

**PUBLIC HEARING & SPECIAL MEETING
CASCO TOWNSHIP PLANNING COMMISSION
October 10, 2018; 6 PM**

Members Present: Vice Chairman David Campbell, Secretary Lewis Adamson, Board Representative Judy Graff, Greg Knisley, Dave Hughes and Dan Fleming

Absent: Chairperson Dian Liepe is excused

Staff Present: Janet Chambers, Recording Secretary, Zoning Administrator Alfred Ellingsen

Also Present: Applicant, Steven Tittle and co-owner Michael O'Connor and approximately 5 interested citizens (Sign-in Sheet Attachment #1)

1. **Call to order and review agenda.** The meeting was called to order by Vice Chairman Dave Campbell at 6 PM. Campbell reviewed the agenda.
2. **Reading of Notice of Public Hearing and Special Meeting** The public notice, (Attachment #2), published September 23, 2018 in the South Haven Tribune, was read by Vice Chairman Dave Campbell. Campbell noted because it is not necessary to go through the Planning Commission for a B&B located in the Ag district, the hearing for Randy and Billie Pitcher is cancelled.
3. **Presentation of applicant:** Steven Tittle and Mr. Michael O'Connor were invited to speak. O'Connor read an addendum to the application, page 7 of application (Attachment #3).

Zoning Administrator Ellingsen said Tittle purchased the property in April 2018. Ellingsen's access to Casco files go back to 1987 and did not find any previous building permits. Two land divisions were done primarily to meet the requirement of being over 750' away from current B&Bs. The Northern lot (parent parcel) will be the location of the B&B. The land division is completed and will be filed. A separate parcel number will be assigned. In the land division an easement is given for a driveway through parcel #2, giving access to the B&B.

Ellingsen said he has not received calls or letters from surrounding neighbors concerning the B&B.

Commissioners reviewed a letter from Zoning Administrator Ellingsen concerning the B&B (attachment #4). Ellingsen is not aware of any building permits for the house, except for repair of an oil spill. The previous owners used the building as a short-term rental (STR), and the applicants are presently using as a registered STR. Their intent is to use it for a B&B and STR, depending on whether they are present or not. They feel the STR rules are fairly restrictive, limiting to 12 guests at a time, and would run it as a B&B when they are present. They have received no complaints while running as a STR.

Vice Chairman Campbell noted that on HomeAway the home is presently advertising for up to 22 people, even though STRs are limited to 12. O'Connor said the listing is in error, and he has not rented to more than 12 occupants since the STR Ordinance went into effect.

There is a new septic system. Tony Marsalis of SHAES would not be doing an inspection prior to approval but will do an inspection when requested by Casco. Marsalis went through the list of things that would be checked during an inspection with O'Connor and the only thing the home did not have was an interconnected carbon monoxide detector that will alarm in all levels if carbon monoxide is detected in the basement. O'Connor is in the process of taking care of this.

The pool area is conforming to the ordinance. There are locks and alarms on doors to pool. Ellingsen will be inspecting after approval for B&B is given.

The driveway is less than 150' and there is room for a fire truck to turn around.

Campbell asked for clarification on the Single State Construction Code Act 230. Under the 230 Act, a B&B shall be under the construction codes of a single-family residence and shall not be treated as a hotel or other facility serving transient tenants. This is effective throughout the state without local modification, and must have 10 or less bedrooms, including the owners, therefore the maximum number of guest rooms is 9 by State law.

Each bedroom must be a minimum of 70 sq. ft. and minimum of 7' ceiling with smoke detector, and egress. There is no requirement for maximum number of occupants per room.

Graff stated the Zoning Ordinance would need to be amended because the Ordinance allows more than the State allows. Ellingsen agreed.

Ellingsen also stated if it is the intent of the PC to limit the number of guest rooms, that number should be made as a condition for the SLU approval.

4. Questions/comments from Planning Commissioners/Zoning Administrator:

Knisley asked for clarification of the sketch of guest rooms and bathrooms. Five guestrooms to the back of the home are lined up with access going through one room to the next.

O'Connor said the guestrooms are unconventional with doors connecting the rooms that can be locked. The rooms can also be accessed from outside like a motel. There are two bathrooms in the main house. One upstairs and one downstairs. The five guestrooms at the back have a bathroom between guestrooms 2 and 3, a bath in the corner of bedroom 5, and one bathroom in the pool area. O'Connor said guests are often families.

Campbell said a clearer drawing would be needed for the final site plan.

Graff asked if the application and documents were at the township hall and available for people to view for at least 35 days prior to this meeting. O'Connor said they were available as of August 21st, 2018.

Ellingsen said he check in the codes and did not find anything that says you can't access one bedroom through another.

Campbell asked if the applicants are currently living in the home. The applicants said they are not yet but will be by the time they get final approval.

Campbell asked if the water is municipal or a well. O'Connor said they are on a community water system from the subdivision next door. It is regulated by the state and serves 80 homes. It is DEQ regulated.

Knisley asked how anyone would know if it is a B&B or STR at any given time. How would enforcement be handled? If there are 15 guests, how does anyone know if it is operating as a B&B or a STR on a particular day?

Ellingsen asked who the contact person would be if it is being used as a STR. O'Connor said it would be him and Mr. Tittle.

Graff questioned the issue of number of occupants and the differences between STR and B&B and enforcement.

O'Connor said he does not equate problems with the number of people.

Campbell said people would need to assume it is being run as a STR and call Host Compliance with any complaints. Host Compliance would contact them and the owners can tell them they are running as a B&B that day.

Hughes said the property is isolated.

Fleming said we don't know with other STRs unless there is a complaint. We cannot assume they won't follow the rules.

Campbell pointed out that this is an issue Casco will have to deal with on enforcement but will not have a bearing on what the PC decides on the SLU.

Hughes suggested it be added to the STR files that it might be run as a B&B.

5. Public comment / correspondence:

Maureen Moravec, 1034 Midway Drive, Glenn Haven, questioned how they could go back and forth between B&B and STR.

Campbell said there was another request a year ago. The Planning Commission said it would need to be either a B&B or a STR. Not both. Ellingsen followed up on it with the township attorney and he said they could do both. A STR is a separate ordinance and has nothing to do with zoning. It is not within the confines of the zoning ordinance.

Graff asked that Bultje send information on B&B and STRs at the same location to the Planning Commission.

Campbell asked Ellingsen to get Bultje to write up an official opinion.

Maureen Moravec said she saw 15 to 20 cars there. Tittle said people arrive sometimes in all separate cars, or sometimes 2 or 3 to a car.

Discussion ensued about number of cars, 10 parking spots, and possible daytime guests.

Moravec asked if sprinkling systems would be required. She has 3 friends that own B&Bs in South Haven and they are required to have sprinkling systems.

O'Connor said there is no sprinkling system. There are 4 bedrooms upstairs with doors leading to roof access.

Moravec asked if they are members of their (Glenn Shores) association, and if they are hooked up to both of their wells.

O'Connor said they are members of the association. He added because the former owner said there was a problem with using the associations beach, tennis court and dumpsters, he does not allow his guests to use them, even though he is a member of the association.

6. Determine compliance with Chapter 15 Special Use General Review and B&B Specific Use Standards and vote:

1. In addition to the standards established for specific special uses in Section 15.04, an application for a special use approval shall satisfy the following general review standards which are basic to all special uses:

a. The use is generally compatible with the intent of the Master Plan.

