>1,304 sqft</td>
</tr>
<tr>
<td>Percent of Total Lot Coverage</td>
<td>12.1%</td>
</tr>
<tr>
<td>Percent Remaining of Open Land</td>
<td>87.9%</td>
</tr>
</tbody>
</table>
In nearly all cases, an additional foot of width would bring these accessory buildings to 1,000 sqft. On average, that would increase the lot coverage by 0.3%. **All lots would still have over 80% of open space** on their property.
Standardized Setbacks and Height

The current setbacks provide a sliding scale based on the size of the accessory building. In practice this has become difficult. **Outdoor living space has become more important over the last 20-years**, so residents are adding more amenities to their yards than in the past.

The catch-22 with this situation is—as lots get smaller it becomes more difficult to accommodate all of the outdoor living space that residents desire. The large setbacks will often prevent a resident from achieving their goals because the extra structure simply cannot fit on the lot because of the setbacks; or they would have to rearrange all of the existing structures and that is too costly and/or cumbersome.

Below are the current *(gray)* vs. proposed *(blue)* changes to setbacks.

| Accessory Building or Structure Size in Total Area (Gross Floor Area for Accessory Building) | SETBACKS | | | | |
|---|---|---|---|---|
| | Principal Building | Side Lot Line | Rear Lot Line | Other Accessory Building or Structure |
| Less than 150 square feet | 5 feet | 5 feet | 5 feet | 5 feet |
| 150 to less than 600 square feet | 25 feet* | 10 feet | 10 feet | 18 feet |
| 600 to less than 960 square feet | 25 feet* | 15 feet | 15 feet | 18 feet |
| 960 square feet or greater | 25 feet | 25 feet | 25 feet | 18 feet |

* Detached Garages that are 600 square feet or less may be located six (6) feet from the Principal Building

**Version Presented** to the Planning Commission

| Accessory Structure Area (interior sqft) | SETBACKS | | | | |
|---|---|---|---|---|
| | Principal Building | Side Lot Line | Rear Lot Line | Other Accessory Structure(s) |
| 2,000 or less | 10 feet | 10 feet | 10 feet | 10 feet |
| 2,001 or more | 10 feet | 15 feet | 10 feet | 10 feet |

**Version Recommended for Approval** by the Planning Commission

| Accessory Building or Structure Area (interior sqft) | SETBACKS | | | | |
|---|---|---|---|---|
| | Principal Building | Side Lot Line | Rear Lot Line | Other Accessory Structure(s) |
| 600 or less | 10 feet | 10 feet | 10 feet | 10 feet |
| 601 to 2,000 | 10 feet | 15 feet | 10 feet | 10 feet |
| 2,001 or more | 10 feet | 25 feet | 10 feet | 10 feet |
The steering committee believed a 15-foot side yard setback should be adhered to for any building over 2,000 sqft because the size and bulk of the building should not be quite as close to the side lot line as smaller buildings. However, the Planning Commission believed that was insufficient and are recommending an increased setback for side yards only.

Regarding height, the Township has another sliding scale. The proposal is to standardize and simplify this as well. Similarly, it is proposed that accessory building setbacks and height be measured in the same method as principal buildings—setback to the foundation, and mean height between peak and eaves.

Below are the current (gray) vs. proposed (blue) changes to the height.

---

**Height Restrictions.**

1) The height of a detached Accessory Building shall be measured from the ground floor to the top of the roof, for the purposes of this section.

2) In all residential zoning districts, on Lots of less than one (1) acre, no detached Accessory Building shall exceed twenty (20) feet in height. *(amend. by ord. no. 532 eff. April 26, 2015)*

3) In all residential zoning districts, on Lots of one (1) acre but less than two (2) acres, no detached Accessory Building shall exceed twenty-two (22) feet in height.

4) In all residential zoning districts, on Lots of two (2) acres but less than five (5) acres, no detached Accessory Building shall exceed twenty-nine (29) feet in height.

5) In all residential zoning districts, on Lots of five (5) acres or more, no detached Accessory Building shall exceed thirty-five (35) feet in height.

---

**Height Restrictions.** No accessory building shall exceed twenty (20) feet (as measured to the mean height between the peak and the eaves), or the height of the principal building on the lot, whichever is greater. The measurement is required to be the same for both types of buildings.

