



**VILLAGE OF SPRING LAKE
PLANNING COMMISSION**

**MINUTES
REGULAR MEETING
November 26, 2019 7:00 PM**

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

1. CALL TO ORDER

Vice Chairman **Bohnhoff**, called the meeting to order at 7:01 p.m.

2. ROLL CALL

Present: Bohnhoff, Drooger (sworn in prior to the start of the meeting), Johnson, Martinus, Nauta

Absent: Van Leeuwen-Vega, and VanStrate.

3. APPROVAL OF THE AGENDA

Motion by **Drooger** second from **Martinus**, to approve the agenda as presented. All in favor, motion carried.

Yes: 5 No: 0

4. ELECTION OF NEW CHAIRPERSON

Motion by **Martinus**, second from **Nauta**, to elect Chip **Bohnhoff** as the new Planning Commission Chairperson. All in favor, motion carried.

Yes: 5 No: 0

Motion by **Martinus**, second from **Johnson**, to table the election of a Vice Chairperson until the December 17, 2019 meeting. All in favor, motion carried.

Yes: 5 No: 0

5. APPROVAL OF THE MINUTES: October 22, 2019 regular meeting

Motion by **Nauta**, second from **Drooger**, to approve the minutes from the October 22, 2019 regular meeting. All in favor, motion carried.

Yes: 5 No: 0

6. PUBLIC HEARINGS

- A. 205 East Savidge Street:** The Planning Commission will consider a request for a Special Use Permit for a Short-Term Rental located at 205 East Savidge Street, Permanent Parcel Number 70-03-15-451-003.

Chairman **Bohnhoff** introduced this item and **Howland** give an overview.

Motion by **Nauta**, second from **Drooger**, to open the Public Hearing at 7:06 p.m. All in favor, motion carried.

Yes: 5 No: 0

Steve Wasiure, applicant for 205 E. Savidge, explained that he had a purchase agreement with the current owner that was contingent upon the approval of the Special Use Permit for a Short-term Rental. Mr. Wasiure said that he and his family would be living in the home for about 7 months out of the year, but because his work takes him away approximately May through September, rather than let the house sit empty, he would prefer to rent it out. **Martinus** asked if the house would be rented to multiple parties or one party at a time. Mr. Wasiure said that it would be one party at a time renting the entire home. **Drooger** asked if the rentals would be monthly. Mr. Wasiure said it would be rented week to week. **Martinus** asked if the home had gone through the inspection process yet. **Howland** said that the home had already been approved as a Bed & Breakfast but had not been registered as a Short-Term Rental yet.

Nicole LaBelle, 203 E. Savidge, asked why the potential owner had to go through this process when the home had already been approved as a Bed & Breakfast and the Village approved Short-Term Rentals. **Howland** said that all Short-Term Rentals require a Special Use Permit, it is not a permitted use.

Steve Carlisle, 223 E Savidge, asked what constitutes a Short-Term Rental. **Howland** explained that the definition of a Short-Term Rental was a rental period less than 28 days in duration.

Nancy Miller, 207 E Savidge, asked who would be managing the home while the owner was out of town. Mr. Wasiure explained that his parents, who live in the Village, and best friend, who lives in the Township, would be managing the home. Mrs. Miller asked if the Short-Term Rental designation stayed with the house if sold or was it specific to the owner. **Howland** said the Special Use stayed with the land so if it was sold, whoever the owner was, would have to abide by the terms the Special Use Permit was approved under.

Motion by **Nauta** second from **Drooger**, to close the Public Hearing at 7:14 p.m. All in favor, motion carried.

Yes: 5 No: 0

Martinus said he was concerned that the homeowner would be out of town for the time the home was rented. **Howland** said all rentals were required to have a local agent to address issues. **Johnson** said it was important to be a good neighbor. **Bohnhoff** said his only concern was that there was a local agent. Mr. Wasiure assured the Planning Commission that the home would be well taken care of, especially since they would be living there for 7 months out of the year and that he has had Short-Term rentals in the past.

1. Motion **Martinus**, second from **Johnson**, to approve the request for a Special Use Permit for a Short-Term Rental located at 205 East Savidge Street, Permanent Parcel Number 70-03-15-451-003, subject to the following conditions:
 - a. The sleeping occupancy is estimated at twelve (12) people, which requires four (4) parking spaces. The sleeping occupancy will be verified by the building official upon inspection.
 - b. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.
 - c. The applicant will comply with any other local, state, and federal laws.
 - d. The applicant will comply with all verbal representations.

