1. CALL TO ORDER

2. ROLL CALL
   Bectel, Duer, Garrison, Horine, Mooney, Parker, VanderMeulen

3. APPROVAL OF THE AGENDA

4. APPROVAL OF THE MINUTES – May 23rd, 2023 Meeting

5. CORRESPONDANCE

6. STATEMENTS OF CITIZENS – AGENDA ITEMS ONLY

7. PUBLIC HEARING:
   A. Samaritas Affordable Housing PUD – 732/736 E Savidge Street
      A request for Final PUD approval for a multi-family apartment Planned Unit Development that would consist of one 4-story building comprised of 53 units.

   B. Special Use – Short Term Rental – 107 E Savidge Street
      A request for a Special Use permit to establish a Short Term Rental located at 107 E Savidge.

   C. Special Use – Short Term Rental – 212 Dixie Street
      A request for a Special Use permit to establish a Short Term Rental located at 212 Dixie Street.

   D. Text Amendments – Accessory Buildings & Accessory Dwelling Units

8. OLD BUSINESS:
   A. Samaritas Affordable Housing PUD – 732/736 E Savidge Street
      A request for Final PUD approval for a multi-family apartment Planned Unit Development that would consist of one 4-story building comprised of 53 units.

   B. Special Use – Short Term Rental – 107 E Savidge Street
      A request for a Special Use permit to establish a Short Term Rental located at 107 E Savidge.

   C. Special Use – Short Term Rental – 212 Dixie Street
      A request for a Special Use permit to establish a Short Term Rental located at 212 Dixie Street.

   D. Text Amendments – Accessory Buildings & Accessory Dwelling Units

9. NEW BUSINESS

10. STATEMENTS OF CITIZENS – NON-AGENDA ITEMS ONLY
11. **COMMENTS OF PLANNING COMMISSIONERS**

12. **STAFF REPORT**

13. **ADJOURNMENT**

Cassandra Chaphalkar, Village of Spring Lake, (616) 604-6319

Next Meeting: July 25th, 2023
1. **CALL TO ORDER**
   Chair Garrison called the meeting to order at 7:00 p.m.

2. **ROLL CALL**
   Present: Bectel, Duer, Garrison, Horine, Parker & VanderMeulen
   Absent: None

3. **APPROVAL OF THE AGENDA**
   Motion by VanderMeulen, second from Duer, to approve the agenda as presented. All in favor, motion carried.
   
   Yes: 6  No: 0

4. **APPROVAL OF THE MINUTES** – April 25, 2023, Meeting
   Motion by Duer, second from Bectel, to approve the minutes of the April 25, 2023, meeting. All in favor, motion carried.
   
   Yes: 6  No: 0

5. **CORRESPONDANCE** – N/A

6. **STATEMENTS OF CITIZENS – AGENDA ITEMS ONLY** – N/A

7. **PUBLIC HEARING:**
   A. **Special Use – Short Term Rental – 210 S Cutler**
      A request for a Special Use permit to establish a Short-Term Rental located at 210 South Cutler Street.
      Garrison opened the public hearing at 7:01 P.M.
      Chaphalkar addressed the Commissioners regarding the special use application that was received. Chaphalkar reviewed the setbacks and easements applicable to this property and how these would affect the short-term rental application.
      The Commissioners accessed the property and discussed the allowances that would be needed for the property to become a short-term rental property.
      Parker Penney, 210 S Cutler, spoke regarding their application and the adjustments to the property that are being pursued to better comply with the short-term rental restrictions and Village ordinances.
      The Commissioners asked clarifying questions of the applicant to better understand the steps being pursued to comply with the short-term rental restrictions and Village ordinances.
      Duer inquired about the non-conforming deck on the property.
      The public hearing closed at 7:16 P.M. All in favor, motion carried.
      
      Yes: 5  No: 0  Abstained: 0

8. **OLD BUSINESS:**
A. Special Use – Short Term Rental – 210 S Cutler

A request for a Special Use permit to establish a Short-Term Rental located at 210 South Cutler Street.

The Commissioners discussed the benefits and detriments of conditionally approving the Special Land Use request by J. Parker Penney for a Short-Term Rental located at 210 South Cutler Street.

Motion by VanderMeulen, second from Horine, to conditionally approve the Special Land Use request by J. Parker Penney for a Short-Term Rental located at 210 South Cutler Street because the application meets the standards of the Spring Lake Village Zoning Ordinance. This motion is subject to the report of findings and the following conditions:

1. The sleeping occupancy shall not exceed three (3) people, which requires two (2) parking spaces.
   - The sleeping occupancy will be verified by the Village staff after inspection of the proposed rental occurs, including inspection of the bedroom size and ceiling height as determined by the requirements of the International Property Maintenance Code (IPMC).
   - Sleeping shall only occur within the bedrooms with the occupancy of each room determined by the International Property Maintenance Code.

2. The applicant shall submit a landscaping plan that provides screening along the eastern edge of the existing deck, which shall be reviewed administratively.

3. The fire pit shall be removed prior to renting the property.

4. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.

5. The applicant will comply with any other local, state, and federal laws.

6. The applicant will comply with all written and verbal representations.

All in favor, motion carried.

Yes: 5  No: 0  Abstained: 0

9. New Business

A. Discussion – Text Amendments - Accessory Buildings, Neon Signs, Family Definition

Chaphalkar identified possible text amendments to the existing Zoning Ordinance that would provide clearer zoning guidance going forward.

Chaphalkar spoke regarding the current classifications for an accessory building in the Village and how the quantity allowable per lot is determined by the existence of an attached garage on a home, which does not provide guidance for commercial properties in the Central Business District.

Chaphalkar explained that the definitions came under review when a new development considered usage of an accessory building for product production.

Chaphalkar presented the possible updated residential accessory building guidelines to the Commissioners for their assessment.

Garrison spoke regarding a detailed review of the proposed definition changes.

Horine requested clarification on the proposed sliding scale for accessory buildings.

The Commissioners discussed the benefits and detriments of updating the existing terms for Village residential accessory buildings and reasonable restrictions and regulations that property owners would be expected to follow if these changes were adopted.

Chaphalkar addressed the proposed definition change for the use of commercial accessory buildings in the Village.

The Commissioners evaluated the updated definition and discussed.

Chaphalkar spoke on neon signage usage in the Village and the requirements and restrictions
that would be necessary in a revision of the zoning ordinance.

The Commissioners discussed the effect of the possible sign revision.

Chaphalkar spoke regarding the updated terms pertaining to family in the Village Ordinance, with the new definition expanding to allow for live-in home health care aids and exchange students.

The Commissioners discussed the proposed updated definition.

B. Appointment of Officers – Vice Chairperson

Chaphalkar addressed the vacated position of former Vice Chairperson Van Leeuwen-Vega, and the Commissioners need to appoint a new Vice Chairperson.

The Board discussed who would be the best candidate for the open Chair position.

Motion by Garrison, supported by VanderMeulen to nominate Michael Duer for Planning Commission Vice-Chairperson. All in favor, motion carried.

Yes: 6
No: 0

10. STATEMENTS OF CITIZENS – NON-AGENDA ITEMS ONLY

• Jim Storey, Liquor License Consultant for 510 W. Savidge
  o Addressed the Commissioners regarding their efforts to get an existing outdoor service area compliant with the regulations determined by the Liquor Control Commission which would require the space to be fenced in; and the next steps necessary to receive approval by the Zoning Board of Appeals.

