

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES**

August 9, 2022

A regular meeting of the Grand Haven Planning Commission was called to order by Chair Dora at 7:00pm. Upon roll call, the following members were present:

Present: Debi Hulverson, Chair Mike Dora, Ryan Galligan, Magda Smolenska, David Skelly

Absent: Andrew Alt, Tamera Owens, Robert Grimes

Also Present: City Planner Brian Urquhart and members of the public.

Approval of Minutes

Motioned by **Skelly**, seconded by **Hulverson** to approve the July 12, 2022 minutes. All ayes. **Motion passes.**

Call to the Audience; First Opportunity

No public comments were received.

Case 22-26: A special land use request for an accessory dwelling unit at 122 Franklin (parcel #70-03-20-410-025):

City Planner Urquhart introduced the case, which is a permitted as a special land use in the S - Southside district. Urquhart also mentioned the PC Case 22-23 for a short term rental would only be necessary if the ADU received approval tonight.

Hulverson asked about the bathrooms in the ADU. Owners Pollie and Mike Gilchrist responded there are 1 ½ bathrooms. Hulverson also asked about the square footage, as an accessory dwelling unit cannot exceed 1,000 sq. ft. Galligan responded that according the City's assessment records, the total square footage of the Carriage House is 1064 sq. ft. Commissioners stated they were unable to determine what the total square footage is based on the floor plan provided in the packet.

Skelly inquired how long they owned the home. Gilchrist responded they've owned the property over the past year.

Skelly mentioned the packet include several public comments were received about the short term rental, not in favor. Urquhart read the comments at the meeting. Pollie Gilchrist responded to the comments.

Discussion among members included the possible of not having the register your home as a rental if renting 3 time or less. A short term rental would be considered a home rented more than 3 times a year, for a period less than 30 days. Gilchrist responded the city informed them they were allowed to rent the home up to 3 times per years without any short term or long term rental certificate. Members cited various instances in which any rental of a home would require a rental certificate. Urquhart was tasked with finding a resolution.

Dora stated that since the ordinance is clear an ADU cannot exceed 1,000 sq. ft., therefore the size of the building is a problem. Dora added the information submitted by the applicant was not complete and there is not enough information to address the request. Skelly added that assessment records are not always accurate.

Smolenska noted she does not have an issue with the ADU exceeding the 1,000 sq. ft. limit.

Motion by **Galligan** support by **Skelly** to POSTPONE Case 22-26, a special land use request for an accessory dwelling unit at 122 Franklin (parcel #70-03-20-410-025) to the September 13, 2022 meeting.

Ayes: Hulverson, Dora, Skelly, Galligan. Nays: Smolenska. 4 ayes, 1 nay. **Motion passed.**

Case 22-23: A special land use request for a short term rental at 122 Franklin (parcel #70-03-20-410-025):

Urquhart mentioned the postponement of the ADU request would render Case 22-23 ineligible for approval at this time, but a public hearing would not be necessary for the next meeting.

Motion by **Galligan** support by **Skelly** to POSTPONE Case 22-23, a special land use request for a short term rental at 122 Franklin (parcel #70-03-20-410-025) to the September 13, 2022 Planning Commission meeting.

All ayes: **Motion passed.**

Case 22-25: Revoke a special land use permit for an accessory dwelling unit at 320 Elliott (parcel #70 03 20 427 005):

Urquhart noted PC Case 22-15 approved at the June 14, 2022 meeting was determined to be invalid due to the definition in Sec. 40-525 that an accessory dwelling unit is required for a single-family dwelling unit only. After consulting with the City Attorney, the same process to withdraw a special land use permit is the same for issuing it, prompting the public hearing.

Steve Weideman noted he indicated he resided in a two-unit dwelling at 320 Elliott in his application materials for the June meeting. Weideman stated he responded to the comments by the city, and was understanding there was confusion and transition going on at the time, and the city provided other alternatives for him to achieve another dwelling unit on the property.

Commission members asked about the possibility of adding another unit to the property. Urquhart stated the definition of multiple-family is 3 or more dwelling units in the same building surrounded by open space. Urquhart noted that multiple family is permitted as a special land use in the OT – Old Town district by special and use.

Hulverson asked about the options for a zoning text amendments. Urquhart said the definition of an accessory dwelling unit could be amended, and specified by zoning district.

Motion by **Galligan**, support by **Smolenska**, to WITHDRAW a special land use permit for an Accessory Dwelling Unit located at 320 Elliott Avenue (parcel #70-03-20-427-005), based on the following findings of fact:

1. The principal structure is a two-family dwelling and thus ineligible for an accessory dwelling unit, as defined in Sec. 40-525 of the zoning ordinance.

All ayes. **Motion passed.**

Case 22-24: A site plan review se request for residential above retail/office at 300 Washington (parcel #70-03-20-437-011):

Urquhart introduced the case as a permitted use for 8 condo units above the existing building at 300 Washington in the CB - Central Business district. The 2nd floor would be renovated, and a 3rd floor would be added on the building. Urquhart cited concerns by the Historic Commission and the aesthetics of the building.

Skelly added the Historic Commission has valid concerns and asked the developer if they would consider changing materials.

David TenCate of Capstone said there is no ideal use of materials. There has been a history of building materials throughout original construction and additions. He also added that limestone deteriorates quickly. TenCate added there are plenty of other examples that are similar in this district.

TenCate responded that they will be selling the condominiums.

Galligan stated he liked the look of the addition.

Smolenska noted the building is not on the historic registry.

Hulverson inquired that after the information discussed, would there be additional conditions that may be necessary. Urquhart responded the deck encroaching into the Washington Street right-of-way off the 2nd floor would be a major encroachment and require city council approval.

Skelly asked about rooftop access. TenCate responded there would be no access.

Urquhart inquired about rooftop mechanical equipment. TenCate noted there would be no additional equipment, but if required the equipment would not be visible from street and screened accordingly.

Motion by **Smolenska**, support by **Skelly** to APPROVE Case 22-24, a request for a site plan review for residential unit above retail or office at 300 Washington (parcel #70-03-20-437-011), subject to the following condition(s):

1. Inspection is completed, and satisfactory, by the Fire Marshal.

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2. All conditions requested by the Board of Light and Power, and Department of Public Works are met.
3. Rooftop mechanical equipment shall not be visible from the street and shall be screened as required per Sec. 40-322.
4. The balcony for Unit 03 shall require the approval of a major encroachment permit by city Council.

All ayes. **Motion passed.**

Zoning Board of Appeals Liaison Report:

Galligan stated the ZBA meet in July and approved officers. There would be no meeting in August.

City Planner Report:

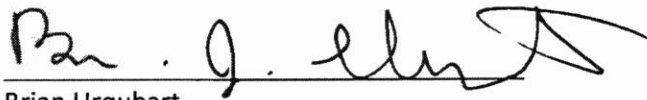
Urquhart said the next Master Plan Steering Committee will be held on August 16, 2022 at the Community Center from 7pm to 9pm.

Call to Audience; Second Opportunity:

No public comments received.

Adjournment:

Chair Dora adjourned the meeting at 8:40 pm.



Brian Urquhart
City Planner

