

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held  
Wednesday, March 21, 2018**

Meeting called to order by Chairman Honderd at 7:30 p.m.

Present: Greg Honderd, Richard VanderKlok, Jessica Ulberg, Donna Ferguson, Tim Smit, Jeannine Bolhouse, Josiah Sammy

Absent: None

Also present: Mannelle Minier, Zoning Administrator; Ted Woodcock, Deputy Zoning Administrator

**#180321-01 – Agenda for March 21, 2018**

Moved by Richard VanderKlok, seconded by Donna Ferguson, to approve the agenda as submitted.

MOTION CARRIED UNANIMOUSLY.

**#180321-02 – Minutes of the regular March 7, 2018 meeting**

Moved by Richard VanderKlok, seconded by Tim Smit, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

**#180321-03 – The layout of the Preliminary Plat of Cedar Lake No. 13, P.P. # 70-14-04-400-007 and part of P.P. # 70-14-04-400-002, located at 2600 Fillmore and 8900 24<sup>th</sup> Ave., zoned LDR, Georgetown Township, Ottawa County, Michigan ([plat map](#))**

Todd Stuive, Exxel Engineering, represented the applicant and presented the request.

The Zoning Administrator presented a [staff report](#).

Greg Honderd stated the following. There should be a plan and sidewalks should be waived along 28<sup>th</sup> Ave. The lots are high with a small setback which raises the driveway. There should be a bike path that connects park to park. The road could be moved to the west and more depth given to the lots. Then there could be a wide bike path. Plat restrictions give the developer the opportunity to have restrictions and the homeowners can dictate them. The developer should put in the sidewalks at the intersections because it would be better than each builder putting in different ones.

Josiah Sammy asked who had the authority to waive the sidewalks.

The Zoning Administrator explained that the Utilities Committee reviewed requests for sidewalk waivers and made a recommendation to the Board who is the entity with the authority to waive sidewalks.

Donna Ferguson said that she liked the plan.

The chairperson opened the public hearing.

Tom Clausen, 2502 Fillmore, asked about 28<sup>th</sup> Ave. connecting Fillmore to Bauer Rd. and that the public heard about it a long time ago.

Greg Honderd stated that there was a problem with the cemetery and there would be merit noting the connection. He said that the Township should work with the developer and it is not intended to be a major thoroughfare.

The Zoning Administrator said that back in the 1990s when the Willow Creek development was approved, the developer showed those street connecting to 28<sup>th</sup> Ave. between Bauer Rd. and Fillmore. She said that the Township would not construct a road, but would wait for the developer to do it at the time of development. She also noted that the setback requirement had been reduced from 60 feet to 50 feet between Bauer and Fillmore as the point to measure a setback.

Dave Anderson, 9091 24<sup>th</sup> Ave. stated the following. He lives across from the development and has concerns. He contacted the DEQ when the developer was filling in the wetlands and the DEQ made them stop and take out the fill. The DEQ said that they could never build there. He was told that when 24<sup>th</sup> Ave. was developed, the speed limit of 45 would be reduced. This could be dangerous for kids and he liked the idea of a bike path.

The chairperson closed the public hearing.

Todd Stuve stated the following. They have identified the wetlands and are addressing them. There are wetlands where the lakes come together. They will get permits and the situation will be taken care of properly. Goodale owns the property to the west and the developer of this plat does not even own that property. It was right that the Township would not build the road, but would wait for the developer to build it as they go. This road will be a wider primary road. The sidewalks would be separated and not a part of the road. It is feasible to not fill out the wetlands and minimize the impact. This developer does not own the property on the west side of the road. This developer is not in the position to fund that part of the project and is already funding the roadway.

Greg Honderd said that the comments were more toward the Township.

**Moved by Richard VanderKlok, seconded by Josiah Samy, to adopt the staff report as finding of facts and to recommend to the Township Board to grant tentative preliminary plat approval of Cedar Lake No. 13, P.P. # 70-14-04-400-007 and part of P.P. # 70-14-04-400-002, located at 2600 Fillmore and 8900 24<sup>th</sup> Ave., zoned LDR, Georgetown Township, Ottawa County, Michigan, as shown on the drawing dated 1/26/2018, and with the following conditions:**

- a. Building envelopes appear to meet ordinance requirements, but will be reviewed for exactness at the time a building permit application is submitted. Some lots are affected by drainage easements. These situations are noted to be self-created by the developer and would not, therefore, qualify to meet the standard in the ordinance regarding self-created situations should any time in the future a variance be requested based on those circumstances.**
- b. As noted on the plan, lot 231 has no driveway access to Fillmore.**
- c. All fees, including deferred assessments, shall be paid prior to the issuance of any building permits.**
- d. If there is to be a plat entry sign, some type of legal instrument must be submitted for the maintenance of the sign.**
- e. Attached garages with a minimum of 400 square feet shall be provided.**

- f. Sidewalks will be provided by the individual property owner at the time a house is constructed.**

MOTION CARRIED UNANIMOUSLY.