Yes

b. 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, will be compatible with adjacent uses of land, and will not change the essential character of the area in which it is proposed.

Yes

c. The use is or will be as a result of the special use permit, served adequately by public services and facilities, including, but not limited to roads, police and fire protection, drainage structures, refuse disposal, and schools. Adequate water and sanitary sewer facilities must be available.

Yes

d. The use does not involve activities, processes, materials and equipment or conditions of operation that will be detrimental to any persons, property or 15.02, the general welfare by reason of traffic, noise, smoke, fumes, glare or odors.

Yes

e. The use will be compatible with the natural environment and will be designed to encourage conservation of natural resources and energy and will be compatible with the rural nature of the Township.

Yes

15.03 D. Bed and breakfast establishments

1. The use shall only be established in a detached single-family dwelling.

Yes

2. The establishment shall be directly serviced by public water and public sanitary sewer services, or such private water and sanitary sewer systems as approved by the Allegan County Health Department.

Yes. Tested every 6 months. Tittle and O'Connor will get documentation.

3. The establishment shall be located on property with direct access to a paved public road.

Yes

4. Parking shall be located to minimize negative impacts on adjacent properties. For bed and breakfast establishments not subject to special use approval all parking areas shall be setback ten (10) feet from any side or rear lot line and there shall be a six (6) foot high fence between such parking area and any adjacent property within fifty (50) feet of the parking area.

Yes. Fence to be constructed around parking area labeled on drawing

5. The number of guest rooms in the establishment shall not exceed three (3), plus one (1) additional guest room for each ten thousand (10,000) square feet or fraction thereof by which the lot area of the use exceeds one (1) acre, not to exceed ten (10) guest rooms in any case.

Yes. Math adds up. 9 guestrooms and 1 owner bedroom

6. One (1) sign shall be allowed for identification purposes. The sign shall not exceed sixteen (16) square feet in area, and may not exceed four (4) feet in height. If illuminated, the illumination shall only be of an indirect nature; internally lighted signs are not permitted. The sign shall be set back at least one-half (1/2) of the front yard setback area of the zoning district in which the use is located, and shall be located at least fifteen (15) feet from any side or rear lot line.

Yes There will be a sign, and it will comply.

7. The establishment shall be inhabited by the operator.

Yes

8. Accessory retail or service uses, including but not limited to gift shops, art studios, wine tasting, antique shops, bakeries, and other similar uses may be permitted provided they are cumulatively no more than three thousand (3,000) square feet in area.

Yes. Owners do not wish to sell items.

9. Meals may be served only to the operator's family, employees, and overnight guests.

Yes. Continental breakfast only. Owners do not wish to serve cooked food.

10. No such use shall be permitted on any property where there exists more than one (1) other bed-and-breakfast establishment within seven hundred fifty (750) feet, measured between the closest property lines.

Yes, as a result of property division

11. Exterior refuse storage facilities beyond what might normally be expected for a detached single-family dwelling shall be prohibited.

Yes. They plan to use a commercial service just like any neighbors

A motion made by Fleming, supported by Knisley that General Standards in 15.03 D have been met. All in favor. MSC.

A motion by Graff, supported by Fleming that all standards in 15.03D have been met with one condition that there be 9 guestrooms and one bedroom for owners for a total of 10 bedrooms. All in favor. MSC

7. Determine compliance with Chapter 17 Site Plan Requirements and vote:

SECTION 17.07 REVIEW STANDARDS

The following standards shall be utilized by the Planning Commission in reviewing all site plans. These standards are intended to provide a frame of reference for the applicant in the preparation of site plans as well as for the reviewing authority in making judgment concerning them. These standards shall not be regarded as inflexible requirements, and are not intended to discourage creativity, invention, or innovation.

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site.

Yes

- B. The site shall be adequately served by essential public facilities and services, such as roads, police and fire protection, drainage systems, water supply and sanitary sewage facilities. C. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

Yes

- C. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress and egress points, and within the site. Drives, roads and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress and egress points. Shared drives with adjacent uses are encouraged if practical. The arrangement of vehicular and pedestrian connections to existing or planned roads in the area shall provide a safe and efficient circulation system for traffic within the Township.

Yes

- D. All roads and driveways shall be developed in accordance with Township ordinances, the County Road Commission, or Michigan Department of Transportation specifications, as appropriate. Except that the Planning Commission may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing. In addition, sidewalks shall be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles. The Planning Commission shall require trails or sidewalks within developments and along the frontage of all public roads adjacent to a development. For frontage trails, the Planning Commission may permit a dedicated, recorded easement for future trail development if immediate trail development is not warranted.

Yes

- E. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access. To this end the Township shall refer all site plans for review and comment by the Township Fire Department.

Yes. SHAES will be inspecting

- F. Off-street parking and loading areas shall be provided where required, with particular attention to internal circulation, vehicle conflicts and effects of noise and glare on adjoining properties and properties in the proposed development.

Yes

- G. Unless a Planned Unit Development, all dimensional requirements of the zoning district(s) shall be met.

N/A

- H. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission may require that landscaping, buffers, and greenbelts be preserved or provided to ensure that proposed uses will be adequately buffered from one another, and from surrounding public and private property.

Good

- I. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission may require that landscaping, buffers, and greenbelts be preserved or provided to ensure that proposed uses will be adequately buffered from one another, and from surrounding public and private property.

Good

- J. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved, insofar as practical, in their natural state to provide areas for natural habitat, preserve drainage patterns, and to maintain the natural characteristics of the land.

Not an issue

- K. Stormwater drainage design shall recognize existing natural drainage patterns. Stormwater removal shall not adversely affect neighboring properties or the public stormdrainage system. Provisions shall be made to accommodate stormwater on-site, as deemed necessary by the Allegan County Drain Commissioner or designee, using sound engineering practices. In accordance with the Michigan Drain Code of 1956, the drainage of any proposed plat/site condominium shall be contained within either an established or new drainage district or districts. The Township requires a Section 433 Agreement for any multiple property development or alteration of an existing multiple property development affecting more than one (1) acre of land.

Section 433 of the Drain Code provides for enlargement of existing drains and districts and the creation of new drains and districts where none currently exist. A formal agreement is required between the proprietor and the Drain Commissioner or Drainage Board. Owners of adjoining properties who will be included in the assessment district for maintenance of the drain must be parties to the agreement. The property of any adjoining landowner who refuses to sign cannot be included in the assessment district for assessment purposes. However, surface and subsurface runoff from the adjoining property must be accommodated by the stormwater collection system and outlet. An "Agreement to Establish a County Drain" will be used to establish a drainage district per Sec. 280.433(5) of the Drain Code of 1956. An "Agreement for the Extension of a County Drain and County Drainage District" will be used to add lands or storm drainage systems to an existing 433

District Agreement. The developer/land owner must contact the office of the Drain Commissioner to determine which agreement will be necessary. This document will be prepared by the developer or the developer's agent and submitted to the Allegan County Drain Commissioner's Office for review and approval. The approval of the County Drain Commissioner is required prior to final site plan approval by the Township.

Not a problem. No drainage issues with property division

- L. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust. The use of detention or retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not restrict vehicular or pedestrian traffic, or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.

Yes

- M. Slopes of over fifteen (15) percent are protected and maintained in a natural state.