11. COMMENTS OF PLANNING COMMISSIONERS

VanderMeulen was impressed by the quality of the GIS map work presented during the meeting.

12. STAFF REPORT

Chaphalkar notified the Commissioners that Samaritas will be returning to the Village to reapprove their development due to an error by their surveyor regarding their project.

13. ADJOURNMENT

Motion by Duer, second from VanderMeulen, the meeting adjourned at 8:21 p.m. All in favor, motion carried.

_________________________________________  ______________________________
Cassandra Chaphalkar, Associate Planner                  Jordan Schwing, Deputy Clerk
Subject: Concerns Regarding Proposed Airbnb Conversion in our Neighborhood

Dear Cassandra,

I am writing to express my concerns regarding the proposed conversion of 212 Dixie Street into an Airbnb rental. While I understand the potential benefits of short-term rentals, I believe that such a change could have negative impacts on our community, particularly in relation to noise issues, traffic, and the use of the waterfront.

First, noise issues are a legitimate concern for many of us who have chosen to live in this peaceful community. Short-term rentals, by their very nature, tend to attract different groups of people, some of whom may not share our community values of peace and quiet. The potential for disruptive parties or loud gatherings could disturb the peaceful atmosphere we currently enjoy.

Second, our small road already has minimal access to extra parking for cars, especially during the summer months. There are already two smaller homes on Dixie Street that have short term rentals and introducing another larger home as an Airbnb will only increase this problem. My property is directly across from 212 and parking on the road causes an inconvenience and potential safety hazards for residents and visitors.

Lastly, the proposed conversion also raises concerns about the use of the waterfront. As you know, Dixie Street has community water rights for property owners. Our waterfront is a shared community asset that many of us cherish and use for recreational activities and relaxation. With the arrival of numerous transient guests, there is a risk that the peaceful enjoyment of the waterfront could be compromised. Not to mention multiple people using the waterfront that have no regard for the homeowners that are responsible for the upkeep of the area. I understand that the usage is supposed to be for property owners only, though the access to the waterfront is assumed to be for anyone staying on the current property. As a homeowner, I do not want to be responsible for asking people to leave the property if there is an issue.

Considering these concerns, I kindly request that the Village Board carefully evaluate the potential impacts of the proposed Airbnb conversion on our neighborhood. I believe it is important to find a balance between individual property rights and the collective well-being of the year round residents.

Thank you for your time and attention to this matter. I trust that the Village Board will make a thoughtful and informed decision that takes into account the best interests of all residents.

Yours sincerely,

Nicole Bayle
Dear Cassandra,

My name is Megan Lemke and my husband, Jeremy, and daughters, Dakota (16), and Haleigh (14) live at 224 Dixie Street. We would like to express our concern about a proposed short term rental at 212 Dixie Street.

Our first concern is use of the easement to the lake. Our property is adjacent to the easement. We work with other Dixie Street residents to maintain this land and it is understood that the easement is for the enjoyment of property owners. Being directly next to this easement, we have asked guests from the two current short term rentals on our street to quiet down and respect the easement. They lack respect for this lake access since they are merely short term visitors whom suffer no long term consequences, unlike the residents of Dixie Street. I should not be responsible for policing this shared community space being used by people who have no regard for our own private property and the work we put into maintaining the easement. The two current short term rentals are small houses, but 212 Dixie will be rented to larger groups and, therefore, has the likelihood to cause an even greater disturbance to our small waterfront access and community.

Our second concern is parking on our small, narrow street. The driveways are small and street parking is not possible in most cases. Another short term rental on this street has the potential to add to this problem and presents an extreme safety hazard for ingress/egress of emergency vehicles. A large short term rental is likely to bring a large group of guests that arrive in multiple vehicles. We simply do not have parking space to accommodate this.

We wholly and expressly reject the idea of 212 Dixie Street becoming a short term rental. We ask that the Spring Lake Village Planning Commission deny the request for a special use permit to establish a short term rental at 212 Dixie Street.

Sincerely,
Megan Lemke
MEMORANDUM

Date: June 21, 2023

To: Village of Spring Lake Planning Commission

From: Cassandra Chaphalkar – Contractual Village Planner

Subject: Samaritas Affordable Housing PUD – Corrective Approval

BACKGROUND

Planning Commissioners may recall the Samaritas Affordable Housing PUD from last September. The 53-unit apartment development was approved by Village Council in October. In the time since this approval, the applicant’s team had been working to obtain compliance with the conditions of approval prior to applying for a building permit.

The following conditions were included in the approval:

1. Tree removal shall be limited to those noted as being removed in the submittal plans. Replacement is required for any of the trees noted to be preserved on site that were damaged during or (including, but not limited to construction-related activities) within a two-year time frame from the issuance of a certificate of occupancy.
   a. Replacement trees shall be planted in alignment with the requirements in Section 390-92.J.
   Remains a condition of approval.

2. Shall provide a revised landscape plan, which shall be reviewed by staff administratively.
   Provided and reviewed, in consideration of the formerly approved departures for numbers and screening, staff approve.

3. Shall obtain all necessary Federal, State, and County permits prior to a building permit being issued, which shall be reviewed by staff administratively.
   This is a default condition that will remain. The applicant has worked with Village staff to draft a waterline easement, which will be provided to Council in July.

The newly proposed amendments from the previous submittal are summarized in the following sections. With this in mind, Commissioners should review the revised departures prior to making a motion.
**PROPOSED AMENDMENTS**

**Boundary Adjustment**

The applicant had requested staff review a minor change in the parcel’s legal description to include more of the existing sidewalk adjacent to the park. It then came to light that an error existed in the legal description, which included adjacent property to the west of the subject parcels. Though staff were not concerned with the proposed adjustment, the Village Attorney confirmed that the public hearing process would need to commence again in order to correct the error in the legal description.

![Diagram](image)

*Area in red highlights the difference between previous parcel boundaries and the revised legal description.*

**Exterior Building Materials**

Commissioners may recall the previously approved departure to allow materials outside of the required material list, those required materials being brick or composite mimicking brick, decorative concrete block, stone or composite mimicking stone, horizontal clapboard siding, commercial-grade horizontal vinyl siding mimicking wood, high quality vertical siding materials as approved by the Planning Commission.

**Per the applicant:**

The exterior materials of the project have changed from composite mimicking stone, horizontal siding, and insulated metal paneling to composite mimicking stone, horizontal siding, board and batten siding, and horizontal siding mimicking shingles. The applicant has provided
material samples to staff for consideration, which will be present at the meeting.

The applicant also notes the window coverage is increasing ↑ from 28% to 29%, which is more compliant with the Zoning Ordinance of 60% coverage on the first floor and 40% coverage on upper floors.

![Previously Approved Elevation](attachment:image1)

![Proposed Elevation](attachment:image2)

**Landscaping**

The landscaping adjacent to the adjacent playground is impacted by the proposed boundary adjustment. In moving the lot line closer to the fire truck, the plantings adjacent to the property line are now moved to the park. This results in an absence of screening along that portion of the property line. However, when reviewing departures
for the screening requirements during the previous approval it was mentioned that there is an intention for the development to be socially linked to the neighboring property, which was echoed by the Pastor of the adjacent church, acting as the property representative.

It is important to note that in approving the landscaping change, there would not be a requirement for the landscaping on the park property to be maintained by the housing development, as it is on a separate parcel. It is expected that the park property would in fact maintain the landscaping, but it would be tied to that separate parcel.

In supporting the boundary change and revised landscaping it will likely strengthen the visual and community tie between the two properties. This concept was supported during the previous approval request.

