

MINUTES
GOLDEN TOWNSHIP PLANNING COMMISSION
June 24, 2008

Meeting called to order at 7:30 P.M. by Chairperson Lefler.

Roll Call: Present; Lefler, Marciniak, Terryn, Whitney, Kolenda, Schulte, Fuehring, Ferwerda, Wilson, and Zoning Administrator Whelpley.

Agenda: Accepted as presented.

Minutes of the April 29, 2008 meeting. Motion by Marciniak to approve the minutes of the April 29, 2008 meeting as presented, supported by Fuehring. Voice vote all ayes, motion carried.

Public hearing to present proposed Zoning Ordinance amendments opened at 7:35 p.m.

Helen stated that all of these amendments were reviewed at a work session at which the Township Board was present. So these amendments were done with the input of the individuals on the Township Board.

The following changes were suggested to the Zoning Ordinances:

1. Chapter 4 – 4.12 Regulations Applicable to Dwellings

Paragraph 2. “All dwellings shall have a minimum width across any front, side, or rear elevation of 12 feet at time of manufacture.”

To be changed to:

2. *“All dwellings shall have a minimum width across any front, side or rear elevation of 16 feet at time of manufacture. Modular or manufactured homes must be no older than 5 years at the time of placement.”*

Correspondence received:

Jake received the following email from Mark Nieman, 1852 N. Ridge Rd. Lot 82 Upper Silver Lake, on Monday June 23, 2008:

to planning commission:

“this is to regards of section 4.12 #1 I don’t agree with the from minimum size of 12 feet to 16 feet because when the lots where plotted they where plotted for mobile homes and if you approve this new width no one will be able to put a mobile home on these lots because a 16 foot mobile home is only 15 foot 8 inches.”

Per Jake these mobile homes are classified as 16 foot and that is what we go by on zoning. We could change the language in the ordinance to “classified or titled as a 16 foot manufactured home”.

As to the proposed change regarding the age of manufactured homes:

Ray Scheulin, 848 N. 52nd Ave.: Will the existing mobile homes will be grandfathered in. Yes, they will.

Mr. Hilbourn, Upper Silver Lake: If this change is made it will be very difficult for young couples coming in to afford to buy a lot and put a mobile home on it with these restrictions. It would be more affordable to have a smaller size or an older age limit.

Dan Kolosci, Hideaway Campground: You should see the things the neighbors have pulled in next to my campground, they are multi-colored, circus wagons that are considered mobile homes. Farmers couldn't use them as migrant housing they are in such bad shape. Our neighborhoods are being littered with these ugly things. That's why we need this change.

Bob Henry, Sierra Sands: 16 foot in relations to other Townships in this area is extremely conservative. He did some research just to see what other townships were doing as far as width of structures and 16 foot is probably one of the lowest ones. Some are 20 foot, some are 24 foot. A number of them were 24 feet. I feel the Planning Commission is being very conservative.

Ray Scheulin: If we feel this ordinance will be shot down in a year by some hotshot lawyer because you don't have to have your house that big.

Jake informed him that the provision is written that minimum dwelling width will be 16 feet, so nothing will be allowed under 16 ft.

Fran Kincyl: Did a minimum square footage get stipulated? You could build a hunting cabin or cottage under this.

Helen stated that we did not change the minimum square footage. The minimum square footage stated in the ordinance is now and shall remain in the ordinance at 720 sq. ft.

How will this read, will we change the wording to 15 ft 8 in. in the ordinance?

We will add "manufactured homes classified as 16 ft." It is the way they are titled and that is how we will classify them.

Susan Smith, Silver Lake: "Is this inner square footage? Could someone bring in a 14 footer and build a porch all the way down enclosed and then it would become larger."

Ted informed her that this was where the "manufactured from the company" comes in. It would have to be that size at time of manufacture.

Fran Kincyl: Do you really feel that this is the opportunity for a newlywed couple or someone starting out to purchase a parcel of property and put a home on it at a reasonable amount?

Helen stated that she didn't know if that was their goal to do that. There are hundreds and hundreds of available and existing grandfathered mobile homes and lots available for people to buy. Not every married couple starts out buying a lot and putting something new in place. Usually they get an apartment or buy an existing home. Our inventory in Golden Township includes lots and lots of available and affordable things without reducing these restrictions.

Fran Kincyl: With the real estate market right now that is true. A newlywed couple can buy an existing home for cheaper than they can buy a trailer, it may not be in the area, but we need to be totally aware of a renewable commodity and that comes from young people and children. They have to be welcome and they have to be able to get into homes.

Helen asked Susan Smith, a real estate agent, if she had any comments on what our inventory is on more affordable places.

