



**VILLAGE OF SPRING LAKE
PLANNING COMMISSION**

**MINUTES
REGULAR MEETING
May 28, 2019 7:00 PM**

**Barber School Community Building
102 West Exchange Street
Spring Lake, MI 49456**

1. CALL TO ORDER

Chairman **Kauckeck**, called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Kauckeck, Martinus, Nauta, Van Leeuwen-Vega, and Van Strate.

Absent: Bohnhoff and Johnson

3. APPROVAL OF THE AGENDA

Motion by **Van Leeuwen-Vega**, second from **Martinus**, to approve the agenda as presented.
All in favor, motion carried.

Yes: 5 No: 0

4. APPROVAL OF THE MINUTES: April 23, 2019 regular meeting

Motion by **Van Strate**, second from **Martinus**, to approve the minutes from the April 23, 2019 regular meeting. All in favor, motion carried.

Yes: 5 No: 0

5. PUBLIC HEARINGS

A. 102 South Buchanan Street: The Planning Commission will consider a request for a Special Use Permit for an alteration of a nonconforming structure located at 102 South Buchanan Street (parcel #70-03-15-383-001), pursuant to Section 390-25.D of the Zoning Ordinance. The proposed alteration includes two small additions and a new roof with supporting columns. This project also requires a Site Plan Review.

Chairman **Kauckeck** introduced this item. Jennifer **Howland** gave an overview of the details of this request for a Special Use Permit for an alteration of a nonconforming structure.

Nauta asked if this was in lieu of the big building that had been approved at a previous meeting? **Howland** said that it was.

Motion by **Nauta**, second from **Martinus**, to open the public hearing at 7:05 p.m. All in favor, motion carried.

Yes: 5 No: 0

There being no public comment, motion by **Van Strate**, second by **Van Leeuwen-Vega**, to close the Public Hearing at 7:06 p.m. All in favor, motion carried.

Yes: 5 No: 0

Van Leeuwen-Vega asked what material was being used on the east elevation. **Howland** said that she did not know for sure, but the same symbol was used on the existing brick veneer wall, so she thought it would be brick. **Howland** said there were a couple amendments to the site plan which included not showing the vacant parcel to the east and having the accurate required set-back on the plan. **Kauckeck** asked about the commentary combining the two parcels. **Howland** said the building was very close to that side property line and with a proposed new walkway to be located on the other parcel, they felt it would be the appropriate time to merge the two parcels even though a sidewalk did not require setbacks. **Van Leeuwen-Vega** asked to confirm that the applicant owned both parcels. **Howland** said that they did. **Nauta** asked if that would limit the parcel to stay vacant unless they tore everything down and start over? **Howland** said she had not received feedback regarding the concept of merging the parcels or if they would consider moving the sidewalk over onto the same parcel as the building. **Van Leeuwen-Vega** asked if the applicant could sell the empty parcel if they chose too. **Howland** said that they could. **Nauta** thought it was a very modern design and did not fit into the Village design. **Howland** said they did not have design standards that could be forced onto this project. **Kauckeck** asked if they had a color for the new roof. **Howland** said she had asked for color information but had not received it at this time. The **Commission** discussed roof color and **Howland** said that if there was a specific color they would not what to see, they could add that as a condition, but they could not require a color.

Motion by **Nauta**, second from **Van Strate**, to approve the request by Richard Craig for a Special Use Permit and a site plan review for an alteration of a nonconforming structure located at 102 South Buchanan Street (parcel #70-03-15-383-001), pursuant to Section 390-25.D of the Zoning Ordinance. The proposed alteration includes two small additions and a new roof with supporting columns. The following conditions apply:

- a. The site plan must be amended to show the 30-foot setback from the north and west, and the 10-foot setback from the east.
- b. The separate parcel to the east must be shown on the site plan.

- c. The addition shall be built in compliance with the submitted site plan and elevation drawings.
- d. The addition may be reduced in height or area without further review by the Planning Commission.
- e. The applicant will comply with any other local, state, and federal laws.
- f. The applicant will comply with all verbal representations.

All in favor, motion carried.

Yes: 5 No: 0

B. 326 Rachaels Way, 107 South Division Street, 113 South Division Street, 301 West Exchange Street: The Planning Commission will consider a request for a Special Use Permit to move a building located at 326 Rachaels Way (parcel #70-03-15-471-005) to the northwest corner of Exchange and Division, current addresses of 107 South Exchange Street (parcel #70-03-15-361-004), 113 South Division Street (parcel #70-03-15-361-007) and 301 West Exchange Street (parcel #70-03-15-361-009), pursuant to Section 390-33 of the Zoning Ordinance.