![Previously Approved Landscaping Plan](image1)

![Proposed Landscaping Plan](image2)

**SAMPLE MOTIONS**

If the Planning Commission finds the revised application complies with the standards, the following motion can be offered:

**Motion** to recommend the Village Council **conditionally approve** the Samaritas Affordable Housing Final PUD as provided on the revised plans dated May 22, 2023. Approval is subject to the following conditions:
1. Tree removal shall be limited to those noted as being removed in the submittal plans. Replacement is required for any of the trees noted to be preserved on site that were damaged during or (including, but not limited to) construction-related activities) within a two-year time frame from the issuance of a certificate of occupancy.
   a. Replacement trees shall be planted in alignment with the requirements in Section 390-92.J, or as revised.

2. Shall obtain all necessary Federal, State, and County permits prior to a building permit being issued, which shall be reviewed by staff administratively.

3. List the conditions…

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:

Motion to table the Samaritas Affordable Senior Living Development Final PUD application, and direct the applicant to make the following revisions:

1. List the revisions:
PLANNED UNIT DEVELOPMENT (PUD) APPLICATION
102 W. Savidge Street, Spring Lake, MI 49456
Phone: (616) 842-1393 | Website: www.springlakevillage.org

<table>
<thead>
<tr>
<th>APPLICATION</th>
<th>FEE</th>
<th>ESCROW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary PUD Review</td>
<td>$700</td>
<td>$1500</td>
</tr>
<tr>
<td>Final PUD Review</td>
<td>$300</td>
<td>$1500</td>
</tr>
<tr>
<td>PUD Amendment Review</td>
<td>$500</td>
<td>$1500</td>
</tr>
</tbody>
</table>

1. Project Information
Address/location: 732 E Savidge St, 736 E Savidge St, Part of adjacent lot
Name of Development: Samaritas Affordable Living Spring Lake
Parcel #: Lot Area in Acres or Sq. Ft
Community Commercial / Multifamily Residential
Zoning District: Master Planned Zoning Village Gateway
Approx. 1.87 acres

2. Applicant
Name: James Lewis; Pinnacle Construction Group on behalf of Samaritas
Company: Pinnacle Construction Group
Address: 1000 Front Ave NE, Grand Rapids, MI 49504
Phone: 616-240-2651 Email: jl@askourclients.com

3. Property Owner
Name: Dan Anderson
Company: First Presbyterian Church of Spring Lake Michigan
Address: 760 E Savidge St, Spring Lake, MI 49456
Phone: 616-638-9959 Email: dan.ab8cd@gmail.com

4. PUD Information:
- Does the property abut a Village Property? □ Yes □ No
  o If yes, please list property:
- Number & Type of Existing Structures?
  Two Single Family Homes with detached garages
- Is the property served by public utilities? □ Yes □ No
  o If yes, please list: Water, sewer, gas, electric

Details of Proposed Request (attach additional pages if needed):

53 unit multifamily housing project, 4 stories and approximately 50,000 square feet. Project to be funded with the Low Income Housing Tax Credit. Unit rents will be income restricted at 60% AMI and below. See PUD documents for additional information.
By signing below, permission is granted for Village staff, including Planning Commissioners, to enter the subject property for purpose of gathering information to review this request. In addition, the applicant agrees to perform the described work in accordance with all applicable Sections of the Village of Spring Lake Code of Ordinances.

Signature of Applicant:  
Date: 5/18/2023

Print Name: James Lewis

Signature of Owner:  
Date: 5/18/2023

Print Name: Dan Anderson

Office Use Only

Date Received:  
Application Complete:  
Fee:  

Date of Approval:  
Date of Table:  
Date of Denial:  
Permit #:  

Conditions of Approval:

Water, sewer, gas, electric
Village of Spring Lake,

The development team for the Samaritas Affordable Living Spring Lake project is requesting an amendment to their PUD. These changes have occurred between the PUD approval in 2022 and this amendment application:

- There was an error discovered in the legal description of the property. It has been updated.
- The parcel boundary shifted slightly near the gazabo to incorporate the sidewalk into the Samaritas parcel.
- The exterior materials of the project have changed from composite mimicking stone, horizontal siding and insulated metal paneling to composite mimicking stone, horizontal siding, board and batten siding, and horizontal siding mimicking shingles.
- The amount of glazing on the primary façade increased from 28% to 29%
- Landscape changes at the boundary between the Samaritas parcel and the church parcel near the play area.

We request the Plan Commission and Village Council of Spring Lake to approve the amendment to allow this important development of 53 affordable housing units to continue.

Sincerely,

James Lewis
Director of Real Estate Development
Pinnacle Construction
<table>
<thead>
<tr>
<th>Section</th>
<th>Regulation</th>
<th>Requested</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>390-70.C</td>
<td>Maximum Height 45'</td>
<td>Maximum Height 52'</td>
<td>The additional height reduces the building footprint on site and preserves more of the existing mature trees.</td>
</tr>
<tr>
<td>390.71.C</td>
<td>No side yard permitted</td>
<td>Minimum 30' side yards</td>
<td>PUD's reference the CBD district as the underlying standard. The CBD district requires zero lot line development which is incompatible with the surrounding uses. Setbacks are desirable and preferred by the neighbors, the owner and, I presume, the village.</td>
</tr>
<tr>
<td>390.71.D</td>
<td>Consistent streetwall or 15' from ROW</td>
<td>No consistent streetwall, approx. 160' setback</td>
<td>No consistent setback due to building scale, existing structures, and incompatible underlying zoning.</td>
</tr>
<tr>
<td>390.71.F</td>
<td>No parking in the front yard</td>
<td>All parking in the front yard.</td>
<td>Incompatible zoning requirement with the surrounding uses and zoning. Also allows for preservation of many existing mature trees which are largely concentrated towards the rear of the property.</td>
</tr>
<tr>
<td>390.71.G</td>
<td>Building entrance every 50' and also on rear</td>
<td>Single building entry on front</td>
<td>A single controlled entry is beneficial and desired by residents and management due to safety concerns. Limiting unauthorized entry and having the management office with clear view to the entry prevents unwanted disruptions in the building and the neighborhood.</td>
</tr>
<tr>
<td>390.71.I</td>
<td>60% Glazing first floor, 40% upper on street façade</td>
<td>29% glazing average on street façade</td>
<td>Our experience as managers of multifamily housing communities suggests that 20%-25% glazing ratios are appropriate for the use and desired by the tenants. It allows for a significant amount of light to penetrate the apartments while providing privacy to the individuals living there. Below, in footnote 1 we have calculated the percentage of five recent Samaritas developments. All are below 28% glazing. We believe this percentage is at the border of being problematic for our tenants.</td>
</tr>
<tr>
<td>390-115.J.2</td>
<td>Required parking, 1.5 Parking spaces per unit</td>
<td>0.75 spaces per unit plus 2 staff, 2 visitor, 1 caretaker</td>
<td>Our experience as managers of multifamily housing communities suggests that stabilized usage of parking is under 0.5 spaces per unit. We target 0.75 to allow for some transition during the initial lease up period. The project will be served by the Harbor Transit further reducing the need for car ownership. Footnote 2 provides a table of similar properties under our management.</td>
</tr>
<tr>
<td>390-92.D.1</td>
<td>Street tree canopy (25') and spacing requirements (30').</td>
<td>Street tree canopy 18' and 20' spacing</td>
<td>Plan commission requested more street trees than physically possible with 30' spacing and 25' canopies. Therefore it is necessary to provide trees at a smaller spacing with a smaller canopy.</td>
</tr>
<tr>
<td>390-92.J</td>
<td>Tree replacement requirements for removed trees greater than 12&quot; DBH</td>
<td>No replacement or fund contribution for removed trees greater than 12&quot;</td>
<td>There are 105 trees on site with a 12&quot; or greater DBH, we will keep 68 trees. We intended to remove 9 because they are in poor condition or are invasive. 28 others must be removed to accommodate the building and parking, there is no reasonable way to relocate these trees on site. The ordnance give the plan commission the authority to request the development pay into a tree fund, this is an undue burden on an affordable housing project.</td>
</tr>
<tr>
<td>390-93.B.1</td>
<td>Green belt or screen in sideyards</td>
<td>Less intensive eastern sideyard screening</td>
<td>It is intended for the church property and affordable housing property to have a porous boundary such that the residents of the affordable housing property feel comfortable using the outdoor amenity on the church property, including the existing playground, gazabo, and lawn area. This is the desire of both the Church and the affordable housing manager. Intensive physical and visually screening between the two properties is incompatible with this usage intent. The proposed design includes landscaping, such as shrubs and trees, to provide delineation of the property boundaries while allowing a physical and visual connection between them. This connection will create more pedestrian activity between the two parcels.</td>
</tr>
<tr>
<td>390-120</td>
<td>2 loading spaces</td>
<td>0 Loading spaces</td>
<td>Loading spaces are uncommon for multifamily building of this size in Samaritas' management portfolio. Additionally, this project has access to the fire turnaround / harbor transit loading area for short term loading.</td>
</tr>
</tbody>
</table>
Footnotes