Yes

- N. As appropriate, pedestrian gathering and seating plazas, greenways and tree lined drives shall be within parking lots and throughout the site to provide an inviting pedestrian environment, protection of the pedestrian from vehicular circulation for improved traffic operations and views. Other site amenities to create a pedestrian scale environment shall be provided such as bike racks, benches, information kiosks, art, planters, or streetscape elements to separate principal buildings from the parking lots.

N/A

- O. The site plan shall provide reasonable visual and sound privacy for all dwelling units located within the site and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.

Yes. Fence will be between parking and neighbors. Heavy vegetation

- P. Exterior lighting shall be arranged so that it is deflected away from adjacent properties, and does not interfere with the vision of motorists along adjacent roads. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the character of the Township.

Yes. Two lights outside. 750' from neighbors. Lights back away from road

- Q. The compatibility of any signs and their proposed lighting, if any, relative to glare, traffic safety, economic effect, and compatibility and harmony with adjoining properties, shall be considered.

ok

- R. All loading and unloading areas, outside storage areas, and areas for the storage of trash which are visible from residential zoning districts or public roads, shall be screened by a vertical screen consisting of opaque structural or plant materials no less than six (6) feet in height.

Yes

- S. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary County, State, Federal, and Township permits before site plan approval or an occupancy permit is granted.

Yes. SHAES will inspect. Casco Building Inspector will inspect. Condition of approval.

- T. The general purposes and spirit of this Ordinance and the goals and policies of the Master Plan shall be maintained.

Good

A motion was made by Hughes, supported by Knisley that Review Standards 17.07 have been met pending the inspection by SHAES and an inspection by Casco Building Inspector. All in favor. MSC.

8. General public comment:

Maureen Moravec asked the size of each parcel.

Tittle said the parent parcel is 2.18 acres, division 1 is 1.0 acres, division 2 is 1.61 acres. Divisions 1 and 2 are undeveloped.

Moravec asked if divisions 1 or 2 are developed, will they have their own well or be hooked up to her system?

Ellingsen said if developed, they would need a new well and septic. They would not be hooked up to her system.

Chris Barczyk said he was late to the meeting because it was not properly noted and is in violation of the open meetings act. It is not on the website. By law, your lawyer sat here last December and told you it is required to be on the website.

Graff agreed, by law, it needs to be posted on the website.

Barczyk continued, you are all personally liable and in violation of the open meetings act. This is the 5th Planning Commission violation in 10 months. And that is only the ones Barczyk has noticed and have informed the Planning Commission of. If you really want to do it right you would not hold this meeting, it's up to you. Moving forward somebody needs to take some accountability here because 5, maybe 6 or 7 in 10 months is doing a disservice to the community. It really annoys me. I'm not even including the violation of the open meetings act by the Board. This is just the Planning Commission.

Ellingsen said his job is to see it is noticed in the paper. He does not handle the website.

Vice Chairman Campbell said it is duly noted in the minutes and will be part of the organizational meeting discussion.

Graff said Atty Bultje confirmed it. It legally must be on the website. If you have a website, it must be there.

Barczyk said the website was updated yesterday, but the meeting was not noted.

You have a communications issue between the Planning Commission and the Clerk.

Graff said we have talked about this at the Planning Commission and the Board levels.

Campbell said we need to deal with this with the township.

Barczyk reiterated, you are all personally liable. He added he is not going to take this to court, but a minimum of 5 times in 10 months.

Campbell said we will deal with this at our November organizational meeting and make a statement to the township authorities.

Graff said she agrees it must be on the November agenda. And, we must take ownership for this regardless of who is responsible, because it is our meeting.

Campbell said we need to bring it to the organizational meeting and people need to decide whether they want to participate any longer. Who is going to want to show up at these things around this table? That's part of the issue as well. We need to discuss it at the organizational meeting and if the township does not update it we need to make our own decisions.

Graff said the clerk posts them when the annual calendar is made. Then when we add meetings something gets lost in the shuffle. Graff said she doesn't look at the website to see that it is current.

Campbell said it is up to each of us individually to decide if we want to get caught up in the politics.

Graff said it is not politics, it is our responsibility. Does everybody agree and know who is doing what?

Adamson said he has been at the meetings and he has never heard it brought up. The township was notified by Atty Bultje, not this committee.

Barczyk said, you (Adamson) are correct, you recused yourself from the STR discussion and you were not at the meetings where I brought it up. He added he has not pursued anything legal or tried to shut anything down. He does not get the paper and must rely on the website for meeting information. It's not that difficult. We updated it for Murdock's memorial yesterday but didn't put this on there.

Adamson agreed Barczyk is right. It must be taken care of.

Barczyk said he is looking for transparency.

Campbell said Graff should bring this up at Monday's Board meeting.

Graff and Hughes said there was one more document to go through 17.05 C

Motion by Graff, 2nd by Adamson, that because we have all read the chart 17.03 C and agree with Ellingsen's assessment and approve 17.03 C. All in favor. MSC.

Back to 8. Public Comment:

Barczyk said he likes coming to the meetings and encourages more community involvement. He would like transparency. He is not trying to dissuade anyone from participating.

Barczyk and a 2nd comment. He thought there would be open dialogue concerning the Special Events Venue. Barczyk saw in the published public notice from special events there was one parcel number listed. The SLU request was presented as a 30-acre parcel. In fact, it was on two separate parcels. One 18-acre parcel and one 12-acre parcel.

Ellingsen said both parcels are listed on the site plan.

Barczyk said he just wanted to be sure it was approved properly.

9. Planning Commissioners comments:

Adamson stated this is a public hearing. The public hearing is all that should be discussed. Planning Commissioners comments should not be on the agenda.

Graff said comments should be about this meeting.

Fleming said his comment goes specifically to lighting discussion but would fit any meeting. Questions to ask when making a decision:

- What is the problem we are trying to solve?
- How is the problem a zoning Issue?
- Are there other ways to solve the problem?
- Have the other ways been tried?
- Is the Planning Commission solving the problem?
- If solving the problem takes away rights, how are we compensating?

Fleming read from Laketown Township's ordinance on Municode:

Purpose: To conserve natural resources and energy, to meet the needs of the state's residents for food, fiber and other natural resources, places of residence, recreation, industry,

Fleming asked if this is what we think we are doing? (stating ours is similar). We are having a meeting in November just to figure out how to get our act together. Not to mention the things brought up tonight.

Adamson said this is a public meeting. Not for us to air our frustrations.

Graff had a couple of comments concerning tonight's meeting. She would like to have documented in minutes several of Ellingsen's suggestions.

- The Zoning Ordinance needs to be clearer on B&B. When we make a decision on the number of bedrooms, are we making the decision based on the request, or the maximum number we'll allow. We need to conform to the State law which is a total of 10 including the operator
- As we were going through the standards of a site plan, so much of that did not pertain to today's meeting. We said for a B&B we have to go through a site plan review. Often our standards were written for new construction. Obviously taking a resident's existing home and changing the use to a B&B, it is not required that we go through all of this. Do we need to make the Zoning Ordinance clearer to allow us to go through Chapter 15 Special Land Use General Standards, and specific standards and stop it? We're done. It was a waste of time. We haven't had a lot of B&B requests and we are learning.
- As we were going through the standards for Site Plan there were several references to lighting standards. We have asked our planner to look at the lighting standards. Obviously, we need to look at lighting standards throughout the ordinance, not just a new section. Otherwise we're not going to be in sync.
- Reiteration of what Chairperson Liepe asked us to do at our last meeting. All topics we need to discuss at our next meeting need to be sent to her so that she puts them on the agenda. We all have a responsibility to send her an email. Copy everyone so we all know what the topics are. Graff will be putting on the list that if a meeting is not properly noticed, are we having the meeting or not.

