

**Minutes of the regular meeting of the Georgetown Township Planning Commission, held
Wednesday, June 20, 2018**

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

Present: Greg Honderd, Jessica Ulberg, Donna Ferguson, Jeannine Bolhouse, Josiah Samy, Tim Smit

Absent: Richard VanderKlok

Also present: Mannelle Minier, Zoning Administrator

#180620-01 – Agenda for June 20, 2018

Moved by Josiah Samy, seconded by Donna Ferguson, to approve the agenda as submitted.

MOTION CARRIED UNANIMOUSLY.

#180620-02 – Minutes of the regular June 6, 2018 meeting

Moved by Josiah Samy, seconded by Donna Ferguson, to approve the minutes as presented.

MOTION CARRIED UNANIMOUSLY.

#180620-03 – (SUP1806) Anna Bareman, 575 Jackson St. SW, Grandville, is requesting to have a farming operation, under Sec. 7.3(C), on a parcel of land described as P.P. # 70-14-36-300-021, located at 575 Jackson St. SW, in a (RR) Rural Residential district, Georgetown Township, Ottawa County, MI ([site plan](#)).

The applicant was present.

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

There was discussion about waiving the number of animals because this is a residential area and the applicant indicated that she may have more horses in the future and may have chickens.

The chairperson opened the public hearing. No one was present to speak at the public hearing. The chairperson closed the public hearing.

Moved by Josiah Samy, seconded by Jessica Ulberg, to adopt the staff report as finding of fact and to approve Special Use Permit (SUP1806) Anna Bareman, 575 Jackson St. SW, Grandville, to have a farming operation, under Sec. 7.3(C), on a parcel of land described as P.P. # 70-14-36-300-021, located at 575 Jackson St. SW, in a (RR) Rural Residential district, Georgetown Township, Ottawa County, MI, based on the findings that all applicable standards of the ordinance have been met including the general special use standards in Sec. 20.3 and the standards in Sec. 7.3(C); and to accept the site plan as provided; and to waive the limit on the number of farm animals because the determination has been made that animals on 10 acres will not negatively impact the neighboring property owners due to the size of the parcel and the fact that some of the animals may be smaller such as chickens; and with the following conditions of approval:

- 1. The property and building shall be maintained in a safe manner.**
- 2. The fence shall be of sufficient size, design and materials to contain the animal and prevent animals from escaping from the enclosed area.**

3. **A Zoning Compliance Certificate is required for the construction of an agricultural building and no building permit is required, as per the Building Code. In addition, the Agricultural Document attesting to the AG use must be signed, notarized and submitted at the time an application is submitted for the Zoning Compliance for the construction of the building. If electricity is being brought to the barn, a service permit must be obtained.**
4. **No storage of manure or odor or dust producing materials or use shall be permitted within fifty (50) feet of any adjoining lot line.**

Yeas: Donna Ferguson, Jessica Ulberg, Josiah Samy, Greg Honderd

Nays: Tim Smit, Jeannine Bolhouse

MOTION CARRIED.

#180620-04 – The layout of the Preliminary Plat of Crosswinds No. 2, P.P. # 70-14-18-300-041, located at 7748 48th Ave., zoned LDR, Georgetown Township, Ottawa County, Michigan ([plat map](#))

Greg Honderd abstained due to a conflict of interest. Tim Smit took over as acting chairperson.

Jeff VanLaar, Exxel Engineering, represented the applicant and presented the request.

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

Tim Smit was concerned with the length of the cul de sac due to fire services.

The Zoning Administrator stated that the Fire Chief had reviewed the plan and signed his approval.

The chairperson opened the public hearing.

Bob Hyma, 7400 48th Ave. stated the following. His property abuts the proposed plat on his north boundary. He operates a greenhouse and has been there since 1979. He obtained a special use permit in 1982 to operate the greenhouse. Initially the plat was proposed to stub into his property but now is stubbing to the property to the east. He wants the minutes to note that he has been on his property since 1979 and has operated the farm since 1982 and he is protected by the Right to Farm Act. People don't always like the farm operation because in the spring there may be dust and noise. He tries to be a good neighbor. There is also a lot line dispute.