Footnote 1 - Glazing percentages

<table>
<thead>
<tr>
<th>Samaritas Muskegon</th>
<th>Samaritas Holland</th>
</tr>
</thead>
<tbody>
<tr>
<td>West: 19%</td>
<td>East: 19%</td>
</tr>
<tr>
<td>North: 22% (Main Street Facing)</td>
<td>North: 15% (Main Street Facing)</td>
</tr>
<tr>
<td>East: 13% (Main Street Facing)</td>
<td>West: 17% (Main Street Facing)</td>
</tr>
<tr>
<td>South: 20%</td>
<td>South: 6%</td>
</tr>
</tbody>
</table>

Unbuilt (as required and approved by Holland PC)

Sequoia Place

| East: 19% | South: 18% |
| North: 23% | West: 12% |
| West: 27% | North: 17% |
| South: 15% | East: 9% |

Footnote 2 - Parking Ratios

<table>
<thead>
<tr>
<th>Parking info</th>
<th>Gateshead</th>
<th>Shawl I</th>
<th>Shawl II</th>
<th>Christian Manor</th>
<th>Sequoia Place</th>
<th>SAL of Alpena</th>
<th>Muskegon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Parking Spaces</td>
<td>38</td>
<td>55</td>
<td>30</td>
<td>31</td>
<td>51</td>
<td>50</td>
<td>26</td>
</tr>
<tr>
<td>Total Units</td>
<td>46</td>
<td>40</td>
<td>25</td>
<td>42</td>
<td>46</td>
<td>66</td>
<td>53</td>
</tr>
<tr>
<td>Percentage</td>
<td>83%</td>
<td>138%</td>
<td>120%</td>
<td>74%</td>
<td>111%</td>
<td>76%</td>
<td>49%</td>
</tr>
</tbody>
</table>

| Number of Resident Vehicles | | | | | | | |
| Percentage | | | | | | | |
| Utilized | 24% | 53% | 56% | 31% | 41% | 41% | TBD |

Footnote 3 - Healthy, native, 12"+ - DBH trees to be removed

<table>
<thead>
<tr>
<th>Tree ID</th>
<th>Common Name</th>
<th>Scientific Name</th>
<th>Listed Invasive</th>
<th>Standard DBH</th>
<th>Condition</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>117</td>
<td>Maple-Sugar</td>
<td>Acer saccharum</td>
<td>No</td>
<td>21 Good</td>
<td>Remove</td>
<td>-86.180796 43.07615799</td>
<td></td>
</tr>
<tr>
<td>119</td>
<td>Oak-Black</td>
<td>Quercus velutina</td>
<td>No</td>
<td>34 Fair</td>
<td>Remove</td>
<td>-86.1809971 43.07607184</td>
<td></td>
</tr>
<tr>
<td>121</td>
<td>Maple-Sugar</td>
<td>Acer saccharum</td>
<td>No</td>
<td>13 Good</td>
<td>Remove</td>
<td>-86.1809933 43.07593869</td>
<td></td>
</tr>
<tr>
<td>125</td>
<td>Oak-Black</td>
<td>Quercus velutina</td>
<td>No</td>
<td>17 Good</td>
<td>Remove</td>
<td>-86.1810196 43.07592115</td>
<td></td>
</tr>
<tr>
<td>127</td>
<td>Pine-Eastern White</td>
<td>Pinus strobos</td>
<td>No</td>
<td>15 Good</td>
<td>Remove</td>
<td>-86.1809743 43.07533323</td>
<td></td>
</tr>
<tr>
<td>131</td>
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**Samaritas Affordable Living Spring Lake Legal Description**

PROPOSED PARCEL 1

That part of the Southwest 1/4 of Section 14, Township 8 North, Range 16 West, Spring Lake Township, Ottawa County, Michigan, described as:

Commencing at the South 1/4 corner of said Section 14; thence North 88°49'14" West 1320.28 feet along the South line of said Section to the West line of the East 1/2 of said Southwest 1/4; thence North 01°17'39" East 595.12 feet along said West line to THE PLACE OF BEGINNING OF THIS DESCRIPTION; thence South 01°17'39" West 70.00 feet; thence North 88°56'39" West 102.00 feet; thence North 01°17'39" East 250.00 feet; thence South 88°56'39" East 15.00 feet; thence North 01°17'39" East 150.00 feet to the South right-of-way line of East Savidge Street; thence South 88°56'39" East 241.45 feet along said right-of-way line; thence South 01°15'43" West 136.40 feet; thence South 36°53'18" West 45.16 feet; thence South 01°15'43" West 55.44 feet; thence North 88°44'17" West 34.59 feet; thence South 01°15'43" West 101.67 feet; thence North 88°56'37" West 93.74 feet to the place of beginning.

Contains 81,421 square feet (1.87 acres), more or less.

PROPOSED PARCEL 2

That part of the Southwest 1/4 of Section 14, Township 8 North, Range 16 West, Spring Lake Township, Ottawa County, Michigan, described as:

Commencing at the South 1/4 corner of said Section 14; thence North 88°49'14" West 1320.28 feet along the South line of said Section to the West line of the East 1/2 of said Southwest 1/4; thence North 01°17'39" East 595.12 feet along said West line; thence South 88°56'37" East 93.74 feet to THE PLACE OF BEGINNING OF THIS DESCRIPTION; thence North 01°15'43" East 101.67 feet; thence South 88°44'17" East 34.59 feet; thence North 01°15'43" East 55.44 feet; thence North 36°53'18" East 45.16 feet; thence North 01°15'43" East 136.40 feet to the South right-of-way line of East Savidge Street; thence South 88°56'39" East 110.75 feet along said right-of-way line; thence South 01°08'39" West 330.00 feet; thence North 88°56'37" West 172.32 feet to the place of beginning.

