

PROPOSED MINUTES
LAKETOWN TOWNSHIP PLANNING COMMISSION
4338 BEELINE ROAD
ALLEGAN COUNTY
HOLLAND, MI 49423
(616) 335-3050

JULY 5, 2023

ARTICLE I. CALL TO ORDER

Chair Randy Becksvoort called the planning commission meeting to order at 7:00 p.m.

MEMBERS PRESENT: Dick Becker, Randy Becksvoort, Jim Johnson
MEMBERS ABSENT: Chad Nienhuis, Marcia Perry
STAFF PRESENT: Michelle Sall – Community development director
Doug DenBleyker – Graafschap Fire Department chief
Ron Bultje – Township attorney
Jim Hayden – Public information coordinator

ARTICLE II. APPROVAL OF MINUTES

Motion by Becker, second by Johnson, to approve the minutes of June 7, 2023, with the change: “Becksvoort said the limit was discussed” to “Becksvoort said the 30 percent limit was discussed at length during the writing of the zoning code.”
UNANIMOUS DECISION VOICE VOTE – MOTION APPROVED 3-0.

ARTICLE III. OLD BUSINESS

1. Gogolin, Special Use Request
Gray Gogolin, 6396 Spring Hill Pt., Holland, parcel # 0311-002-054-30, zoned R-2, is requesting approval for a special use permit for an attached accessory dwelling unit for the purpose of short-term rentals.

Johnson had recused himself at the June 7 meeting because he lived in the notice area. However, there would not be a quorum if he recused himself at this point. On the advice of attorney Bultje, Johnson did not recuse himself for being in the notice area because without his presence, the planning commission would not have a quorum.

Gogolin addressed the board. He presented photos of a partition to reduce floor space to the 30 percent or less level required. He said the partition will be bolted to the wall and secured with zip ties or cable.

The planning commission discussed the proposal. Johnson and Becker said the partition needs to be secured to the existing walls. Graafschap Fire Department Chief Doug DenBleyker noted the inspection process for emergency exits.

**Motion by Becker, seconded by Johnson, to approve the special use permit for an attached accessory dwelling unit for the purpose of short-term rentals as presented, based on applicant's past history of renting without any issues, and per Zoning Code Sec. 38-240(16) Use Regulations, 38-91 Basis of Determination, 38-65 Planning Commission Review of Final Site Plan, in compliance with the application, laws and ordinances, verbal representation and the minutes with the condition that photographs of the proposed wall partition showing the anchoring system be given to Community Development Director Michelle Sall.
UNANIMOUS DECISION ROLL CALL VOTE – MOTION APPROVED 3-0.
YES: BECKER, BECKSVOORT, JOHNSON. NO: NONE.**

2. Zoning Text Amendments

Proposed changes handed out. Public hearing will be in August.

ARTICLE IV. NEW BUSINESS

1. Himes/Arant Special Use Request

Richard Himes and Andrea Arant, 6580 Lake Effect Drive, Holland, parcel # 0311-022-023-70, zoned R1, are requesting a special use request for an attached accessory dwelling unit for the purpose of short-term rentals.

Becksvoort asked the attorney if the fact that the residence is in a planned unit development with a limit to eight dwelling units impacts the addition of an attached accessory dwelling unit. Attorney Bultje said the PUD agreement did not exclude special uses so an AADU through a special use approval may be added.

Himes and Arant addressed the commission. Arant said they were living upstairs and renting the downstairs and were told they had to follow the 30 percent or less rule. They have a plan to reduce the floor space to meet that requirement.

Sall stated she met with Arant on May 1 and provided her with information and an application. Arant did not return messages left throughout May and her rental certificate expired. Arant contacted the township on June 5 to start the permit application process.

Himes said that upon notification, they cancelled upcoming business until the issue is properly handled.

Johnson asked about a bedroom that appears to be in a pantry area. Sall noted that a bedroom must meet specific requirements and the window could be an egress issue.

Arant said they have a futon in the pantry and guests sometime choose to sleep on it. They do not allow camping but have tents for mosquito control.

Becksvoort opened the public hearing at 7:36 p.m.

Correspondence: Amber Davis, neighbor. Noted problems with Himes/Arant guests trespassing on her property and the use of a generator, camp fires, and lights in the woods.

Amber Davis, 4129 66th St.: Said camping is still being advertised on a rental site, generator being used. Arant said camping will be removed from ad posting.

Michael Prins, 4739 Chautauqua Ridge: Wants to stop renters from going on his property, doesn't want any Airbnbs.

Cathleen Cummings, 4117 66th St.: Lives across pond. Says she doesn't like staring at an aluminum roof, doesn't want to worry about an Airbnb and says her quiet will be destroyed.

Amber Davis, 4129 66th St.: Questioned liability of trespassers on pond. Attorney Bultje questioned if there was an agreement among adjoining property owners for pond rules, and trespassers do not add liability to property owners.

Cathleen Cummings, 4117 66th St.: Nothing written down about pond, wants Airbnb to have the liability.

**Motion by Johnson, second by Becker to close the public hearing at 7:47 p.m.
UNANIMOUS DECISION VOICE VOTE – MOTION APPROVED 3-0.**

Bultje gave a brief history of the rental ordinance in the township.

Johnson said it is possible to operate a short-term rental without harassing neighbors, though he is aware they can in general cause complaints. Needs to be balanced. He said he is concerned about camping and bonfires.

Becker said ordinances do not permit camping. He said he wants a better drawing of the plans.

Becksvoort asked for more details on the use of the proposed bedroom with better drawings and actual square footage. He noted renters and owners need to respect neighbors. He suggested posting rules and enforcing them.

Johnson said he wants more information.

Sall summarized the board statements suggesting that Himes/Arant provide the planning commission with rules for renters to prevent trespassing, a site plan stating the square footage and purpose of space proposed for the AADU, interior pictures, the method and pictures of how to close off non-AADU spaces, camping is not allowed and advertising for this needs to be removed as well as removing the advertising of non-rentable areas.

Becksvoort wants pictures of the inside as it is now.

Motion by Johnson, seconded by Becker, to table the request for additional information, better drawings, and photographs to help illustrate the owners' intents related to the property. UNANIMOUS DECISION VOICE VOTE – MOTION APPROVED 3-0.

ARTICLE V. CITIZEN COMMENTS

Start: 8:04 p.m.

No comments

End: 8:04 p.m.

ARTICLE VI. ADJOURNMENT

Motion by Johnson, second by Becker, to adjourn the meeting at 8:05 p.m. UNANIMOUS DECISION VOICE VOTE – MOTION APPROVED 3-0.