Knisley said, if we come to a meeting and there is not a quorum, the meeting is cancelled. It could be the same thing if a meeting is not posted on the website.

Campbell said we should have someone checking the website and if a meeting is not on there, we should put out an email that the meeting is cancelled.

Campbell said we need to discuss the fact that in 2014 in AG and RR we went from SLU to permitted uses. We are getting a new person in here and I wonder about consistency and why for AG we let one guy do it. It is a bigger complex issue and we are letting just one person decide.

10. **Adjournment of Special Meeting:** A motion by Graff, supported by Adamson to adjourn. All in favor. Meeting adjourned at 8:10 PM.

Attachment #1: Sign-in Sheet

Attachment #2: Public Notice

Attachment #3: Application (12 pages)

Attachment #4: Ellingsen's letter, re: B&B, 10/05/2018

Next meeting: Regular Meeting November 7, 6 PM – 7 PM Lighting (if Ellingsen and Planner are available to attend) 7 PM - 9 PM Organizational meeting

Minutes prepared by Janet Chambers, Recording Secretary

Casco Township
Notice of Public Hearings & Special Meeting

Please be advised that the Casco Township Planning Commission will hold two public hearings at a Special Meeting, Wednesday, 10 October 2018, at 6:00 pm (note earlier time) at the Township Hall located at 7104 107th Ave., South Haven, MI 49090, to accept public comments and inquiries, and consider the following applications:

1. A review of a Special Use application for the addition of a new Bed and Breakfast operation submitted by Randy and Billie Pitcher, 7073 Baseline Rd., South Haven, Michigan 49090 (Parcel # 0302-031-022-00). The applicant wishes to operate the existing single family residential structure as a B & B and rent six bedrooms. The building is located in the RR (Rural Residential) Zone which allows the use as a "Special Use". The applicant must also comply with the requirements of Chapter 15, Special Uses, Section 15.03D, specific requirements for a Bed & Breakfast, and Chapter 17, Site Plan Review.
2. A review of a Special Use application for the addition of a new Bed and Breakfast operation submitted by Steven Tittle, PO Box 227, Glenn Michigan, 49416. The applicant wishes to operate the existing single family residence at 1020 Blue Star Highway, South Haven, Michigan 49090 (part of Parcel # 0302-006-024-00) as a B & B and rent 9 rooms. The residence is located in the LDR (Low Density Residential) zone which allows the use as a "Special Use". The applicant must also comply with Chapter 15, Special Uses, Section 15.D, specific requirements for a B & B, and Chapter 17, Site Plan Review.

The Planning Commission will adjudicate the Special Uses and Site Plan and either approve, approve with conditions, or deny the uses and/or plan.

The applications, site plans, and all other pertinent information may be viewed at the Township Hall during regular business hours. All interested parties may comment regarding the proposed use by attendance at the meeting or by letter or fax prior to the meeting. Your letter or comments will become part of the permanent record.

Facilities for impaired persons shall be made available upon 7 days notice to the Clerk.

Cheryl Brenner
Casco Township Clerk
Phone-269/637-4441

Alfred J. Ellingsen
Zoning Administrator
Fax-269/639-1991

(Please place in the South Haven Tribune for publishing on 23 September 2018)

pg-1

Casco Township
7104 107th Avenue
South Haven, Michigan 49090
(269) 637-4441 / Fax (269) 639-1991

SITE PLAN REVIEW/SPECIAL USE/PUD APPLICATION & REQUIREMENTS

1. Applicant Information:
Name Steven Title - PO Box 227, Glenn, MI 49416
Address 1020 Blue Star Hwy City South Haven State MI Zip 49090
Telephone 269-227-3000 Fax 352-201-3779
Person in charge of project Michael O'Connor + Steven Title
2. Property Information:
Address: 1020 Blue Star Hwy, South Haven
Parcel #: 0302-006-024-00; Do you own the parcel? Yes ; No
Current Zoning Res Conforming use in zone? Yes ; No
Other action required?: Variance ; Re-zone ; Special Use
3. Type of improvement (Check as many as applicable)
 New Building Addition Condominium Site Condominium
 Open Space Dev. Subdivision PUD
 Other (Describe) Bed + Breakfast
4. Engineer or Surveyor Information:
Name Mitchell Morse Address _____
City S. Haven State MI Zip 49092 Phone 637-1907 License # 47966
5. State proposed use of property: Operation of a Bed + Breakfast - 9 bedrooms
6. Provide site plan as per Chapter 17 of the Casco Township Zoning Ordinance.
Did you receive a copy of Chapter 17 and the Checklist? Yes ; No
Provide information requested in Chapter 15 if Special Use.
Provide information requested in Chapter 16 if PUD.
Provide information requested in Section 15.04(Z) if Open Space Preservation project.
7. Provide a brief narrative describing the items listed in Section 17.03(a) and the following:
 - a. Types and size of structures to be erected.
 - b. Timetable regarding stages of project and completion date.
 - c. Any objective or subjective information you wish to convey to the Planning Commission.

Applications with completed site plan and other required information must be filed with the Zoning Department at the Township Office 35 days before the scheduled Planning Commission meeting. All amended site plans must be submitted at least 21 days before the meeting or the hearing/ review will not be held. All applicable fees must be paid at that time. By signing this application, I agree to pay all applicable fees and costs associated with the site plan review process as detailed on the reverse of this application.

I hereby authorize Casco Township Planning Commission members and Township staff to inspect the proposed site at their discretion.

Applicant Signature Steven Title Date 4-30-18

For Office Use: Date Rec'd _____; Fee Rec'd _____; Fee Amt. _____ Hearing Date _____

Remark : _____

Tithe B+B

developments with multiple principle buildings must have a 433 agreement with the Allegan County Drain Commissioner.

C. Applications for final site plan reviews shall include the information as listed below, unless deemed unnecessary by the Zoning Administrator.

Final Site Plan Requirements	
P	1. An inset location sketch showing at a minimum, properties, roads, and use of land within one-half (1/2) mile of the site.
P	2. Legal description and parcel number of the subject property.
P	3. The date, north arrow and scale.
P	4. Name and address of the property owner or petitioner.
P	5. Name and address of the person or firm who drafted the plan and the date the plan was prepared and any subsequent revision dates.
NA	6. Seal, name, and address of the professional individual responsible for preparation of the final site plan.
P	7. Property lines and required setback lines shown.
P	8. Size (in acres) of the subject property and number of acres allotted to each proposed use and gross area in building, structure, parking, public roads and drives, and open space.
P	9. Dimensions of all existing and proposed structures on the subject property, and building setbacks on each building site including dwelling unit densities by type, if applicable.
NA	10. Specific location of existing and proposed stormwater facilities including stormwater calculations.
P	11. Detailed design for all utilities, including any proposed connections to public or private community sanitary sewer or water supply systems. <i>Septic upgraded in Feb.</i>
NA	12. Dimensions and radii of all existing and proposed drives, cross sections of roadways, acceleration/deceleration lanes.
P	13. Recreation areas, common use areas, floodplain areas, and areas to be conveyed for public use purpose.
NA	14. Existing zoning and use of all properties abutting the subject property.
P	15. Design and location of sidewalks and trails.
NA	16. Specific location and design of exterior lighting, curbing, parking areas (including the dimensions of a typical parking space and the total number of parking spaces to be provided), fire lanes, and unloading areas.
P	17. Development agreement (as required).
NA	18. Easement descriptions and dedications.
NA	19. Approved road names.