All in favor, motion carried.

Yes: 5 No: 0

- B. 107 South Division Street:** The Planning Commission will consider a request for a rezoning from CBD-1 and SFR-B Core (split zoned parcel) to CBD-1, a Special Use Permit for Residential Above Office and a Short-Term Rental, and a Site Plan Review for the property located at 107 South Division Street, Permanent Parcel Number 70-03-15-361-004.

Chairman **Bohnhoff** introduced this item and Planning Commission member Steve **Nauta** recused himself due to a conflict of interest as the property owner. **Howland** gave an overview of this request for a rezoning from CBD-1 and SFR-B Core to CBD-1, a Special Use Permit for Residential Above Office and a Short-Term Rental, and a Site Plan Review.

Andrew Rossell, Milanowski & Englert, 403 Oak St. Spring Lake, engineer and representing the Nauta's, explained that they were proposing tearing down the existing garage to construct an 875-foot carriage house that was within 2 ½% of the current structure so the stormwater would stay on site as it is now. Mr. Rossell gave an overview of the parking and usage. Jan Esh, property owner of 107 S Division, explained that the garage that was proposed to be torn down was the original carriage house. **Martinus** questioned the height of the carriage house. **Howland** said that the height was acceptable. **Johnson** asked for clarification on which building was being torn down. Mr. Rossell shared the site plan to show the garage location. **Johnson** asked why the property was originally split zoned? **Howland** said she could not answer that question. **Johnson** asked what the plans were for Stormwater. Mr. Rossell explained that there would be an increase of approximately 100 square feet of impervious area so they were going to try to keep the stormwater drainage pattern the same.

Motion by **Johnson** second from **Van Strate**, to open the Public Hearing at 7:51 p.m. All in favor, motion carried.

Yes: 4 No: 0

There was no public comment.

Motion by **Bohnhoff**, second from **Martinus**, to close the Public Hearing at 7:11 p.m. All in favor, motion carried.

Yes: 4 No: 0

Motion by **Drooger**, second from **Johnson**, to recommend approval of the request for a rezoning from CBD-1 and SFR-B Core to CBD-1 at 107 South Division Street (parcel # 70-03-15-361-004) subject to the following condition:

- a. The entire parcel will be rezoned to CBD-1.

All in favor, motion carried.

Yes: 4 No: 0

Motion by **Johnson**, second from **Drooger**, to approve a Special Use Permit and Site Plan Review for Residential above Office and a Short-Term Rental located at 107 South Division (parcel # 70-03-15-361-004), subject to the following conditions:

- a. The entire parcel will be rezoned to CBD-1.
- b. The special use and site plan approvals are conditioned upon the Village Council approving the proposed rezoning.
- c. The storm water management plan and calculations must be approved by the Village Engineer prior to issuance of any construction permits.
- d. A storm water maintenance agreement must be provided to the Village.
- e. The project shall be built in compliance with the submitted site plan dated 11-20-19 and elevation drawings dated 11-8-19.
- f. The applicant will comply with any other local, state, and federal laws.
- g. The applicant will comply with all verbal representations.

All in favor, motion carried.

Yes: 4 No: 0

7. STATEMENTS OF CITIZENS ON ITEMS NOT ON THE AGENDA

Darcy Dye, 114 N Fruitport Road, thanked the Planning Commission for really beginning to talk about stormwater, with the rising lake and river levels, those streets that come to the waters edge are not only getting flooded by the water overflow from those bodies of water but every time there was a storm, some of those roads are impassable. Dye encouraged the Commission to look at the Zoning Ordinance and begin to make some modifications to not

only deal with the stormwater but the development and the affect that it has on all of those changing things in our climate.

Martinus asked how that can be made an actionable item. **Howland** said that, with the help of their planning consultant, they would have to look at what could be added to the Zoning Ordinance such as lot coverage maximums and parking lot designs. **Johnson** suggested establishing a baseline grade and requesting a grading plan.

8. ADJOURNMENT

Motion by **Martinus**, second from **Johnson**, the meeting adjourned at 8:07 p.m. All in favor, motion carried.

Yes: 5

No: 0

Jennifer Howland, Village Planner

Maryann Fonkert, Deputy Clerk