**#180321-04 – The layout of the Preliminary Plat of Eagles Ridge No. 2, part of P.P. # 70-14-08-400-025, located at 3358 Bauer Rd., zoned LDR, Georgetown Township, Ottawa County, Michigan ([plat map](#), [constructability of lots 61, 64 and 65](#))**

Dave Hanko, Feenstra and Associates, represented the applicant and presented the request. He noted that phase 1 had not been built yet, but would be starting this spring and phase 2 will connect to Bauer Rd.

The Deputy Zoning Administrator presented a [staff report](#).

Greg Honderd stated the following. Any type of restrictions should be handled internally with plat restrictions. It was good that the developer was putting in some of the sidewalk because it would be consistent with the intersections. The sidewalks would get done right away and the difficulties that may be encountered in the future with utilities and boxes would be eliminated.

The chairperson opened the public hearing.

Bryan Theile, 8360 36<sup>th</sup> Ave., said that his property abuts this site and wondered how it would affect him when he constructed his house. He said that he intended to put in a septic system, not sewer, and wondered if he had to connect to sewer.

Richard VanderKlok said that the Board would have to require it, but it is not required at this time because his site was not in a plat.

Greg Honderd directed him to talk to Township staff and to an engineer to prepare for the future by putting his house in a position to hook up to sewer and to be ready for additional development since a stub street runs there for the future development.

The chairperson closed the public hearing.

**Moved by Richard VanderKlok, seconded by Donna Ferguson, to adopt the staff report as findings of fact and to recommend to the Township Board to grant tentative preliminary plat approval of the layout of the Preliminary Plat of Eagles Ridge No. 2, part of P.P. # 70-14-08-400-025, located at 3358 Bauer Rd., zoned LDR, Georgetown Township, Ottawa County, Michigan, Georgetown Township, Ottawa County, Michigan, as shown on the drawing dated 1/30/18, and with the following conditions:**

- a. Building envelopes appear to meet ordinance requirements, but will be reviewed for exactness at the time a building permit application is submitted. Lots 46 and 71 have no driveway access to Bauer Rd. and the front yard setbacks from the centerline of Bauer Rd. are 100 feet. Lots 61, 64 and 65 appear to have small building envelopes. A drawing was provided showing how a house with a minimum of 1,000 square feet in area (the minimum allowed in Chapter 24) and a minimum of a 400 square foot attached garage (the minimum allowed in Sec. 3.6(I) ) could fit on those lots. Some of the lots are affected by drainage easements. All these situations are noted to be self-created by the developer**

**and would not, therefore, qualify to meet the standard in the ordinance regarding self-created situations should any time in the future a variance be requested based on those circumstances.**

- b. A note on the plan indicates that the developer will install the sidewalk adjacent to Bauer Rd. at the time of plat construction.**
- c. All fees, including deferred assessments, shall be paid prior to the issuance of any building permits.**
- d. If there is to be a plat entry sign on Bauer, some type of legal instrument must be submitted for the maintenance of the sign.**
- e. Attached garages with a minimum of 400 square feet shall be provided.**
- f. Sidewalks will be provided by the individual property owner at the time a house is constructed.**
- g. A note on the plan indicates that the property owners of lots 46 and 71 will maintain the detention ponds and the parkway along Bauer Rd.**

MOTION CARRIED UNANIMOUSLY.

**#180321-05 – (REZ1804) Ordinance 2018-09** To change from (AG) Agriculture to (LDR) Low Density Residential part of a parcel of land described as P.P. # 70-14-11-300-017, located at 1300 Maplewood Dr., Georgetown Township, Ottawa County, Michigan. ([application with survey](#).)

Todd Stuive, Exxel Engineering, represented the applicant and presented the request. He stated the following. This land to be rezoned is wooded, not muck soil, and is not used for farming. Even though the entire parcel is shown as AG on the Future Land Use Map, it is adjacent to LDR and water and sewer is available. It is consistent, capable and compatible with the neighborhood.

The Zoning Administrator presented a [staff report](#).

Greg Honderd said that this is similar to the area north of 40<sup>th</sup> Ave. by Brookfield with the remainder RR and sewer is not available. He asked how they would get sewer there.

Todd Stuive said that they would extend the roadway 200 feet with one third to one half being open space.

Greg Honderd said that much of this land is muck and unstable soil resulting in it being undevelopable.

Josiah Samy said that uses that would be allowed fit the surrounding area.

Richard VanderKlok said that it meets the standards to be rezoned.

The chairperson opened the public hearing.

Jennifer Lauters, 1422 Maplewood, asked if it would be kept as a dead-end and was told that it would become a permanent cul de sac.

Jody Poole, 1300 Maplewood, stated that there is something to be said for leaving this land undeveloped and she was concerned with a traffic increase.

Todd Stuive said that they planned to have approximately 12 homes.