Final Site Plan Requirements	
NA	20. Detailed landscape design, including method of protecting existing vegetation, species listing and sizes for new landscaping materials and profile of proposed buffer strips, screening, berm and fence design, as appropriate. Timing of landscaping must also be provided.
P	21. Any signs not attached to the building(s).
NA	22. Site grading plan.
P	23. Location of all solid waste disposal facilities, including recycling, and screening.
NA	24. Location and specifications for existing or proposed outside, above or below ground storage facilities for hazardous materials.
NA	25. Detailed inventory of significant natural features, and other natural characteristics, including but not limited to open space, wetlands, landmark trees, stands of trees, brooks, ponds, floodplains, hills, slopes of over fifteen (15) percent, and similar natural assets or hazards.
NA	26. Detailed means of protecting natural features during construction.
NP	27. Written reviews and approvals by the Allegan County Road Commission engineer, Allegan County Drain Commissioner and South Haven Area Emergency Services fire inspector. <i>check with sheets</i>
NA	28. Where required, a 433 Agreement with the Allegan County Drain Commissioner.
NA	29. Any changes to the originally submitted narrative.

SECTION 17.04 PLAT REQUIREMENTS

In those instances in which Act 288, Michigan Public Acts of 1967, as amended, the Land Division Act, is involved, the owner shall, after site plan approval, submit the preliminary and final plats to the Township in conformance with the Land Division Act, and in accordance with all other applicable codes, acts and ordinances. Such plats shall remain in conformance with the approved site plan.

SECTION 17.05 ADMINISTRATIVE FEES

- A. Any site plan application shall be accompanied by a non-refundable fee in accordance with the schedule of fees established by the Township Board.
- B. Such fee shall be for the purpose of payment of the administrative costs and services expended by the Township in the implementation of this Chapter and the processing of the application. Such fee may also be used to reimburse another party retained by the Township to provide expert consultation and advice regarding the application. No part of such fee shall be refundable to the applicant.



ALLEGAN COUNTY HEALTH DEPARTMENT

3255 - 122nd Avenue, Suite 200, Allegan, MI 49010

Environmental Health 269-673-5415

PERMIT FOR ONSITE WATER AND/OR SEWAGE DISPOSAL SYSTEM

PERMIT NO S18-111

TAX ID NO 02-006-024-00

PROPERTY INFORMATION

PROPERTY ADDRESS 1020 BLUE STAR HWY CITY SOUTH HAVEN ZIP 49090

TOWNSHIP CASCO TWP SEC # 6 SUBDIVISION LOT #

OWNER/AGENT JOE KLEIN/GRANTLAND DRUTEBOAS

ADDRESS 1521 N. HAYNE AVE. CITY CHICAGO ZIP 60622

HOME or CELL WORK PHONE EMAIL

This permit issued under the authority of Allegan County Health Department Water and Sewage Regulations. This permit authorizes the installation /alteration of a onsite water and/or wastewater system in accordance with information submitted, and Part 127 of Act 368, PA 1978 and/or Act 399, PA Act 1976, as amended. Upon issuance, this permit is valid for ONE YEAR and is subject to all conditions contained herein. This permit is not transferrable without written request. This permit is VOID if any changes are made without approval of this Department.

PERMIT TYPE

SEWAGE SYSTEM Residential

WATER SUPPLY

SEPTIC SYSTEM - Call for a FINAL INSPECTION at least 48 HOURS BEFORE covering the system.

WATER SUPPLY - Contact this office 24 hours prior to beginning construction of well. Well permit MUST be onsite prior to the drilling of any well. Water sample (bacteriological & nitrate) results must be submitted to ACHD prior to using the water supply.

DATE 02/07/18

Handwritten signature: Andy Kapp, R.

DATE

SANITARIAN

SANITARIAN

SEWAGE DISPOSAL PERMIT

New X Replacement

WATER SUPPLY PERMIT

New Replacement

SITE CONDITIONS

Approved for conventional

Limiting Layer

Mottling/Seas. High Water

Depth to Limiting Layer

5' "

Distance from Surface

Soil Type

12" TS Fine sand
72" Medium sand

MINIMUM REQUIREMENTS

Dwelling Type Residential

System Type Gravity Mound

No. of Tanks 3

Tank Size(s) 1500 g, 1500 g, 800 g

Pump Chamber 800 g

Pump Size

Absorption Field Area 2100

Aggregate Cover Fabric/Straw

of Bedrooms 9

Location Test Hole 1

Fill beneath field

Cut Down Depth inches 1

Special Construction Considerations:

Bottom of stone no deeper than 12" below original grade in the area of soil boring #1 and level to the north. Install 2-1050 sq.ft. drainbeds with an automatic alternating valve, to dose both drainbeds. Locate the water service line prior to installation. The drainbeds must be a minimum of 10' from the line. Owner or licensed well driller must properly abandon existing wells and submit a Record of Abandonment. Existing tanks must be pumped and filled. Call for preconstruction meeting prior to installation. See plan from West Michigan Environmental Solutions, llc.

LOCATION: As indicated on attached site plans. Submit well log with in 60 days

Pump Type:

PLAT RESTRICTION > 70 gpm

VARIANCE GRANTED WWAT Submitted

EXISTING WELL TO BE ABANDONED: Submit abandonment log within 60 days.

Use of existing well if not abandoned:

WITHIN 1/2 MILE OF CONTAMINATION SITE:

Special Construction Considerations:

REQUIRED MINIMUM PARAMETERS:

- 10 ft. from lot lines
75 ft. from ALL wells
100 ft. from ANY body of water
25 ft. from footing drains
25 ft. from steep slopes & ditches
Maximum Cover 24 inches
10 ft. from buildings & foundations

PERMITS expire in ONE YEAR. Renewable upon request for one year.

REQUIRED MINIMUM ISOLATION DISTANCES:

- 75 ft from On Site Sewage Disposal System
10 ft from municipal sewer
3 ft from overhang
10 ft from surface water
50 ft from fuel storage tanks
50 ft from basement lift pump
50 ft from basement crotch

TYPE II & III Wells have additional isolation distances requirements. Contact Sanitarian for additional information.



RR

LDR

Ag

BLOCK-216

BLOCK-218

BLOCK-220

BLOCK-221

BLOCK-222

BLOCK-215

BLOCK-217

BLOCK-219

BLOCK-228

LAKE FOREST DR

BLOCK-229

OUTLOT-B

MIDWAY DR

BLUE STAR HWY

ORCHARD AVE

HOLLYWOOD LAKE (201

160 CEDAR BLUFF

LOT-6

LOT-7

LOT-8

LOT-9

LOT-10

LOT-11

LOT-12

021-50

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865-00

Addendum to Application for Operator Inhabited Bed & Breakfast at 1020 Blue Star Hwy, South Haven

We are applying for a permit to operate our home as a Bed & Breakfast Establishment under the provisions of the Casco Township Zoning Ordinance Section 15-5-D.

The home is a single family detached dwelling. Water is supplied by the municipal system at Glenn Haven Shores. Waste water disposal is provided by a private septic system which was built in 2018 by a licensed septic contractor. The construction was permitted by, and the system was inspected by, the Allegan County department of Environmental Health.

The driveway for the dwelling provides direct access to Blue Star Highway.