The Zoning Administrator stated that the Township staff understands the Right to Farm Act and understands that he has the right to continue farming, even if people may complain about the effects of his operation. She also noted that property line disputes were civil issues.

The chairperson closed the public hearing.

Moved by Donna Ferguson, seconded by Josiah Samy, to adopt the staff report as finding of fact and to recommend to the Township Board to grant tentative preliminary plat approval of phase two (with 12 lots) of Crosswinds, and to recommend to approve the variance for the 1,350 foot length of the cul-de-sac (with the authority given to the Planning Commission and Board in Sec. 50-52), a variance of 550 feet from the maximum length of 800 feet allowed in

Sec. 50-51 of the Code of Ordinances, P.P. # 70-14-18-300-041, located at 7748 48th Ave., as shown on the drawing dated 4/26/18.

- a. Based on the findings that if the Township Board approves the variance for the cul-de-sac length, the applicable standards of the ordinance will be met.**
- b. The conditions of approval are recommended as follows:**
 - 1. Building envelopes appear to meet setback requirements, but will be reviewed for exactness at the time a building permit application is submitted for each lot.** Some lots are affected by a drainage easement and this is noted to be a self-created situation should any property owners request variances based on the easements
 - 2. Dry sewer shall be installed as per Township specifications.**
 - 3. A copy of the restrictive covenants shall be provided at the time of final preliminary plat approval showing that the property owners are required to hook up to sewer when it becomes available.**
 - 4. If there is to be a plat entry sign, a legal instrument shall be submitted detailing who is responsible for maintenance of the sign.**

MOTION CARRIED UNANIMOUSLY.

#180620-05 – Discussion about Agricultural Properties with Entertainment Facilities

Amanda VanEssen Wirth presented a proposal for an ordinance to allow events to be held on property that is engaged in agricultural operations.

There was discussion and the following are the comments:

1. Time frame. The applicant proposes 30 days in a calendar year. The neighbors might care about this use; however, 30 days per calendar year was a good amount that could be adjusted if necessary.
2. Hours of operation. The applicant proposed operating between the house of 9:00 a.m. and 11:00 p.m. The consensus of the Planning Commission was that the hours of operation could be the same as those listed in the general ordinance which is from 7:00 a.m. to 11:00 p.m.
3. Parking. The proposal was for gravel parking. The consensus of the Planning Commission was that gravel would be adequate as long as there was an established setback and as long as a portion of the driveway entrance and exit was paved to prevent mud and dust from being carried out on the road, possibly to extend 40 to 50 feet.
4. Agricultural activities. The consensus of the Planning Commission was that the site should be actively used for an agricultural operation because it would be more compatible with the neighbors and that some type of permanent structure should exist on the site.
5. Portable restrooms. The consensus was that portable restrooms would be adequate because they could be removed during periods when not being used.
6. Setbacks. The consensus of the Planning Commission was that the setbacks from property lines should be 50 or 75 feet and there should be some type of screening.
7. Property size. The consensus of the Planning Commission was that the number of people attending events on the site should be limited based on the size of a parcel or based on a building envelope.
8. Fire services. Direction was given to check with the fire department about the proposal.
9. Entertainment. The consensus of the Planning Commission was that this provided a good option for people to have more things to do.

10. Special Use Permit. The consensus of the Planning Commission was that the use should be allowed only with a special use permit because conditions of approval could be attached.

Moved by Tim Smit, seconded by Donna Ferguson, to direct Township staff to draft language for an ordinance for Agricultural Properties with Entertainment Facilities using the comments and to bring it back to the Planning Commission for review and possible initiation.

MOTION CARRIED UNANIMOUSLY.

#180620-06 – (REZ1807) Ordinance No. 2018-15 Zoning Ordinance Amendment for Restaurants

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

There was discussion about this proposed revision coordinating with a general ordinance adopted by the Board and that the ordinance prohibited a facility from having wine tasting without a restaurant, like the Hudsonville winery had. Members of the Planning Commission wanted to inform the Board that they were not in favor of prohibiting tasting at a winery unless it was in a restaurant.