Larry Ras, 1423 Maplewood, asked if the remainder of the parcel would still be used for farming and what the homes would be like.

The applicant responded yes it would.

Greg Honderd said that at this time the Planning Commission was reviewing the rezoning request only and that they would consider if all of the uses in the LDR district would be appropriate.

Andrew Poole, 1300 Elmwood, asked if the farm drive would remain and was told yes. He said that he was concerned with traffic and kids walking.

Greg Honderd stated the following. In another development the developer put in a construction road, but he didn't know if the Township had the authority to require it. People have the right to develop their property consistent with the zoning and they have the right to use the road.

Andrew Poole said that he was concerned about the children in the area without sidewalks.

Ms. Minter, 1386 Maplewood, stated that twelve units was no big improvement to warrant the development and the kids really enjoy the neighborhood as it is. She said that they have bird life there and this development will change the personality of the neighborhood.

The chairperson closed the public hearing.

**Moved by Richard VanderKlok, seconded by Tim Smit, to adopt the staff report as finding of facts and to recommend to the Township Board to approve the following resolution:**

**Georgetown Charter Township  
Ottawa County, Michigan  
(Ordinance No. 2018-04)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on \_\_\_\_\_, 2018, beginning at 7:30 p.m., Township Board Member \_\_\_\_\_ made a motion to adopt this Ordinance because the proposed zoning designation is **consistent** with the Master plan and the Future Land Use Map for the area; the area is **capable** of sustaining the uses within the LDR district without addition public funds; the uses allowed within the LDR district are **compatible** with the neighboring uses and to adopt the staff report as finding of fact, which motion was seconded by Township Board Member \_\_\_\_\_:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP  
ZONING ORDINANCE, AS AMENDED, AND MAP**

THE CHARTER TOWNSHIP OF GEORGETOWN (the "Township") ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

**(REZ1804) Ordinance 2018-09** To change from (AG) Agriculture to (LDR) Low Density Residential part of a parcel of land described as P.P. # 70-14-11-300-017, located at 1300 Maplewood Dr., Georgetown Township, Ottawa County, Michigan.

Except as expressly modified by the above, the balance of the Zoning Map of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication after the adoption of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:  
Nays:  
Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: \_\_\_\_\_, 2018

By \_\_\_\_\_  
Richard VanderKlok  
Georgetown Charter Township Clerk

Greg Honderd said that he appreciated the comments and even though it was difficult for the property owners, the developer has the right to develop the site if it meets the criteria.

Josiah Samy said that the request is consistent with the Master Plan, capable of sustaining the uses and compatible with the surrounding area.

MOTION CARRIED UNANIMOUSLY.

### **#180321-06 – Other Business**

The Zoning Administrator stated the following. At the March 12, 2018 meeting, the Township Board made a motion to refer to the Planning Commission consideration of initiating a Zoning Ordinance amendment to allow a rear yard setback of 20 feet for a parcel in the Industrial district when the rear property line was a rear property line to an adjacent industrially zoned parcel. This question arose because an application has been submitted to the Zoning Board of Appeals to request a rear yard setback of 20 feet for an industrially zoned parcel, a variance of 20 feet from the 40 feet required in the ordinance. Although the reduced setback would not be a good idea if the industrial parcel was adjacent to a residential district, a footnote could be added to require only a 20 foot rear yard setback for an industrial parcel if the rear yard abutted a rear yard of another industrially zoned parcel. This idea was just brought for consideration and it would be up to the Planning Commission if they wanted to initiate a zoning ordinance amendment or to discuss it further.

Greg Honderd stated the following. A good system is in place with a liaison for the Planning Commission, Board and Zoning Board of Appeals. At the ZBA, each application is considered as a onetime case. If the request did not meet the standards of the ordinance, they could request the Planning Commission to look at the ordinance. They may initiate it or hold it up. If the ZBA doesn't grant the variance, the ZBA can direct the Planning Commission to look at it.

Josiah Samy said that it is wise to have the ZBA consider it first and then if denied, the Planning Commission could look at it.

Donna Ferguson said that she agrees that they should wait to see what happens.

Richard VanderKlok said that he agrees that the ZBA should handle it first and go through the process.

Jeannine Bolhouse said that she doesn't have enough information.

### **#180321-07 – Public Comments**

Michael Bosch said the following. He was the one who brought this up and that it was not related to this specific applicant. A machine shop requested the same variance and he wanted to review any other ordinances that needed to be revised. Hudsonville and Grandville had 15 and 20 foot rear yard setbacks. If the industrial parcel abuts a residential district he wants the 40 foot setback.

Greg Honderd said that setbacks are specific to density, and Grandville and Hudsonville are more dense. He said that other issues come into play such as outdoor storage, water retention and snow removal. He said that maybe the ZBA would deal with the variance.

**#180321-08 – Adjournment**

The meeting was adjourned at 9:00 p.m.