The home has 9 guest rooms and is located on a 2.18 acre parcel which is 94,961 square feet in size. As such, the dwelling easily meets the maximum guest room constraint of 3 rooms plus one for each 10,000 square feet.

There will be one 16 square foot sign located 25' from the front property line which is half the front yard setback.

There will be no accessory retail operation.

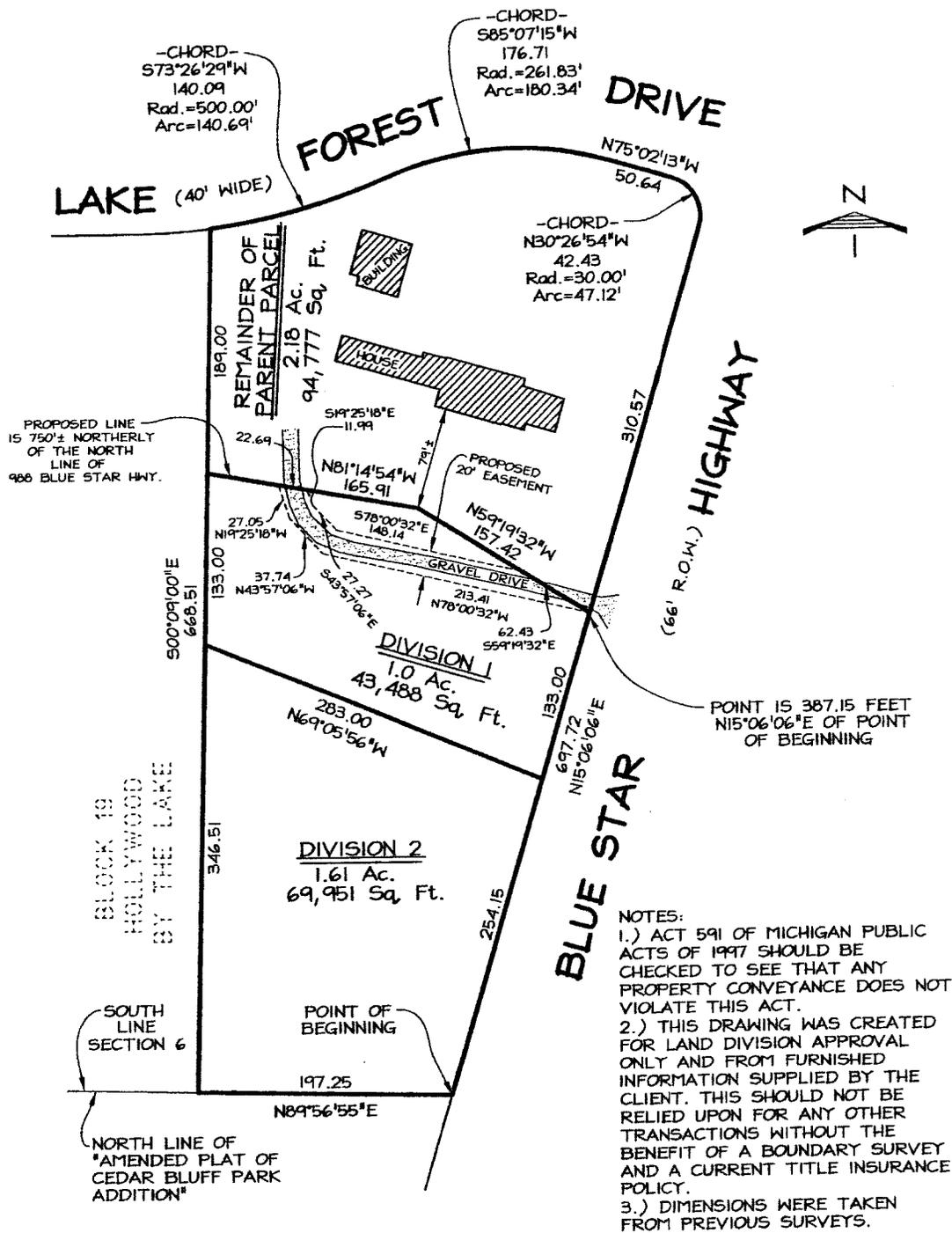
Breakfast will be served only to guests and the operator.

The parcel on which the proposed Bed & Breakfast will be located is more than 750 feet from another Bed & Breakfast establishment.

Only typical residential Toter style two wheeled trash cans and recycle barrels will be used.

PROPOSED LAND DIVISION

SEE SHEET 2 FOR DESCRIPTION



MITCHELL & MORSE LAND SURVEYING

A DIVISION OF MITCHELL SURVEYS, INC.

234 VETERANS BLVD.
 SOUTH HAVEN, MICHIGAN 49090
 OFFICE: (269) 637-1107
 FAX: (269) 637-1907

CLIENT **SAUGATUCK MANAGEMENT LLC**

DATE 7-10-18 JOB NO. 18-116 SHEET 1 OF 2

DWG. BY J. MITCHELL DWG. CK. _____ DESC. BY _____ DESC. CK. _____

BEING IN THE SW 1/4 SECTION 6 T 1 N. R 16 W.

CASCO TWP. ALLEGAN CO., MICHIGAN

SCALE 1"=100' BOOK _____ FILE _____ PAGE _____ FILE _____ REVISION 7-26-18
8-6-18

EDWARD C. MORSE
 PROFESSIONAL SURVEYOR

GEORGE J. MITCHELL
 PROFESSIONAL SURVEYOR

Descriptions: Situated in Casco Township, Allegan County, Michigan.

Division 1:

Commencing at the intersection of the South line of Section 6, Town 1 North, Range 16 West, with the Westerly right-of-way of Blue Star Highway (formerly State Highway 11); thence North 15° 06' 06" East on said right-of-way, 254.15 feet to the place of beginning of this description; thence continue North 15° 06' 06" East on said right-of-way, 133.00 feet; thence North 59° 19' 32" West, 157.42 feet; thence North 81° 14' 54" West, 165.91 feet; thence South 00° 09' 00" East, 133.00 feet; thence South 69° 05' 56" East, 283.00 feet to the place of beginning.

Subject to any and all easements and restrictions of record, or otherwise. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Division 2:

Beginning at the intersection of the South line of Section 6, Town 1 North, Range 16 West, with the Westerly right-of-way of Blue Star Highway (formerly State Highway 11); thence North 15° 06' 06" East 254.15 feet; thence North 69° 05' 56" West 283.00 feet; thence South 00° 09' 00" East 346.51 feet to a point on the South line of the Section; thence North 89° 56' 55" East on the Section line, 197.25 feet to the place of beginning.

Subject to any and all easements and restrictions of record, or otherwise. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Remainder of Parent Parcel:

Commencing at the intersection of the South line of Section 6, Town 1 North, Range 16 West, with the Westerly right-of-way of Blue Star Highway (formerly State Highway 11); thence North 15° 06' 06" East on said right-of-way, 387.15 feet to the place of beginning of this description; thence continue North 15° 06' 06" East on said right-of-way, 310.57 feet; thence 47.12 feet on a 30 foot radius curve to the left, the chord of which bears North 30° 26' 54" West 42.43 feet; thence North 75° 02' 13" West 50.64 feet; thence 180.34 feet on a 261.83 foot radius curve to the left, the chord of which bears South 85° 07' 15" West 176.71 feet; thence Westerly 140.69 feet on a 500.00 foot radius curve to the right, the chord of which bears South 73° 26' 29" West 140.09 feet; thence South 00° 09' 00" East 189.00 feet; thence South 81° 14' 54" East, 165.91 feet; thence South 59° 19' 32" East, 157.42 feet to the place of beginning.