---

**Eliminate Maximum Number of Buildings**

The restriction on the number of buildings has been prohibitive for some residents, especially those with lots under 1-acre, which comprise the vast majority of residential properties within the Township.
For example, oftentimes the storage needs of a resident’s possessions vary, and they find it best to separate the items into different buildings—lawn equipment in a small garden shed, a small workshop in a separate building, and another to store recreation vehicles.

In other cases, a camper or motorhome may need its own building, and then other items such as lawn equipment, patio furniture, workshop, vehicles, etc. are stored in one or more buildings.

Clearly, the concern that arises here is—will someone install ten 100 sqft sheds on their property? While it is possible, it is also unlikely. Generally, residents want their property to look nice and to store their items inside a building.

It is possible this could happen, but the question to ask yourself is—will their yard look better having all of their widgets stored in ten buildings or strewn about the yard and covered with tarps?

For the many it would benefit, staff believes that outweighs the potential cost of a few.

Below are the current (gray) vs. proposed (blue) changes to the number of buildings.

<table>
<thead>
<tr>
<th>Number of Accessory Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>LDR, R-1 through R-5</td>
</tr>
<tr>
<td>RP, RR, LDR, R-1 through R-5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Accessory Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning District</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>All Residential</td>
</tr>
</tbody>
</table>

Identify Prohibitions and Exemptions

The current ordinance does not specify any accessory structures that are prohibited or exempt, and that has caused uncertainties to arise for items such as—children’s playset, tree house, lemonade stand, pergolas, shipping containers, elevated walkways, etc.

When it comes to childhood, Fedewa has established a policy that children are able to be children without obtaining a permit to enjoy their childhood. They can have playgrounds, princess houses, lemonade stands, treehouses, etc. without having to obtain any zoning permits. All of us have been able to enjoy those aspects of childhood, so all current and future generations of children should be able to do the same. Thus, Fedewa is proposing to explicitly put that in writing.

As it relates to structures without walls—pergolas, gazebos, etc. are improvements that maintain a nice character in the neighborhood, enables residents to enjoy the outdoors, and add value to their property. At times, residents have had to forego one of these structures, or an accessory building,
because they were unable to have both due to square footage allowances and setbacks. That simply seems unfortunate, so an exemption is proposed.

Regarding elevated walkways—these are incredibly common in the dunes and along waterfront properties. The current ordinance is very unclear on how these are to be regulated, and the ZBA and staff have specifically requested these be exempt to resolve all of the concerns. The proposed language follows the DEQ Policy that exempts property owners from obtaining permits to construct the walkways if they are a maximum of 5-feet wide and use handheld tools.

Below is the proposed language for the prohibitions and exemptions. There is not a comparison for this section because current language does not exist.

**Prohibited Accessory Buildings and Structures.** The following shall not be used as an accessory structure on any lot:

A. **Shipping containers;**

B. **Manufactured mobile homes;**

C. **Inoperable vehicles;**

D. **Boats or other watercraft; and**

E. **Recreational Vehicles (RVs)/motor homes/travel trailers.**

**Exempt Accessory Structures.** The following accessory structures shall be exempt from the regulations of this section, except for the regulations listed below:

A. **Childhood Amenities.** Playground equipment, treehouses, lemonade stands, playhouses, and other similar amenities shall be exempt from this section, except they must be setback at least three (3) feet from all side and rear lot lines.

B. **Structures without Walls.** Gazebos, pergolas, and other permanent structures without walls shall be exempt from this section, except they must maintain the required setbacks for accessory structures.

C. **Elevated Walkways.** Elevated walkways that meet the standards of the Michigan Department of Environmental Quality to be constructed in a Critical Dune Area, High Risk Erosion Area, regulated Wetland, or regulated Floodplain shall be exempt from this section.

**NON-CONFORMING USES, STRUCTURES, AND LOTS CHAPTER**

There is at least one property owner that was financially impacted when the current ordinance was adopted. A development project had begun under the previous ordinance, and because the remainder of the buildings had not started construction he was unable to complete the build-out. This has
resulted in only 1/3 of the land being utilized and the remaining 2/3 has been rendered unusable because it’s a long narrow lot.

Zoning intends to provide property owners with the highest and best use that is available within the confines of the ordinance. This situation precludes the property owner from achieving the highest and best use because there is no ability to utilize the remaining 2/3 of the land. Meaning the owner is only attaining the highest and best use for 1/3, which is an unnecessary hardship and diminishes the value of the property.

This is a unique, niche, situation. One that is unlikely to apply to very many properties—on purpose. Staff is proposing to allow these niche situations to have a fruitful outcome by adding this exception to the Non-Conforming Chapter.