Contains 44,786 square feet (1.03 acres), more or less.
PROPOSED PUD DEVELOPMENT PLANS FOR:

Samaritas Affordable Living

VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN

PROPERTY DESCRIPTIONS

PROPOSED PANEL 1

This part of the Southeast 1/4 of Section 14, Township 6 North, Range 16 West, described as: Commencing at the South 1/4 corner of said Section 14; thence North 49° 45' 27" West 1336.26 feet along the South line of said section to the South 1/4 corner of Section 14; thence North 49° 45' 27" West 1336.26 feet along the South line of said section to the South 1/4 corner of Section 14; thence North 49° 45' 27" West 1336.26 feet along said line to the point of beginning.

PROPOSED PANEL 2

This part of the Southeast 1/4 of Section 14, Township 6 North, Range 16 West, described as: Commencing at the South 1/4 corner of said Section 14; thence North 49° 45' 27" West 1336.26 feet along the South line of said section to the South 1/4 corner of Section 14; thence North 49° 45' 27" West 1336.26 feet along the South line of said section to the South 1/4 corner of Section 14; thence North 49° 45' 27" West 1336.26 feet along said line to the point of beginning.

PROPERTY OWNER

PRINCEVILLE VENTURES, LLC

1000 PRINCE STREET

GRAND HAVEN, MI 49417

PH 866.454.6283

SHEET INDEX

C: COVER SHEET
C2: AREA ZONING MAP
C3: EXISTING CONDITIONS & REMOVAL PLAN
C4: SITE LAYOUT PLAN
C5: SITE GRADING & SEPC PLAN
C6: SITE UTILITY PLAN
C7: STORM WATER DETENTION SYSTEM DETAILS

W: WATER MAIN EXTENSION PLAN & PROFILE
T1: EXISTING TREE SURVEY
T2: EXISTING TREE DATA

L5: LANDSCAPE PLAN
A0-01: RENDERING 1
A0-02: RENDERING 2
A1-01: GROUND FLOOR PLAN
A1-02: UPPER FLOOR PLANS
A2-01: ELEVATIONS
A2-02: ELEVATIONS
A10-01: DUMPSTER ENCLOSURE

PROPERTY OWNER:

PRINCEVILLE VENTURES, LLC

1000 PRINCE STREET

GRAND HAVEN, MI 49417

PH 866.454.6283
MEMORANDUM

Date: June 22, 2023

To: Village of Spring Lake Planning Commission

From: Cassandra Chaphalkar – Contractual Planner

Subject: Special Use – Short Term Rental – 107 E Savidge Street

BACKGROUND

Sherry and Tad Boeve, the owners of 107 E Savidge Street, are requesting approval to operate a short term rental out of the property. The property is a recent purchase and has not previously been used as a short term rental.

SPECIAL USE STANDARDS

Article X of the Zoning Ordinance details the requirements for compliance.

Lot Size and Setbacks

The parcel conforms with the minimum dimensional standards for Single Family Residential (SFR). The location of the house is legally non-conforming due to a reduced front yard setback of about 20 ft where 25 ft is required.

When a property has non-conformities Planning Commissioners may deny the request or require additional screening to mitigate impact onto adjacent properties or the public.

Occupancy and Parking

Per the provided floor plan, there are three bedrooms, which allow the following occupancy:

- Bedroom 1: 159sqft – 3 people
- Bedroom 2: 114sqft – 2 people
- Bedroom 3: 134 sqft – 2 people
A maximum occupancy of seven people requires three parking spaces. There is one available parking space in the garage and ample area on the paved driveway for the required parking spaces. The applicant intends to enlarge the garage at a future point, but will be able to maintain the required minimum parking. The applicant is aware the gravel area is not suitable for a parking area unless it becomes hard surfaced.

**Outdoor Congregating Areas**

The existing front porch is legally non-conforming in location as it extends into the required front yard. This will also be a topic that is addressed at the next Planning Commission meeting as the applicant is seeking to expand the patio to the entire width of the home.

There are two patios on the property, both of which conform with the required setbacks. A covered area off of the detached garage, and a paved area near the north side of the home. There is no fire pit on the property.

If the Planning Commission is inclined to approve the STR application, they may require landscaping to screen or visually buffer the front porch.

**SAMPLE MOTIONS**

If the Planning Commission finds the application meets the required standards, the following motion can be offered:

**Motion to conditionally approve** the Special Use request by Theodore & Sherry Boeve for a Short Term Rental located at 107 E Savidge Street because the application meets the standards of the Spring Lake Village Zoning Ordinance. This motion is subject to the report of findings and the following conditions:

1. The sleeping occupancy shall not exceed seven (7) people, which requires three (3) parking spaces.
   - The sleeping occupancy will be verified by the Village staff after inspection of the proposed rental occurs, including inspection of the bedroom size and ceiling height as determined by the requirements of the International Property Maintenance Code (IPMC).
• Sleeping shall only occur within the bedrooms with the occupancy of each room determined by the International Property Maintenance Code.

2. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.

3. The applicant will comply with any other local, state, and federal laws.

4. The applicant will comply with all written and verbal representations.

If the Planning Commission finds the application does not meet the required standards, the following motion can be offered:

**Motion to deny** the Special Use request by Theodore and Sherry Boeve for a Short Term Rental located at 210 South Cutler Street because the request does not meet the criteria of Article X of the Zoning Ordinance for the following reasons:

1. *List reasons for denial…*

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:

**Motion to table** the short term rental application and direct the applicant to make the following revisions:

1. *List the revisions:*

---

**REPORT (to be used with a motion for approval)**

1. This approval is based on the affirmative findings that all standards of the Special Use Criteria outlined in §390-134 have been fulfilled:

   A. That the use is designed and constructed, and will be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.
   
   B. The use is consistent with the adopted Spring Lake Village Master Plan.
   
   C. The authorized use is compatible with adjacent uses of land, the natural environment and the capacities of the public services and facilities affected by this use.
   
   D. The use is, or will be, served adequately by public services and facilities, including, but not limited to streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities and schools.
   
   E. The use does not involve activities, processes, materials and equipment or conditions of operation that is unreasonably detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare or odors.
   
   F. The buildings, structures, and entrances are situated and designed to minimize the adverse effects upon owners and occupants of adjacent properties and the neighborhood.
   
   G. The site plan and special land use comply with the specific requirements contained in Article X of the Zoning Ordinance, as applicable.
The application meets the site plan review standards of §390-126 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

A. The use proposed will preserve to the greatest extent practical, the existing natural features of the site, including vegetation, topography, water features, and other such features. Only the areas under actual development will be disturbed.

B. Buildings and structures are proposed to be placed in an orderly, logical fashion consistent with its surroundings and intent of the district. Where open spaces are proposed, it is located and arranged in a manner which provides view protection, visual relief, physical separation, environmentally sensitive area protection, and/or recreational value to the site and surrounding properties.

C. The proposed use will preserve the views from adjacent properties and streets open to water areas to the greatest extent practical. Placement and height of buildings and locations of open spaces make reasonable provision for protecting existing views.

D. The use proposes proper relationships between the existing streets within the vicinity, including deceleration lanes, service drives, entrance and exit driveways, and parking areas to provide safe and convenient movements of pedestrians, bicycles, and vehicles. Streets, access plans, and/or ingress/egress drives conform to the current regulations of the Village and MDOT.

E. The proposed use has given special attention to proper site surface drainage, so the removal of surface waters does not adversely affect neighboring properties, the public storm drainage system, or nearby bodies of water. Surface water will be collected at designated intervals to prevent standing water that would obstruct vehicle and/or pedestrian traffic. The standards of the Spring Lake Stormwater Management Ordinance are met.