Chairman **Kaucheck** introduced this item and **Howland** gave an overview of this request for a Special Use Permit to move a building. **Howland** said that a couple of items related to the house itself that did not fit in with the Zoning Ordinance, from a regulation stand point, because the tower at 37 feet exceeded the maximum building height of 30 feet and the setbacks, with the house position, would not meet the 25-foot required rear yard regardless of which yard was chosen as the rear yard. **Howland** said both of these items were required to go to the ZBA for variances. **Howland** said that when these issues were discovered, they felt that since the Public Hearing notice had already been posted they would move forward with the Planning Commissions portion of the project and recommend the condition that the relocation be contingent on the granting of the variances by the ZBA. **Kaucheck** asked if they had checked the house for asbestos. **Howland** said that the Building official would not have checked for that because that was a specialized test, but regardless, there were regulations requiring that asbestos be contained within the structure. The **Commission** discussed the elevations and how the home would be placed on the lot.

Motion by **Van Strate**, second from **Nauta**, to open the public hearing at 7:21 p.m. All in favor, motion carried.

Yes: 5 No: 0

Norman Dodds, the architect for the project, said that testing for asbestos had not been done yet. **Martinus** asked about the 6 parking spaces. **Howland** said that 6 spaces were not required for a single-family home, but the intent was to apply for a special use permit to create a Bed and Breakfast and that required the 6 spaces. **Martinus** asked if

the owner was required to live on the premises. Mr. Dodds said that they were. **Kauckeck** asked if the intent was to have the main entrance on Division. Mr. Dodds said that it was. **Howland** said that they would come back to the Planning Commission for a Special Use Permit to open a Bed & Breakfast.

Linda Vivian, 336 Rachael's Way and President of the Alden Place Home Owners Association, said they were grateful to Ms. Van Kampen for rescuing the Victorian home and giving it new life and asked for their association to be included in conversations and kept informed on this project since it impacted them directly.

Lee Schuitema, 408 W Exchange and member of the Tree Board, said that they had reviewed the tree trimming plan required for moving the house and the Tree Board had asked for some changes but as of this time, he had not heard if those changes had been accepted.

The **Commission** discussed the route the house movers would take to get to Division Street and what trees would be affected by trimming or removing. Lee Schuitema said that several trees would be trimmed, one severely trimmed and another removed. Mr. Schuitema also noted that trees trimmed in the fall had a higher rate of survival than those trimmed in summer due to insects and disease. **Kauckeck** said he would like to see the plan for the trees before he approved this plan. **Howland** said that she appreciated their perspective and it was important to discuss it, be aware of it, and get the word out about the potential damage to the trees but there was a Tree Board that was tasked with this kind of discussion and make recommendations to Council and staff and the Planning Commission's regulations were not related to public property damage. **Howland** said there was a performance bond requirement in the Zoning Ordinance for moving a building and the Village may require a performance bond to insure against damage to roads or public property, but given the size of the building, it would be difficult to avoid damage to the street trees but she did not think that was something that could prevent the Commission from approving the move. **Howland** said they could condition it on coordination with the Tree Board or make their position known in terms that they want the damage to public trees to be minimized where possible, but the Tree Board was doing what they could with their recommendation.

There being no more public comment, motion by **Van Strate**, second by **Martinus**, to close the Public Hearing at 7:30 p.m. All in favor, motion carried.

Yes: 5 No: 0

Motion by **Nauta**, second from **Martinus**, to approve the request by Kim Van Kampen for a Special Use Permit to move a building located at 326 Rachael's Way (parcel #70-03-15-471-005) to the northwest corner of Exchange and Division, current addresses of 107 South Exchange Street (parcel #70-03-15-361-004), 113 South Division Street (parcel #70-03-15-361-007) and 301 West Exchange Street (parcel #70-03-15-361-009), pursuant to Section 390-33 of the Zoning Ordinance.

- a. All necessary variances must be granted by the Zoning Board of Appeals.

- b. The relocation shall follow the requirements of Section 390-33 of the Zoning Ordinance.
- c. The Arborist on the project will consider placement of the house as it moves for optimal preservation of existing trees and general tree health. All in favor, motion carried.

Yes: 5 No: 0

6. NEW BUSINESS

- A. Alden Place PUD Minor Amendment:** The Planning Commission will consider a request for a minor amendment to the Alden Place PUD to remove the blue Victorian home and construct two new single-family homes along Savidge Street.

Chairman **Kaucheck** introduced this item and **Howland** gave an overview of this request for a minor amendment to the Alden Place PUD.

The Planning Commission had a brief discussion on this request.

Motion by **Van Leeuwen-Vega**, second from **Nauta**, to approve the request by Kim Van Kampen for a minor amendment to the Alden Place PUD to remove the blue Victorian from Unit 15 and construct two new single-family homes on Unit 14 and Unit 15 to match the two-story homes to the immediate east. All in favor, motion carried.

Yes: 5 No: 0

7. STATEMENTS OF CITIZENS ON ITEMS NOT ON THE AGENDA

There were no statements from citizens.

8. ADJOURNMENT

Motion by **Van Strate**, second from **Martinus**, the meeting adjourned at 7:51 p.m. All in favor, motion carried.

Yes: 5 No: 0

Jennifer Howland, Village Planner

Maryann Fonkert, Deputy Clerk