A use that was approved by the Township and lawfully partially constructed in phases prior to becoming a non-conforming use shall be permitted to complete any approved phased construction if the lot remains under the same ownership for which the original approval was received.

The two stringent criteria that would limit this exception provision:

1. Use must have been previously approved by the Township; and
2. The same person that received the approval, must continue to own the property.

**MORAL OF THE STORY AND WHAT’S NEXT?**

The moral of the story for crafting the new zoning ordinance is summarized by two words:

**SIMPLICITY, SIMPLICITY, CONSISTENCY IS KEY**

These two words have been the guiding principles.
If the Board supports the proposed text amendment, the following motion can be offered:

**Motion to present and postpone** the Zoning Text Amendment Ordinance (*draft date 10/15/18*) to replace the Accessory Buildings and Structure section of the General Provisions Chapter and add an exception to the Non-Conforming Uses, Structures, and Lots Chapter. Further action will be postponed until November 12th when it will be considered for adoption. **This is the first reading.**

If the Board opposes the proposed text amendment, the following motion can be offered:

**Motion to deny** the proposed Zoning Text Amendment Ordinance to replace the Accessory Buildings and Structure section of the General Provisions Chapter and add an exception to the Non-Conforming Uses, Structures, and Lots Chapter.

If the Board does not have enough information to make a determination, the following motion can be offered:

**Motion to table** the proposed Zoning Text Amendment Ordinance, and direct staff to make the following revisions:

1. *List the revisions.*

Please contact me if this raises questions.
ORDINANCE NO. ____

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF GRAND HAVEN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN, CONCERNING ACCESSORY BUILDINGS AND STRUCTURES STANDARDS IN THE GENERAL PROVISIONS CHAPTER; AMENDING THE NON-CONFORMING USES, STRUCTURES, AND LOTS CHAPTER FOR COMPLETING FUTURE PHASES WHEN A LAWFUL PARTIALLY CONSTRUCTED PROJECT REMAINS UNDER THE SAME OWNERSHIP.

LEGALLY NON-CONFORMING USES OF LAND AND COMPLETION OF PENDING PROJECTS; AND BY PROVIDING FOR AN EFFECTIVE DATE.

GRAND HAVEN CHARTER TOWNSHIP, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. General Provisions Chapter – Accessory Buildings and Structures. Section 20.03 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

SECTION 20.03 ACCESSORY BUILDINGS AND STRUCTURES

1. Prohibited Accessory Buildings and Structures. The following shall not be used as an accessory structure on any lot:
   A. Shipping containers;
   B. Manufactured mobile homes;
   C. Inoperable vehicles;
   D. Boats or other watercraft; and
   E. Recreational Vehicles (RVs)/motor homes/travel trailers.

2. Exempt Accessory Structures. The following accessory structures shall be exempt from the regulations of this section, except for the regulations listed below
   A. Childhood Amenities. Playground equipment, treehouses, lemonade stands, playhouses, and other similar amenities shall be exempt from this section, except they must be setback at least three (3) feet from all side and rear lot lines.
B. **Structures without Walls.** Gazebos, pergolas, and other permanent structures without walls shall be exempt from this section, except they must maintain the required setbacks for accessory structures.

C. **Elevated Walkways.** Elevated walkways that meet the standards of the Michigan Department of Environmental Quality to be constructed in a Critical Dune Area, High Risk Erosion Area, regulated Wetland, or regulated Floodplain shall be exempt from this section.

3. **Accessory Buildings and Structures.**

A. **Zoning Districts.** Accessory buildings and structures may be erected in any zoning district only as an accessory to an existing principal building (which includes being built simultaneously with the construction of the principal building).

B. **Principal Building Requirement.** Accessory buildings and structures may not be constructed, or if constructed may not remain, on a lot without a principal building. The Zoning Administrator shall have the authority to grant a temporary exception to this prohibition, subject to reasonable conditions, if the Zoning Administrator finds the temporary exception is consistent with the purposes of this Ordinance, as described in Section 1.02.

C. **Elements of the Principal Buildings.** All buildings and portions of buildings connected to the principal building shall be considered an element of the principal building, and shall therefore comply in all respects with the requirements of this Ordinance that apply to the permitted principal building, including but not limited to setback requirements, unless specifically stated to the contrary herein. The term “connected” shall mean the space shares a common wall with the principal building, or is connected by an enclosed breezeway.