F. All utilities for the proposed use are provided in a manner least harmful to surrounding properties and the utilities are located underground (as applicable), unless specifically waived by the Planning Commission.

G. The proposed use will be screened from view from adjoining streets and properties for any exposed storage areas, trash receptacles, machinery installations, service areas, truck unloading areas, utility buildings and structures, and similar accessory areas. Screening complies with Article XIV.

H. The site plan for the proposed use provides adequate access to the site and all buildings on the site by emergency vehicles.

I. The proposed use provides an orderly transition for all structures to adjacent development of a different scale.

J. The site plan for the proposed use provides outdoor common areas and associated amenities for employees, customers, and/or residents which may include public trash receptacles, bike racks, seating areas, recreation areas, shade trees, bus stop turnouts, and similar facilities; where appropriate.

K. The proposed use complies with all applicable local, state and federal approvals prior to issuing a land use permit.

L. The site plan for the proposed use is consistent with the intent and purpose of this Ordinance.

Please contact staff with any questions.

CC: Christine Burns, Village Manager
SPECIAL USE PERMIT APPLICATION
Village of Spring Lake, 102 W. Savidge Street, Spring Lake, MI 49456
Phone: (616) 842-1393  Website: www.springlakevillage.org

<table>
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1. Project Information
   Address/Location: 107 Savidge
   Name of Development:
   Parcel #: 70-03-15-380-006 Lot Area in Acres or Sq. Ft .20
   Zoning District:

2. Applicant
   Name: Theodore & Sherry Boeve
   Company:
   Address: 110069 Lake Point Drive, Spring Lake MI
   Phone: (616)-402-9180  Email: Lpventures@gmail.com

3. Property Owner
   Name: Theodore & Sherry Boeve
   Company:
   Address: 110069 Lake Point Dr
   Phone: (616)-402-9180  Email: Lpventures@gmail.com

Details of Proposed Request (attach additional pages if needed):

Short term Rental use - See Project Narrative
By signing below, permission is granted for Village staff, including Planning Commissioners, to enter the subject property for purpose of gathering information to review this request. In addition, the applicant agrees to perform the described work in accordance with all applicable Sections of the Village of Spring Lake Code of Ordinances. Signer will insure that all inspection requests are made a minimum of 24 hours prior to the requested time.

Signature of Applicant: Sherry Boeve
Date: 5/22/23
Print Name: 

Signature of Owner: Sherry Boeve
Date: 5/22/23
Print Name: Sherry Boeve

Office Use Only

Date Received: Application Complete: Fee:

Date of Approval: Date of Table: Date of Denial:

Permit #

Conditions of Approval:
Project Narrative

Property Address: 107 Savidge, Spring Lake, MI

Property Owner: Sherry Boeve
Applicants: Tad Boeve 231-557-7474
Sherry Boeve 616-402-9180

The Tri-cities is an ideal destination for tourism, especially those interested in our local state parks, festivals, and boating activities. The 107 Savidge property is within a block of downtown Spring Lake and the Social District, a 10-minute walk to Tanglefoot Park, and a two-minute drive to Spring Lake Beach.

Section 390-134 Responses

The property at 107 Savidge which has been recently renovated to be a 3-bedroom 3-full bath home with ample dining and lounging areas as well as a dedicated work/office space. The exterior is neat in appearance with manicured gardens and fits in well with the surrounding homes. Additionally, the property lies within the Short-Term Rental Overlay Zone Map.

This property is in the adjoining block to the social and shopping district. The property is adequately served by public services and facilities. The short-term rental use will include house rules that forbid use of fireworks and excessive noise.

There are existing fence lines on three sides of the property which will minimize the adverse effects to adjoining neighbors.

There is a minimum of two off-street parking spaces available on the property. At present, there is no plan for outside firepit. However, we may apply in the future for approval to install an outdoor gas firepit. The patio is well within the required 3 feet from any property lines.

The bedrooms in the home lie within the minimum area requirements under the 2018 International Property Maintenance Code Section 404 to allow for 6 or more occupants. No cooking will occur in bedrooms.

Included with this application is a floorplan of all three levels of the home.
Theodore J and Sherryl K Boeve

Site Plan for 107 E Savidge

LOTS 1 & 4 BLK 11 SOF GTRR & N 65 FT OF LOT 2 & N 26 FT OF LOT 3 SD BLK 11. BRYANT'S ADD TO VILLAGE OF MILL POINT

PARCEL 70-03-15-380-001
GROSS INTERNAL AREA

FLOOR 1: 680 sq. ft, FLOOR 2: 933 sq. ft
FLOOR 3: 731 sq. ft
TOTAL: 2345 sq. ft

SIZE AND DIMENSIONS ARE APPROXIMATE. ACTUAL MAY VARY.
GROSS INTERNAL AREA
FLOOR 1: 680 sq. ft, FLOOR 2: 933 sq. ft
FLOOR 3: 731 sq. ft
TOTAL: 2345 sq. ft

SIZES AND DIMENSIONS ARE APPROXIMATE, ACTUAL MAY VARY.
Theodore J and Sherryl K Boeve

Site Plan for 107 E Savidge

LOTS 1 & 4 BLK 11 SOF GTRR & N 65
FT OF LOT 2 & N 26 FT OF LOT 3 SD
BLK 11, BRYANT'S ADD TO VILLAGE OF
MILL POINT

PARCEL 70-03-15-380-001
M E M O R A N D U M

Date: June 22, 2023

To: Village of Spring Lake Planning Commission

From: Cassandra Chaphalkar – Contractual Planner

Subject: Special Use – Short Term Rental – 212 Dixie Street

________________________________________________________

BACKGROUND

Jill Pfeiffer-Ward and Nekko Ward Shefferly, the owners of 212 Dixie Street, are requesting approval to operate a short term rental out of the property. The property was purchased last year and has not previously been used as a short term rental.

There have been two letters of opposition received for the application, which are included in the meeting packet.

SPECIAL USE STANDARDS

Article X of the Zoning Ordinance details the requirements for compliance.

Lot Size and Setbacks

The parcel conforms with the minimum dimensional standards for Single Family Residential (SFR). The location of the house is non-conforming due to a reduced front yard setback of about 7 ft where 25 ft is required, a reduced rear yard setback of about 2 ft where 25 ft is required, and side yard setback of about 2 ft where 8 ft is required.

When a property has non-conformities Planning Commissioners may deny the request or require additional screening to mitigate impact onto adjacent properties or the public. The rear yard of the property is screened with a wrought iron fence along the front, and a 6 ft tall privacy fence along the side and rear lot lines, as shown in the submitted meeting packet documents.
**Occupancy and Parking**

Per the provided floor plan, there are three bedrooms (one existing bedroom functions as an office), which allow the following occupancy:

- Bedroom 1: 313 sqft – 6 people
- Bedroom 2: 190 sqft – 3 people
- Bedroom 3: 140 sqft – 2 people

Based on a maximum occupancy of 11 people, four (4) parking spaces would be required. The subject property has an approximately 15’ x 57’ (48’ excluding the road right-of-way) driveway. The applicants are aware parking is only allowed within the paved driveway or garage, which they have stated will contain the required four spaces.

