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**SPRING LAKE TOWNSHIP  
PLANNING COMMISSION MINUTES  
JULY 15, 2015 – REGULAR MEETING**

PRESENT: Jack Ketchum, Greg Latsch, Ron Lindquist, Dennis Masson, Crystal Morgan, Russ Tiles.

ABSENT: David Rumpel.

PARTICIPANTS: Lukas Hill, Township Community Development Director

**A. Call to Order**

Masson called the meeting to order at 7:02 p.m.

**B. Approval of Agenda**

Ketchum made a motion, support by Masson, to approve the agenda as written. The motion passed unanimously.

**C. Approval of Minutes**

Lindquist made a motion, support by Ketchum, to adopt the June 17, 2015 Planning Commission meeting minutes as presented. The motion passed unanimously.

**D. Public Comments**

Public comment was opened at 7:06pm and closed at 7:07pm. No comments were offered.

**E. LeMieux – Waterfront Accessory Building at 15730 Willows Drive**

Richard Buitenhuis, Buitenhuis Building & Design, presented the request as the representative for the owners. He stated that they are requesting an accessory building at the base of the hill for storage. There used to be a shed there but it had to be removed to repair the sea wall. They are requesting permission to put another shed in. The shed will be designed to look like the house.

Ketchum asked about the setback. By right a ten-foot setback from the property line is required, and they are proposing five feet. Buitenhuis agreed, and stated that the old shed was located there and nobody complained, so they picked that location.

Ketchum asked about the height of the building. Buitenhuis stated that it would be less than twelve feet high. Ketchum stated that he was concerned that the 12-foot height would impede the view of the neighboring houses. Buitenhuis stated that he could recess the shed about two feet into the hill to set it back a little further.

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Morgan asked about the size of the shed that was removed. Buitenhuis estimated that it was 8x10 feet, but he didn't measure it before it was removed.

The public hearing was opened at 7:14pm. There were no comments offered. Motion by Latsch, support by Masson, to close the public hearing at 7:15pm. The motion passed unanimously.

The Commissioners reviewed the Special Use criteria.

Motion by Ketchum, support by Lindquist, to approve the Lemieux Special Land Use request to construct a 10 x 14 foot waterfront accessory building as submitted with the following conditions:

- a. The accessory building generally meets the criteria in Section 306, 902 and 956 of the Zoning Ordinance.
- b. The accessory building shall be built in compliance with the submitted site plan and elevation drawings. The accessory building may be reduced in height or area without further review by the Planning Commission.
- c. The accessory building shall be used for personal storage only.
- d. The applicant will comply with any other local, state, and federal laws.
- e. The applicant will comply with all verbal representations.
- f. The building will be moved so the base of the foundation is six feet from the seawall.

With a roll call vote, the motion passed unanimously.

#### **F. Zoning Map Amendment – SW Quarter of Section 5**

Hill stated that the initial rezoning request was from Hickory Road, LLC, as they are planning to continue agricultural operations on their 93 acres and would like to build an accessory building which is too large for the current R2 zoning. The rezoning request is to downzone to RR. For consistency, staff is recommending that most of the entire section be rezoned. All landowners in the section were notified of the rezoning request and the public hearing. Hill stated that he had not received any phone calls or letters related to the request.

The Commissioners discussed whether all landowners in the Section were notified, as there was some confusion about specific parcels. It was decided to proceed with the public hearing as if all landowners were notified, and if necessary another public hearing will be held.

The public hearing was opened at 7:44pm.

James and Gertrude Bos, 18733 180<sup>th</sup> Ave., stated that they were in support of the rezoning. The area was always rural, and after it was purchased by John Rycenga it was rezoned to R2. They would prefer the RR zoning, and retaining the rural nature of the area. They stated that their son, who owns the property to the south of theirs, and John Geldersma, who owns the property to the north, also prefer the RR zoning. Lindquist asked Mrs. Bos if she received a notice for the public hearing. She stated she received a letter. She stated her son and Mr. Geldersma also received letters.

Motion by Latsch, support by Ketchum, to close the public hearing at 7:50 pm. The motion passed unanimously.

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The Commissioners reviewed Section 109 B 7 of the Zoning Ordinance, related to rezoning. Latsch questioned item 109 B 7 d, referring to the Master Plan, because this rezoning moves away from the Master Plan zoning. Tiles stated that it did not appear that there was any provision in the Master Plan for moving away from denser uses, and that the only open space included in the Master Plan was for parks. Hill stated that while the zoning would not be compliant with the Master Plan, it is not a detriment to keep these properties in rural/agricultural use until such time that utilities are available to serve the area. He stated that the circumstances during creation of the Master Plan were very different from today. The area was rezoned in anticipation of development and conditions have changed and the development is not currently planned.

Motion by Latsch, support by Tiles, to recommend the rezoning of 155 acres in the southwest corner of Section 5, as presented, from R2 to RR, as all landowners have been notified, there has been no disagreement from the landowners. With a roll call vote, the motion passed unanimously.

#### **G. Trees – Survey Requirements– Discussion**

Hill presented a revised Tree Canopy Protection memo. Based on previous discussions, it may be reasonable to require a tree survey as part of a development review. It would make sense to add it to Section 1004 F of the Zoning Ordinance, which discusses special studies.

Latsch asked whether the Zoning Ordinance would require any further adjustments so the Commission could act on the results of a tree survey.

Morgan asked what would be the end goal of a tree survey. If the goal is for the trees to remain during construction, Section 1004 F is the right place for the addition. She asked if there would be any ongoing requirement after construction and how that would be enforced.

Lindquist and Ketchum asked how this survey would fit with the existing tree ordinance. Ketchum stated there was some language in Section 947 to require some of what is being discussed.

Hill stated that he understands the board is interested in regulating/controlling trees when the land is subject to development and is not interested in regulating agricultural uses or individual lots. He will revise the discussion document for a future meeting.

#### **H. M104 Commercial Corridor Sub-Area Plan – Discussion**

Hill presented the Request for Proposals for a Sub-Area Plan. The Township Board has reviewed the request and is ready to act. Lindquist stated that the Board is willing to spend the money to develop the Sub-Area Plan. Hill stated he has talked to some of the landowners in the area, and there is interest in the study. He asked if the Planning Commissioners had any further comments before the request is sent out. There were no comments, and the Commissioners supported sending the request out for bids.

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**I. Commissioner Comments**

1. Township Board: The tentative move for the Township offices into Village Hall is mid-August. There is a tentative agreement for the sale of the Township Hall property to the Village.
2. Zoning Board of Appeals: There was a meeting to review a request for a larger than by right accessory building, and the location of the building on a lot with three front yards. The size was approved, and a variance to the setback requirement was approved.
3. Community Development Director: The Board approved three zoning ordinances at the July 13 meeting: the updated fences section, the requirement for large developments to be reviewed as a PUD, and the moving of accessory building reviews from the Planning Commission to the ZBA. Based on the change to the accessory building reviews, Hill will confirm with the Township attorney which venue is the correct one for continued review of the Reinhart request, which was tabled by the Planning Commission at their June meeting.

**J. Adjournment**

Latsch moved to adjourn the meeting at 8:42pm. Masson seconded the motion, which passed unanimously.

Respectfully submitted,

Jack Ketchum, Secretary  
Planning Commission