The chairperson opened the public hearing. No one was present to speak at the public hearing. The chairperson closed the public hearing.

Moved by Donna Ferguson, seconded by Greg Honderd, to adopt the staff report as finding of fact and to recommend to the Township Board to approve the following resolution:

(REZ1807) Ordinance No. 2018-15:

GEORGETOWN CHARTER TOWNSHIP
OTTAWA COUNTY, MICHIGAN
(Ordinance No. 2018-15)

At a regular meeting of the Township Board for the Charter Township of Georgetown, held at the Township Offices on June 25, 2018, the following Ordinance/ordinance amendment was offered for adoption by Township Board Member _____, and was seconded by Township Board Member _____, as recommended by the Planning Commission:

AN ORDINANCE TO AMEND THE GEORGETOWN CHARTER TOWNSHIP ZONING
ORDINANCE FOR CHAPTER 2, 13, 14, 15, 16, 17

THE CHARTER TOWNSHIP OF GEORGETOWN (the “Township”) ORDAINS:

Article I. The Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to revise Chapter 2, 13, 14, 15, 16, 17 as follows:

(REZ1807) Ordinance No. 2018-15:

Sec. 2.83c RESTAURANT

A site where food and drink are prepared and served to customers in exchange for money. Meals are generally served and eaten on the premises, but a restaurant may also offer take-out and food delivery service. A bona fide restaurant shall have at least fifty (50) percent of its gross receipts derived from the sale of food and beverages other than alcoholic liquors. A restaurant can have a distillery, brewery or winery on the same site if approved pursuant to this Ordinance.

Sec. 13.3 USES REQUIRING SPECIAL LAND USE APPROVAL.

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

- (A) Drive-through establishments including banks, dry cleaning pick-up stations and similar personal services, but not including drive-through restaurants and vehicle service stations.
- (B) Restaurants or other establishments serving food and/or beverages but not including drive-through. This includes restaurants having a distillery, brewery or winery on the same site.

Sec. 14.2 PERMITTED USES.

Land and/or buildings in this District may be used for the following purposes by right:

- (F) Restaurants, clubs and other drinking establishments which provide food ~~or~~ and drink for consumption on the premises, excluding drive-through restaurants.

Sec. 14.3 USES REQUIRING SPECIAL LAND USE APPROVAL.

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

- (I) Restaurants having a distillery, brewery or winery on the same site.

Sec. 15.3 USES REQUIRING SPECIAL LAND USE APPROVAL.

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

- (K) Restaurants having a distillery, brewery or winery on the same site.

Sec. 16.3 USES REQUIRING SPECIAL LAND USE APPROVAL.

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

- (L) Restaurants having a distillery, brewery or winery on the same site.

Sec. 17.2 PERMITTED USES.

Land and/or buildings in this District may be used for the following purposes by right:

- (N) Restaurants or other eating or drinking establishments which provide food ~~or~~ and drink on the premises, including drive-through establishments.

Sec. 17.3 USES REQUIRING SPECIAL LAND USE APPROVAL.

The following uses may be permitted by obtaining Special Land Use Approval when all applicable standards as cited in Chapter XX are met.

- (J) Restaurants having a distillery, brewery or winery on the same site.

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

Article III. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance/ordinance amendment shall be found to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance/ordinance amendment, and the balance of this Ordinance/ordinance amendment shall remain unchanged and in full force and effect.

Article IV. Effective Date. This Ordinance/ordinance amendment shall become effective upon the expiration of seven (7) days after the date that this Ordinance/ordinance amendment or a summary thereof appears in the newspaper as provided by law.

The vote in favor of this Ordinance/ordinance amendment was as follows:

YEAS:

NAYS:

ABSENT/ABSTAIN:

ORDINANCE/ORDINANCE AMENDMENT DECLARED ADOPTED.

CERTIFICATION

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

Respectfully submitted,

By _____
Richard VanderKlok
Georgetown Charter Township Clerk

MOTION CARRIED UNANIMOUSLY.

#180620-07 – Other Business

#180620-08 – Public Comments

#180620-09 – Adjournment

The meeting was adjourned at 9:02 p.m.