Susan says this area has always been a little pricey. So its hard for someone starting out to come in and find something. They expect it to be about \$30,000 less than it is.

Don Tucker, Silver Lake Resort and Campground: For a young couple coming in appearance is also an important factor of cost. If I was looking at a parcel that was next to a junkyard, it doesn't matter what it cost, especially if that is grandfathered in. The area that you are in and the appearance of the neighborhood, you should take pride in that.

2. Chapter 4- 4.33 Recreational Use (amended 5/8/01)

1. Recreational vehicles may be the primary use on lots in upper Silver Lake Plats #8 and #10 and the Plat of Lake Holiday Gardens; provided, however, such units must be limited to one unit per lot; must be connected to sewer and water systems approved by Dist. #10 Health Dept.; must have electrical hook-up. Zoning permits are required for new installations, improvements and additions.
2. Recreational vehicles may also be used on lots elsewhere in Golden Township for up to 24 months following issuance of a building permit for that property, during construction of a dwelling.
3. Except as provided above, recreational vehicles shall not be moved upon any property that does not have a legal primary use including but not limited to a dwelling.

To be changed to:

Change section 4.33 title to read "Recreational Vehicle and Tent Use."

1. No change.

2. *Except where noted in paragraph 1 (one) above, tents and recreational vehicles shall not be used for dwelling purposes within the Township limits, provided, however, that tents and recreational vehicles may be used for temporary dwelling purposes within campgrounds duly licensed by the State of Michigan and subject to all Ordinances, rules, laws, regulations, and requirements relating thereto.*

3. *However, a permit may be granted for one recreational vehicle for up to 12 months following the issuance of a building permit for a primary use on that property and must be connected to sewer and water systems approved by District #10 Health Department for that property.*

Add paragraph 4 as follows:

4. *Outside storage of property owner or tenant owned recreational equipment including or similar to campers, boats, travel trailers, or snowmobiles provided that said equipment shall be unoccupied and shall not be located in any yard setback.*

Renumbered paragraphs 4 and 5 to be 5 and 6

5. and 6. No change.

In the email from Mark Nieman he states "Outside storage who's going to enforce this? people who store their recreational equipment in their yard setbacks during the off season should be allowed as long as it does not obstruct the view of traffic when exiting the property."

Don Tucker questions how you differentiate between camping and a dwelling.

Barbara Hilbourn, Upper Silver Lake: "Are we saying that we can't have someone visit and stay in an RV for a week. She sees nothing wrong with having a friend come in and stay on property temporarily"

Ted Ferwerda states that this means that the ordinance would allow for storage of an RV, but would not allow you to set up camp and have a fire outside, etc.

Hilbourn: The law has been this way for some time, but the reality is two or three weekends a year there's hundreds of people parking in each other's yards.

Susan Smith: Right now you can have up to four if you have a principle residence. If you have a fifth you are considered a campground.

Ray Scheulin: What if you are zoned agricultural and not in Silver Lake?

There are no stipulations as to zoning on this provision. It applies to all zones.

Barbara Hilbourn: There are not enough campgrounds in the area to handle all of the campers. This is a recreational area, and I don't see anything wrong with having friend stay for a week.

Susan Smith: What if you haven't registered your RV with Jake?

This refers to RV's which are placed on a lot and left.

Jack Horness, Upper Silver Lake: There are several lots in our area year round and people use them as supplemental housing all season. This puts a real stress on the lake by having all these people. Some lots have two and three trailers all season.

Hilbourn: If you've got one trailer that comes in for a weekend, that is not any more demanding than a campground or a motel that has hundreds of people. If you have four or five, I can see how the neighbors would be upset about that. The fact is this has been happening a lot and nothing has been done about it so far. It's hundreds not tens, and I don't think it degrades our neighborhood. Occasionally, we get someone who gets four, five or ten pickups in the driveway and it is annoying but I realize it's only one weekend and they'll probably go home come Monday. It is a resort area and you've got to expect these things. We're not yet Traverse City.

The question is how do you regulate this. How do you say it's ok for someone to have an RV for this week and that one can't have four on a lot permanently. Perhaps sell permits.

John Zurvis, Upper Silver Lake: I disagree about these actions degrading the neighborhood. I live in an area in a three bedroom home where we are surrounded by trailers on lake front lots. This doesn't do anything for my property value, that's for sure. I'm trying to maintain it, and my neighbors have trailers that aren't hooked up to septic systems. We've complained about this rigorously over the years. It's just a simple abuse of the property value. Something has to be done. I don't know how you are going to regulate trailer use for one or two weeks out of the year, but when the trailers are there and they are not using them and they are simply an eyesore, then I have a problem with that.