**Outdoor Congregating Areas**

The deck adjacent to the house along the eastern boundary is non-conforming in location, but does not extend any further into the required rear yard than the closest point of the house. The covered front porch is non-conforming in location and has a deck located on the upper level of the home. As stated previously, there is a privacy fence along the rear yard. It would be challenging to determine any form of screening that would be effective for a two story deck, but Commissioners may direct the applicant to what is appropriate for the site.
A fire pit exists on the property, which conforms with the required 3’ zoning setback. There is internal staff discussion regarding the Burn Ordinance requirement of 25’ from all structures and combustible materials, which would determine the fire pit as non-compliant. If the Planning Commission is inclined to approve the STR, this is addressed as a condition of approval as part of the compliance with local ordinances.

**SAMPLE MOTIONS**

If the Planning Commission finds the application meets the required standards, the following motion can be offered:

**Motion to conditionally approve** the Special Use request by Jill Pfeiffer-Ward and Nekko Ward Shefferly for a Short Term Rental located at 212 Dixie Street because the application meets the standards of the Spring Lake Village Zoning Ordinance. This motion is subject to the report of findings and the following conditions:

1. The sleeping occupancy shall not exceed eleven (11) people, which requires four (4) parking spaces.
   - The sleeping occupancy will be verified by the Village staff after inspection of the proposed rental occurs, including inspection of the bedroom size and ceiling height as determined by the requirements of the International Property Maintenance Code (IPMC).
   - Sleeping shall only occur within the bedrooms with the occupancy of each room determined by the International Property Maintenance Code.

2. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.

3. The applicant will comply with any other local, state, and federal laws.

4. The applicant will comply with all written and verbal representations.

If the Planning Commission finds the application does not meet the required standards, the following motion can be offered:

**Motion to deny** the Special Use request by Jill Pfeiffer-Ward and Nekko Ward Shefferly for a Short Term Rental located at 212 Dixie Street because the request does not meet the criteria of Article X of the Zoning Ordinance for the following reasons:

1. *List reasons for denial…*

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:
Motion to table the short term rental application and direct the applicant to make the following revisions:

1. List the revisions:

REPORT (to be used with a motion for approval)

1. This approval is based on the affirmative findings that all standards of the Special Use Criteria outlined in §390-134 have been fulfilled:
   A. That the use is designed and constructed, and will be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.
   B. The use is consistent with the adopted Spring Lake Village Master Plan.
   C. The authorized use is compatible with adjacent uses of land, the natural environment and the capacities of the public services and facilities affected by this use.
   D. The use is, or will be, served adequately by public services and facilities, including, but not limited to streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities and schools.
   E. The use does not involve activities, processes, materials and equipment or conditions of operation that is unreasonably detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare or odors.
   F. The buildings, structures, and entrances are situated and designed to minimize the adverse effects upon owners and occupants of adjacent properties and the neighborhood.
   G. The site plan and special land use comply with the specific requirements contained in Article X of the Zoning Ordinance, as applicable.

2. The application meets the site plan review standards of §390-126 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:
   A. The use proposed will preserve to the greatest extent practical, the existing natural features of the site, including vegetation, topography, water features, and other such features. Only the areas under actual development will be disturbed.
   B. Buildings and structures are proposed to be placed in an orderly, logical fashion consistent with its surroundings and intent of the district. Where open spaces are proposed, it is located and arranged in a manner which provides view protection, visual relief, physical separation, environmentally sensitive area protection, and/or recreational value to the site and surrounding properties.
   C. The proposed use will preserve the views from adjacent properties and streets open to water areas to the greatest extent practical. Placement and height of buildings and locations of open spaces make reasonable provision for protecting existing views.
   D. The use proposes proper relationships between the existing streets within the vicinity, including deceleration lanes, service drives, entrance and exit driveways, and parking areas to provide safe and convenient movements of pedestrians, bicycles, and vehicles. Streets, access plans, and/or ingress/egress drives conform to the current regulations of the Village and MDOT.
   E. The proposed use has given special attention to proper site surface drainage, so the removal of surface waters does not adversely affect neighboring properties, the public storm drainage system, or nearby bodies of water. Surface water will be collected at designated intervals to prevent standing water that would obstruct vehicle and/or pedestrian traffic. The standards of the Spring Lake Stormwater Management Ordinance are met.
   F. All utilities for the proposed use are provided in a manner least harmful to surrounding properties and the utilities are located underground (as applicable), unless specifically waived by the Planning Commission.
   G. The proposed use will be screened from view from adjoining streets and properties for any exposed storage areas, trash receptacles, machinery installations, service areas, truck unloading areas, utility buildings and structures, and similar accessory areas. Screening complies with Article XIV.
H. The site plan for the proposed use provides adequate access to the site and all buildings on the site by emergency vehicles.
I. The proposed use provides an orderly transition for all structures to adjacent development of a different scale.
J. The site plan for the proposed use provides outdoor common areas and associated amenities for employees, customers, and/or residents which may include public trash receptacles, bike racks, seating areas, recreation areas, shade trees, bus stop turnouts, and similar facilities; where appropriate.
K. The proposed use complies with all applicable local, state and federal approvals prior to issuing a land use permit.
L. The site plan for the proposed use is consistent with the intent and purpose of this Ordinance.

Please contact staff with any questions.

CC: Christine Burns, Village Manager
1. Project Information
   Address/Location: 212 DIXIE STREET
   Name of Development: N/A
   Parcel #: 70-08-16-449-08
   Lot Area in Acres or Sq. Ft: 0.1893
   Zoning District: RESIDENTIAL-IMPROVED Master Planned Zoning
                    LOW DENSITY RESIDENTIAL (A)

2. Applicant
   Name: JILL PFIEFFER-WARD
   Company:
   Address: 537 PAULD CIRCLE NW, LANSDON, OHIO 44769
   Phone: 330.697.1460 Email: DIXIEST21Z@GMAIL.COM

3. Property Owner
   Name: JILL PFIEFFER-WARD, NEKO SHEFFERLY
   Company:
   Address: 537 PAULD CIRCLE NW, LANSDON, OHIO 44769
   Phone: 330.697.1460 Email: DIXIEST21Z@GMAIL.COM

Details of Proposed Request (attach additional pages if needed):

SEE INCLUDED INFORMATION
By signing below, permission is granted for Village staff, including Planning Commissioners, to enter the subject property for purpose of gathering information to review this request. In addition, the applicant agrees to perform the described work in accordance with all applicable Sections of the Village of Spring Lake Code of Ordinances. Signer will ensure that all inspection requests are made a minimum of 24 hours prior to the requested time.

Signature of Applicant: __________________________ Date: __________
Print Name: __________________________

Signature of Owner: __________________________ Date: __________
Print Name: __________________________

Office Use Only

Date Received: __________ Application Complete: __________ Fee: __________
Date of Approval: __________ Date of Table: __________ Date of Denial: __________
Permit #: __________

Conditions of Approval:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
Special Use Permit Request

Jill Pfeiffer-Ward & Nekko Ward Shefferly

212 Dixie Street

Spring Lake, Mi 49456

May 24, 2023

We are requesting a Special Use Permit to offer our home, located at 212 Dixie St, for short term rental. This 1910 home is a secondary residence for us and when not in use by our families, we would like the opportunity to share it and this beautiful community with others.

The 2,164-sf home is located on a 0.20 ac lot with a privacy fence that encloses the backyard. Three bedrooms will sleep eight people and the driveway provides ample off-street parking for three cars.

It is our intention to operate and maintain this home consistent with the residential neighborhood in which it is situated. The future function of the home will be compatible with past and current use. We do not anticipate an additional burden on the public services and feel our home can be adequately served, provided we are granted the Special Use Permit. Our home is located within the overlay zone and short-term rental is consistent with the Village Masterplan.