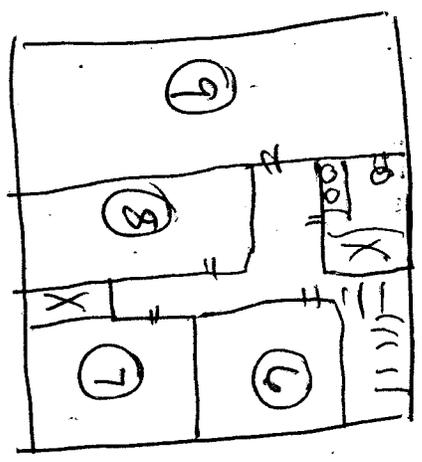
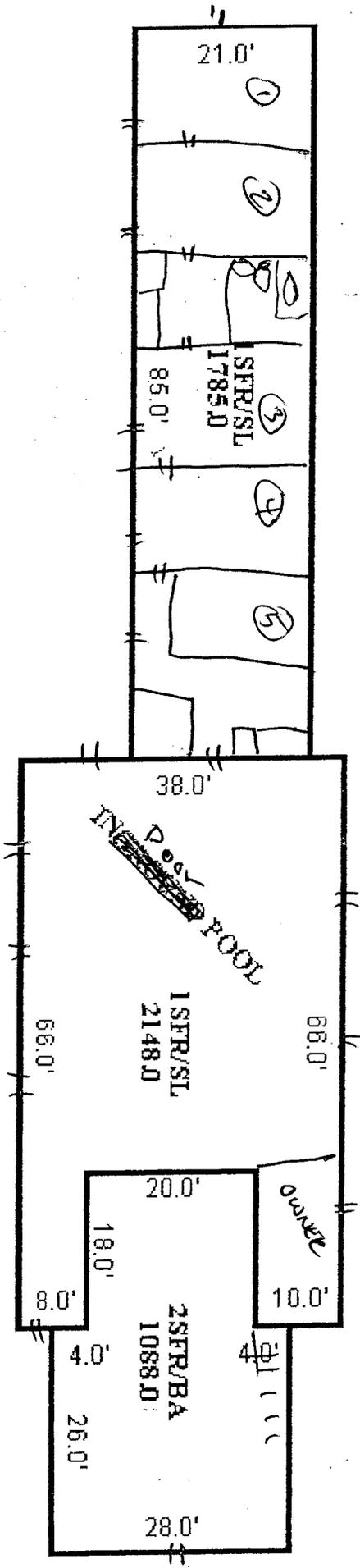
Subject to any and all easements and restrictions of record, or otherwise. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Proposed 20' Easement for Ingress & Egress:

Commencing at the intersection of the South line of Section 6, Town 1 North, Range 16 West, with the Westerly right-of-way of Blue Star Highway (formerly State Highway 11); thence North 15° 06' 06" East on said right-of-way, 387.15 feet to the place of beginning of this description; thence North 78° 00' 32" West 213.41 feet; thence North 43° 57' 06" West 37.74 feet; thence North 19° 25' 18" West 27.05 feet; thence South 81° 14' 54" East 22.69 feet; thence South 19° 25' 18" East 11.99 feet; thence South 43° 57' 06" East 27.27 feet; thence South 78° 00' 32" East 148.14 feet; thence South 59° 19' 32" East 62.43 feet to the Westerly right-of-way of Blue Star Highway (formerly State Highway 11) and the place of beginning.

MITCHELL & MORSE LAND SURVEYING		234 VETERANS BLVD. SOUTH HAVEN, MICHIGAN 49090 OFFICE: (269) 637-1107 FAX: (269) 637-1907	
A DIVISION OF MITCHELL SURVEYS, INC.			
CLIENT SAUGATUCK MANAGEMENT LLC			
DATE	7-10-18	JOB NO.	18-116
		SHEET	2 OF 2
DWG. BY	J. MITCHELL	DWG. CK	
		DESC. BY	DESC. CK
BEING IN THE	SW 1/4	SECTION	6
		T	1 N.
		R	16 W.
	CASCO	TWP.	ALLEGAN
		CO., MICHIGAN	
SCALE	1"=100'	BOOK	FILE
		PAGE	FILE
		REVISION	△ 7-26-18
			△ 8-6-18
		EDWARD C. MORSE PROFESSIONAL SURVEYOR	
		GEORGE J. MITCHELL PROFESSIONAL SURVEYOR	

10



Upstairs

11

Casco Township Notice of Public Hearings & Special Meeting

Please be advised that the Casco Township Planning Commission will hold two public hearings at a Special Meeting, Wednesday, 10 October 2018, at 6:00 pm(note earlier time) at the Township Hall located at 7104 107th Ave., South Haven, MI 49090, to accept public comments and inquiries, and consider the following applications:

1. A review of a Special Use application for the addition of a new Bed and Breakfast operation submitted by Randy and Billie Pitcher, 7073 Baseline Rd., South Haven, Michigan 49090(Parcel # 0302-031-022-00). The applicant wishes to operate the existing single family residential structure as a B & B and rent six bedrooms. The building is located in the RR(Rural Residential) Zone which allows the use as a "Special Use". The applicant must also comply with the requirements of Chapter 15, Special Uses, Section 15.03D, specific requirements for a Bed & Breakfast, and Chapter 17, Site Plan Review.
2. A review of a Special Use application for the addition of a new Bed and Breakfast operation submitted by Steven Tittle, PO Box 227, Glenn Michigan, 49416. The applicant wishes to operate the existing single family residence at 1020 Blue Star Highway, South Haven, Michigan 49090(part of Parcel # 0302-006-024-00) as a B & B and rent 9 rooms. The residence is located in the LDR(Low Density Residential) zone which allows the use as a "Special Use". The applicant must also comply with Chapter 15, Special Uses, Section 15.D, specific requirements for a B & B, and Chapter 17, Site Plan Review.

The Planning Commission will adjudicate the Special Uses and Site Plan and either approve, approve with conditions, or deny the uses and/or plan.

The applications, site plans, and all other pertinent information may be viewed at the Township Hall during regular business hours. All interested parties may comment regarding the proposed use by attendance at the meeting or by letter or fax prior to the meeting. Your letter or comments will become part of the permanent record.

Facilities for impaired persons shall be made available upon 7 days notice to the Clerk.

Cheryl Brenner
Casco Township Clerk
Phone-269/637-4441

Alfred J. Ellingsen
Zoning Administrator
Fax-269/639-1991

(Please place in the South Haven Tribune for publishing on 23 September 2018)

Site Plan Update

10-2-18

Added Set Backs

LAKE

(40' WIDE)

FOOT

PROPOSED LINE IS 750'± NORTHERLY OF THE NORTH LINE OF 988 BLUE STAR HWY.

500°09'00"E
668.51

133.00

189.00

REMAINDER OF PARENT PARCEL

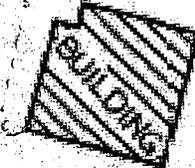
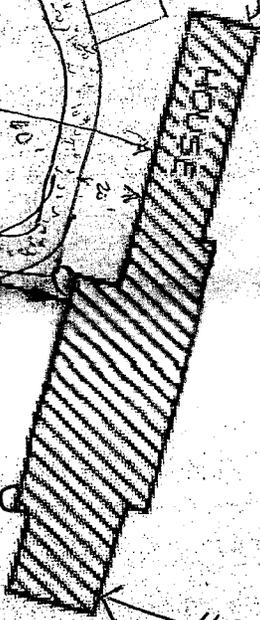
2.18 Ac.
94,777 Sq. Ft.