D. **Residential Purposes.** All uses for residential accessory buildings and structures must be accessory to the use of the dwelling unit.

F. **Size Requirements.** The total floor area (defined below) of the allowed residential accessory building(s) shall be dependent on the lot area, as outlined in the table below.
<table>
<thead>
<tr>
<th>Lot Area in Acres</th>
<th>Maximum Total Floor Area of the Allowed Accessory Building or Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than one-half (½) acre</td>
<td>600 square feet</td>
</tr>
<tr>
<td>One-half (½) acre, but less than one (1) acre</td>
<td>1,000 square feet</td>
</tr>
<tr>
<td>One (1) acre, but less than two (2) acres</td>
<td>1,500 square feet</td>
</tr>
<tr>
<td>Two (2) acres, but less than five (5) acres</td>
<td>2,000 square feet</td>
</tr>
<tr>
<td>Five (5) acres, but less than ten (10) acres</td>
<td>2,500 square feet</td>
</tr>
<tr>
<td>Ten (10) acres, but less than fifteen (15) acres</td>
<td>3,000 square feet</td>
</tr>
<tr>
<td>Fifteen (15) acres, but less than twenty (20) acres</td>
<td>3,500 square feet</td>
</tr>
<tr>
<td>Twenty (20) acres or more</td>
<td>4,000 square feet</td>
</tr>
<tr>
<td>Every additional five acres:</td>
<td>2,000 additional square feet</td>
</tr>
</tbody>
</table>

The term “total floor area” as used in this subsection means the sum total useable floor area of the ground floor of all residential accessory buildings situated or permitted on a lot. Total floor area also includes the area under an attached lean-to structure, or roof overhang greater than three (3) feet, or other similar sheltered area.

G. **Height Restrictions.** No accessory building shall exceed twenty (20) feet (as measured to the mean height between the peak and the eaves), or the height of the principal building on the lot, whichever is greater. The measurement is required to be the same for both types of buildings.

H. **Setbacks.**

1) Setbacks shall be measured from the foundation of the accessory building or structure. A cantilever or overhang may extend no more than three (3) feet into the required setback.

2) Accessory buildings and structures shall be setback in accordance with the following table:
| Accessory Building or Structure Area (interior sqft) | SETBACKS | | | |
|---|---|---|---|
| | Principal Building | Side Lot Line | Rear Lot Line | Other Accessory Structure(s) |
| 600 or less | 10 feet | 10 feet | 10 feet | 10 feet |
| 601 to 2,000 | 10 feet | 15 feet | 10 feet | 10 feet |
| 2,001 or more | 10 feet | 25 feet | 10 feet | 10 feet |

Section 2. Non-Conforming Uses, Structures, and Lots Chapter – Exceptions. Section 25.08 of the Grand Haven Charter Township Zoning Ordinance shall be restated in its entirety as follows.

**SECTION 25.08 EXCEPTIONS**

1. Notwithstanding any other provisions of this Chapter, a single-family dwelling located in a district which does not permit the same may be altered, expanded or rebuilt.

2. A use that was approved by the Township and lawfully partially constructed in phases prior to becoming a non-conforming use shall be permitted to complete any approved phased construction if the lot remains under the same ownership for which the original approval was received.

Section 3. Effective Date. This amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on ____________, 2018, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on __________, 2018, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on ___________, 2018, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the Grand Haven Tribune, as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk
CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____________, 2018. The following members of the Township Board were present at that meeting: ___________. The following members of the Township Board were absent: _________. The Ordinance was adopted by the Township Board with members of the Board __________ voting in favor and _________ members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on ____________, 2018.

____________________________
Laurie Larsen, Clerk
Grand Haven Charter Township
## Public Services Department

### End of the Month Report

#### 2018

### Water

<table>
<thead>
<tr>
<th>MONTH</th>
<th>WORK ORDERS</th>
<th>METER INSTALLS 3/4&quot;</th>
<th>1&quot;</th>
<th>REPLACED METERS</th>
<th>REPLACED MXU'S</th>
<th>MAIN INSTALLED IN FEET</th>
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**Notes:**
- New 2" - 16923 Piperway - 5/2/18
- New 3" - 14851 Piper Lakes Trl - 5/17/18
- New 2" - 14836 Piper Lakes Trl - 5/17.17
- New 2" - 16940 Piper Lakes Cir - 6/5/18
- New 3" - 17283 Rosy Mound Lane

### Wastewater

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**Notes:**