Although we live out of state, we are highly engaged in the management of the property. If needed, we request our local agent, Kristen Horine, to represent us. We are in the process of reviewing local property management firms for maintenance and care of the home.
212 Dixie St.
Parcel #: 70-03-16-449-008
Building Setbacks
212 Dixie St.
Parcel #: 70-03-16-449-008
Building Setbacks
212 Dixie St: Off street parking capacity: 4 cars
M E M O R A N D U M

Date: June 22, 2023

To: Village of Spring Lake Planning Commission

From: Cassandra Chaphalkar – Contractual Planner

Subject: Text Amendments – Accessory Buildings

BACKGROUND

The Zoning Ordinance is a living document in the sense that it should be reviewed and updated as the needs of the Village change. Staff keep a running list of topics to review based on comments from Commissioners and internal staff discussions, which are provided in this memo.

ACCESSORY BUILDINGS

Following the discussion that occurred at the May meeting, Staff have discussed the proposed changes to the accessory building ordinance and potential impact on administrative procedures.

One option considered would limit all properties to an accessory building no more than 650 sqft in size, citing a lack of requests for larger buildings. Zoning regulations do adjust over time to capture changing priorities. However, it is difficult to determine if larger buildings are truly not desired, or if the lack of interest is due to the historical precedence of the zoning regulations.

Maximum height was also considered; the PC expressed support for increasing the height allowance to two stories, albeit the building mass and location on the site was a source of concern. For example, an 800 sqft two-story building being 3’ from the lot line may result in a larger impact on a neighboring property than a single story 650 sqft building.

The floor area calculation was another discussion point – considering the Total Floor Area instead of the Gross Floor Area. The intention being the floor area of only the ground floor being the determining calculation into the Total Floor Area, rather than counting all levels of a structure towards the Gross Floor Area. A possible definition would be as follows:

“The term Total Floor Area as used in this subsection means the sum total floor area of the ground floor of all residential accessory buildings situated or permitted on a lot. Total floor area also includes the area under an attached lean-to structure or roof overhang greater than three (3) feet, or other similar sheltered area”.

By adding the above definition, gross floor area would possibly increase due to the multiple allowed stories. Additionally, the definition clarifies that a lean-to or carport would also count
Towards the maximum floor area, which is in line with how these structures are addressed when attached to a home.

### Residential Accessory Building Size

Staff have incorporated discussion points from the May meeting into the regulations in the table below, changes from the previous proposal are provided in red.

<table>
<thead>
<tr>
<th>Attachement</th>
<th>Detached Garage</th>
<th>Building #1</th>
<th>Building #2</th>
<th>Total Accessory Building Gross Floor Area</th>
<th>Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td>150 sqft</td>
<td>150 sqft</td>
<td>300 sqft</td>
<td>14 ft</td>
</tr>
<tr>
<td>No</td>
<td>650 sqft</td>
<td>150 sqft</td>
<td>150 sqft</td>
<td>950 sqft</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Size</th>
<th>Maximum Number of Buildings</th>
<th>Accessory Building Total Floor Area</th>
<th>Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>. &lt; .5 Acre</td>
<td>2</td>
<td>950 sqft</td>
<td>16 ft, not to exceed one story</td>
</tr>
<tr>
<td>.5 - &lt; 1 Acre</td>
<td>3</td>
<td>1100 sqft</td>
<td></td>
</tr>
</tbody>
</table>

*An upper floor area, in which the ceiling height does not exceed 6ft at any point, shall be considered an attic and shall not count towards the gross floor area of the accessory building. Buildings exceeding 16’ or one story in height may be permitted to a maximum 24’ or two-story height through special use approval.

Properties exceeding an acre in size are entitled to one (1) additional building and 150sqft in gross floor area per additional acre.

Multiple Commissioners expressed a desire for a two-story maximum height, citing additional storage as a benefit of an upper story. Understanding that many residents of Spring Lake not only have a vehicle, but recreational amenities such as RVs, snowmobiles, boats, etc., that are best stored in an enclosed area, which protects those amenities from the weather and may decrease “clutter” on a property.

It is reasonable to assume that a taller building will be more visible than a one-story building. The current building material requirements are as follows:

> **Accessory buildings shall be constructed with durable, hard-sided materials, such as wood, metal, or pre-manufactured siding that are weather and rust-resistant.**

As currently stated, a property owner could build a two story or 22’ tall metal pole barn. The Planning Commission may consider requiring buildings over a certain height (14’, or one story) to utilize similar building materials and design to those utilized on the home. Based on this understanding, staff updated the table to allow taller buildings with a maximum height of 22ft or two stories, as a special use. If this is supported by Commissioners staff would include the following language as a condition for approval:

> **The accessory building must be aesthetically compatible with the principal building on the site and surrounding principal buildings. Aesthetic compatibility shall include roof pitch,**
This consideration is also consistent with the possibility of converting an accessory building into an Accessory Dwelling Unit (ADU), discussed in a following section.

To summarize: by increasing the maximum height to 22’ the height requirement becomes consistent with that of an ADU.

**Residential Accessory Building Setbacks**

The required setbacks for all accessory structures under the current language is a minimum 3 ft from side or rear lot lines, as measured from the eaves. Accessory buildings are prohibited within the front yard, with an exception for waterfront lots, for which they must be on the street side, a minimum 20 ft from any road right-of-way.

Given the direction to increase the allowed floor area, it is reasonable to consider increasing the setbacks for larger buildings to decrease the visual bulk on a given property.

One option is to reserve the 3 ft setback for buildings less than or equal to 200 sqft (the threshold for when a building permit is required). Any building over 200 sqft could require an increased setback of 5 ft from all lot lines and structures, which is what is reflected in the table below.

<table>
<thead>
<tr>
<th>Accessory Building Floor Area</th>
<th>Maximum Accessory Building Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 200 sqft</td>
<td>3 ft</td>
</tr>
<tr>
<td>&gt;201 sqft</td>
<td>5 ft</td>
</tr>
</tbody>
</table>

An alternative option is to require an overall setback requirement of 5 ft for all buildings, an increase from the existing 3 ft setback.

If desired, the Planning Commission could further increase setbacks as the building size increases, which will result in further limitation of where the larger building may be placed.

**ACCESSORY DWELLING UNITS**

Directly related to the amendments for accessory buildings, are the regulations for Accessory Dwelling Units. As previously mentioned, staff are aiming to bridge the gap between building an accessory building, and then turning it into an ADU at a later point. Realizing that not everyone will have the opportunity or desire to immediately build an ADU, it makes sense to make the two sections cohesive.

With Commissioner’s support, staff would insert a section to clarify that an ADU will count towards the accessory building allowance in terms of number of buildings and total area.

Building height shall also be addressed, as the current height maximum is 13 ft for a one-story ADU and 22 ft for a two-story ADU. This would be amended to be consistent with whatever maximum heights Commissioners determine are appropriate for accessory buildings.
Additionally, it would be clarified that sufficient parking must be provided for all residential structures, including the ADU. Street parking would not be permissible for properties with an ADU. Essentially, this was concern from staff that in transitioning a garage into an ADU, the available parking would then spill onto the street. Within this section it will also be stated that an ADU could exist on one story of a two story building (e.g. above a garage).

**DIRECTION**

No motion is required for this discussion. Commissioners should come to a consensus on the above topics and direct staff to draft language and schedule a public hearing for the next available meeting.

Please let me know if this raises questions.

**CC:** Christine Burns, Village Manager