Fran Kincyl: Is this a problem basically in the recreational area of Silver Lake or is this a problem that is entirely around Golden Township?

This is a problem that is spreading fast. It started out in recreational areas and is expanding.

Fran Kincyl: Will deer hunters be included in this? Are we not worried about the financial impact on our community if we remove these people or remove all of the hunters? I know that we have people behind me now living out in tents because they lost their home. I have no idea what they will do in the fall.

Ted did some research on areas where people like to go. Pere Marquette for example does not allow any camping at all except in an approved campground. So we are not out of line with surrounding areas with these requirements.

Dan Kolosci: Will special use permits still be sold for someone to open up a field and throw a hundred tents into for a weekend?

This is done by the Health Department and we can't do anything about it. As long as you have portions out there they will let you do this. Most of those cases, we don't know anything about until the tents show up.

Chapter 4 – 4-.16 Residential Accessory Buildings and Structures

Proposed Addition – Number 4 to this section:

4. *Accessory building may be erected in any residential zoning district only as an accessory to an existing dwelling (which includes being built simultaneously with the construction of any permitted dwelling).*

Dr. Roseman: Does this requires a building permit? Is that clear in the wording?

Dan Kolosci: What about the people who put in a foundation for house, built a huge pole barn, and now they are living in the pole barn and the house has not materialized in 7-9 years. How are we going to justify this. Yes we can say start a house and start a pole barn, shouldn't the house be done before the pole barn.

Helen says they want to store the materials in the pole barn while they are building the house. One of the changes to be made is to reduce the time from 24 months to 12 months. So this can be better monitored. After 12 months, what can we do? Jake says, they can renew their building permit after 12 months as often as they want. As long as they have a building permit I can't make them pound nails, unless you word it in such a way that I can. If the building inspector doesn't renew the building permit because there is no progress shown, then we have grounds to do something. Unless you add language that says you've got to keep working and you've got to show progress or you've got to have this done, there's nothing we can do.

Helen says that this comes up a lot at Board of Review. The Assessor has a schedule and there's a time limit on the schedule for completion. After 2 or 3 years, the building is considered more complete than it is and they pay taxes accordingly.

Jake says that more substantial language needs to be put in to allow for more enforceability. The more clear cut the wording, the easier to enforce.

Dan Kolosci: How can you put this so that farmers can build a pole barn, etc. as needed without being in violation of this.

PUD Section 12.7 Design Standards, paragraph 1 Access. These changes would primarily apply to subdivisions and PUDs where the road commission would need to oversee road construction.

The first sentence currently reads: "Each building site, lot, dwelling, unit or other use shall have access to a public road by way of an improved public or private road constructed to Oceana County Road Commission or other professionally accepted standards."

Change that sentence to read: *“Each building site, lot, dwelling unit or other use shall have access to a public road by way of an improved public road constructed to Oceana County Road Commission standards.”*

PUD Section 12.7 Design Standards, paragraph 2, Roads.

Second sentence reads: “All roads shall be designed by and built in accordance with plans prepared by a professional engineer.”

At the end of that sentence, add: *“and shall meet Oceana County Road Commission standards and shall be submitted to Oceana County Road Commission for acceptance into the county road system as public roads.”*

This would apply to subdivisions and PUD’s, it would not apply to roads that a farmer built to access a back lot or individual property owners who built a road back to a back lot, etc.

Bill Kolenda and Dan Kolosci: What if a campground is a PUD. What about the roads in the campground used to get around to the sites?

These are defined as the entrance and exit to the facility. In a PUD when the project is proposed the Planning Commission has the latitude to adjust the regulations. So if it was a campground improvement for example, it wouldn’t make sense to make these public roads, but if you are looking at a residential development, then you could enforce these regulations.

Section 13.10 Content of Site Plans, Add at the end of paragraph 15:

“New road names are to be approved by the Oceana County Road Commission and the County Equalization Department.”

This is to avoid duplications and one road having two names.

Under General Provisions it has been proposed: *Impervious surfaces be limited to 50% of the lot coverage.*

Impervious surfaces are any surface through which water cannot penetrate, such as driveways and footprints of the buildings. This would be an ordinance for Resort Residential and R-1 Zoning districts and would exempt Commercial Industrial, Resort Commercial, C-1 and Agricultural Residential districts.

Dan Kolosci: Does this apply to existing structures?

No those are grandfathered in.

Hilbourn: This applies to residential, there are lots of businesses that have paved every square inch and have no way to get rid of water except dump it in the road.

When it is a commercial lot they have to deal with the drain commission.

There being no further business to come before the commission Lefler adjourned the meeting at 8:35 P.M.

Respectfully submitted,

Kathy Carlson, Recording Secretary