DIVISION 1
1.0 AC.
43,488 SQ. FT.

PAVING
LANE
DRIVE

NS9°19'32"W
157.42

NS11°45'41"W
150.91



-CHORD-
NB0°26'15.4"W
42.43
Rad. = 30.00'
Arc = 47.12'

50.84

N75°02'13"W

HIGHWAY

(M.C.)

CASCO TOWNSHIP

Alfred J. Ellingsen

Building Inspector - Registration # P 003075

Zoning Administrator

7104 107th Ave.

South Haven, Michigan 49090

269/637-4441 Fax- 269/639-1991

5 October 2017

To: Casco Township Planning Commission

Re: Steven Tittle – Special Land Use Home-Bed & Breakfast request

Part of Parcel # 0302-006-024-00 – Approximately 2.18 acre parcel

Property address: 1020 Blue Stae, South Haven, Michigan 49090

Low Density Residential Zone

This is a request for review of a Special Use application for the addition of a new Bed and Breakfast operation submitted by Steven Tittle, PO Box 227, Glenn, MI 49416 for a property located at 1020 Blue Star Highway(Part of Parcel #302-031-024-00). The applicant wishes to operate the existing single family residential structure as a B & B and rent nine(9) bedrooms. The building is located in the LDR(Low DensityResidential) Zone which allows the use as a “Special Land Use”. The applicant must comply with the requirements of Chapter 15, Special Uses and Chapter 17, Site Plan Review. (Note that the owners address is shown as 10 Shore Dr., Dunes Acres, IN 46304 on the Allegan County Equalization website.)

The proposed project has been duly noticed in the South Haven Tribune and to all residents and land owners within 300 feet of the property as required for a Special Land Use(SLU). The SLU should be adjudicated concurrently with Site Plan Review since the use requested is not a conforming use in the zone, in this case LDR. The precepts listed in Section 15.02C must all be answered in the affirmative in order for the project to be approved.

The applicant has answered the eleven specific questions found in Section 15.03D for a Bed & Breakfast in the “Addendum to Application...” found in your packets. The PC should make it clear to the applicant that whenever renters are present in the dwelling the owner must occupy the dwelling at the same time. Also, that any proposed renters not occupy any travel trailers they may arrive in or tow to the B & B. Bedrooms within the owner occupied dwelling are the only bedrooms that can be rented and the owner must be living on site at the time the rentals occur.

This property has an unusual history. The County and Township records indicate that the original house was built in 1925 or before, but our parcel files do not show any subsequent additions to the building within the last 22 years during my term as Building Official for Casco Township. Of course, the pool and the five rooms to the west could have been built before the mid 90's and our records may be lost or incomplete. The only permit I have written for this property was for repair of the foundation of the original structure because an oil tank in the basement leaked and the owner had to demolish part of the basement wall to excavate out the contaminated soil and then repair the concrete wall. I will continue to investigate and if I find any information before the hearing I will pass it on to the Commissioners. Even if

there was illegal construction years ago the statutes of limitation has passed and the Township has been taxing the building as it now exists for a long time. I am aware that the previous owners used this structure as a short term rental for many years and the new owners are presently renting the property in compliance with the short-term rental rules. I am not aware of any complaints against the owners at this time regarding the short term rental ordinance.

Prior to accepting the application from this owner, a land division had to be approved by me in order for the applicant to meet the requirement found in Section 15.03D10: "No such use shall be permitted on any property where there exists more than one(1) other bed-and-breakfast establishment within seven hundred fifty(750) feet, measured between the closest property lines." As you may recall, a SLU permit for a B & B was approved for Mr. Evan Tucker at 988 Blue Star Highway last year. His property and Mr. Tittle's property were < 400 feet from each other. Hence, the Land Division was done to meet the requirement of the Zoning Ordinance. The applicant has submitted a copy of the survey of the land division which I have approved.

There were 27 notices sent to nearby landowners in Casco Township. To date, I have not received any letters or phone calls regarding this potential Special Land Use request.

I have not asked for a formal sealed site plan in this case due to the fact that in the past I have not requested expensive drawings for both Bed and Breakfast and Day Care SLU applicants. It appears that the hand drawn site plan from the applicant and supporting documents comply with many of 29 site plan requirements, but most are not necessary to make an informed decision or are not applicable to this request. Of course, if the PC is uncomfortable with this minimal site plan, the Commissioners may ask for specific items to be included and then table the hearing until a future meeting. I have added several "Google Map" aerials to supplement the information provided by the applicant in order to show the proximity of the applicant's dwelling to the adjacent neighbors houses. The applicants lot appears to be densely forested between his and the neighbors to the west, north, and south.

I had requested that the applicant provide a floor plan of the house to show the number of bedrooms for rent, the owners quarters, and that all bedrooms are within the single dwelling since that has been an issue in past for other SLU hearings. That document has been provided for your review.

Parking for ten(10) vehicles has been shown to the south of the house and a fence is proposed. A vicinity map was provided showing zoning districts surrounding the applicants property.

The owner has provided a copy of a new septic permit from February 2018 in order to service the ten(10) bedroom dwelling. I have asked the owner to check with the Allegan County Health Department regarding a license since there are nine(9) rooms, but only if they are serving a full breakfast. I have also asked the owner to contact the South Haven Area Emergency Services for an on site inspection of the residence. To date, I do not have this information. I would also perform an inspection if approved as a SLU to determine interconnected smoke and CO detectors as well a a fire extinguisher on each floor.

As stated in the Single State Construction Code Act 230: "A bed and breakfast is considered under the construction code to be a single family residential structure and shall not be treated as a hotel or other facility serving transient tennants. This section is effective throughout the State without local modification..." The Commissioners are aware that the maximum numbers

of guest rooms allowable in our Zoning Ordinance, Section 15.03D5 is ten(10). However, Act 230 also states that in order to be treated as a Single Family residence a B & B “has 10 or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper”. Therefore, only a maximum of nine(9) bedrooms should be allowable as guest rooms in Casco Township. The ZO may need to be amended to mirror State Law.

Also, when granting a SLU for a B&B, is it the intention of the PC to determine the number of guest rooms a specific owner can have, and make that number a condition for SLU approval, or could an owner add guest rooms in the future without a new hearing, up to the maximum allowed in the Zoning Ordinance?

I would suggest that the Commissioners open the Public Hearing, read the notice, deliberate a decision regarding the SLU and, if approved, then determine if they believe that the site plan and submitted documents contain enough information to warrant a decision. If the site plan is unacceptable, the Commissioners need to inform the applicant of what specific items of the 29 listed in Section 17.03C are necessary for them to make an informed decision and in what format the site plan would need to be presented to the Commissioners. The hearing should then be tabled and a future date for deliberation agreed upon by the Commission.

If any member of the Commission wishes to look over the site before the hearing, please contact the owner(s), Steven Tittle or Michael O'Connor at 269/227-3000. Only one, two, or three members can review the property at the same time. Otherwise, it would be a violation of the Open Meetings Act.

Remember your objective is always to protect the health, safety, and welfare of the occupants in particular within the project building and site, and the Township citizenry in general.

Alfred J. Ellingsen

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