

Approved 10/21/2020

Township Planning Commission  
Public Hearing - Via Zoom  
Propose Text Amendments to Zoning Ordinance  
September 16, 2020

**Members Present:** Chairman Dave Campbell, Vice Chair Lewis Adamson, Secretary Andy Litts, Board Representative Judy Graff, ZBA Representative Dave Hughes, and PC members Dan Fleming and Greg Knisley

**Absent:** None

**Also Present:** Zoning Administrator Tasha Smalley, and Janet Chambers Recording Secretary and Nate Stafford of South Haven Big Sky, LLC, 61747 CR 388, South Haven, and interested citizen Keven Whiteford, 7258 Beverly Drive.

1. **Call to order:** Meeting called to order by Chairman Campbell at 6:15 PM
2. **Review and Approve agenda:** Chairman Campbell reviewed agenda. Motion by Hughes, supported by Adamson to approve the agenda. Roll call vote: Campbell-yes, Adamson-yes; Graff-yes; Hughes-yes; Fleming-yes all but Andy who will be late.
3. **Public Comment:** None
4. **Overview of the Public Hearing Notice (Attachment #1):** Chairman Campbell explained the public hearing was for the purpose of a rezoning request from South Haven Big Sky LLC - Lighthouse Estates from Rural Residential to Low Density Residential.
5. **Open Public Hearing:** The public hearing was opened at 6:18.  
**Rezone request - South Haven Big Sky LLC - Lighthouse Estates East of Blue Star Highway, from Rural Residential to Low Density Residential.** Nate Stafford, Project Director, was invited to explain his request. He stated the application (Attachment #2) was complete and he had no further comments.

**Public Comment:** None

**Planning Commission comments / questions:** Dave Hughes asked Stafford if Lighthouse Estates is condos or houses.

Stafford explained they were condos, but are all single family houses.

Fleming asked the reason for rezoning.

Stafford said the survey of the property shows a ravine splits the development from front to back. It is a challenge to build within the framework of RR. Also, because there is public water and sewer, it fits the description of LDR closer than RR.

Knisley asked if all of the roads on the map are private roads and have if they have all been developed.

Stafford said they are private roads and the original plan was not to develop more roads. At one point they had considered adding more, but have decided to return to the original plan and not develop more roads.

Knisley asked if the existing homes were the two at the front.

Stafford said the existing homes are both located in the front, but they hope to have a third soon. All lots are for sale. They have no plans other than general maintenance of the current roads.

Graff asked the Zoning Administrator if changing the zoning as requested would make any of the lots non-conforming.

Smalley said the required lot size for LDR is 10,000 sq ft. with 80 ft. of road frontage. The lots would all conform.

6. **Close Public Hearing:** A motion by Hughes, 2nd by Campbell to close the Public Hearing at 6:27 PM. Roll Call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. MSC.
7. **Discussion and decision:** Chairman Campbell said the Zoning Administrator supplied all the material, the request meets the Master Plan future map. There are other subdivisions on the East side of Blue Star Highway. He feels it complies with the legal aspect of being rezoned to LDR.

Hughes said the ZBA granted a setback variance request for a property in this subdivision due to the topography. Changing to LDR would avoid the need for variances.

Smalley said there were 7 parcels that would need variances under the current zoning. LDR would be a better plan.

A motion to recommend to the Township Board rezoning of South Haven Big Sky LLC from RR to LDR was made by Hughes, supported by Knisley. Roll call vote: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. MSC.

- 8 **Adjournment of Public Hearing:** Meeting adjourned at 6:32.

Attachment #1: Notice of Public Hearing

Attachment #2: Application for Rezoning

Minutes Prepared by Janet Chambers, Recording Secretary

Approved 10-21-2020

Regular Zoom Meeting of  
Casco Township Planning Commission  
September 16, 2020  
Immediately following Lighthouse Estates Public Hearing

**Members Present:** Chairman Dave Campbell, Vice Chair Lewis Adamson, Secretary Andy Litts, Board Representative Judy Graff, ZBA Representative Dave Hughes, PC members Dan Fleming and Greg Knisley

**Absent:** None

**Also Present:** Zoning Administrator Tasha Smalley, Recording Secretary Janet Chambers

1. **Call to order and review agenda:** The meeting was called to order at 6:33 PM by Chairman Campbell. A motion was made by Hughes and supported by Campbell to approve the agenda. Roll call vote: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley yes. MSC.
2. **Interested Citizens heard on items nt on the agenda:** None
3. **Accept Minutes**
  - a. **7/15/2020 Public Hearing on Section Amendments:208 G & N; 3.29A4; 3.30A and 15.03D (Attachment 1):** A motion by Knisley, supported by Campbell to approve minutes of 7/15/2020 Public Hearing. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. MSC.
  - b. **7/15/2020 Regular Meeting (Attachment 2):** A motion by Knisley, supported by Campbell, to approve minutes of 7/15/2020 with one correction requested by Chairman Campbell. Under "Also Present" "**John Kasishke, 7250 Lake View Avenue, South Haven**" will be added. Roll call: Campbell-yes; Adamson-yes; Litts-yes; Graff-yes; Hughes-yes; Fleming-yes; Knisley-yes. MSC.
  - c. **8/19/2020 Regular Meeting (Attachment 3):**No quorum, no need to approve.
4. **May 20, 2020 Calendar Review (Campbell):**
  - a. **Regular meeting dates for 2021 (3rd Wednesday of month):** Campbell reviewed the calendar and said he will bring in a 2021 calendar to the October meeting for the PC's review. His plan is to continue the Wednesday meetings with a couple of extra meeting dates for overflow. He will add a Board/Planning Commission meeting on the first Saturday in May.
  - b. **Election of Officers for 2021 (Who's in the barrel?):** Campbell said the PC needs to discuss who might want to hold offices. There will be some turnover and it needs to get done in December.

5. **Old Business:**

- a. **Update: Bylaws posting at Casco website (Smalley):** Smalley spoke to Kathy Stanton about the PC's request to post the bylaws on the website. They are not posted yet, but Smalley will follow up.
  
- b. **Update: Board's decisions on amendments voted on by PC following our July 15, 2020 Public Hearing (Campbell):** The Board has not had an opportunity to look closely at the proposed amendments. Hopefully they will get a chance at the coming meeting Monday, September 21. Graff plans to attend the meeting.
  
- c. **October 21, 2020 ZO Public Hearing Amendments (Campbell/Smalley): (See Campbell's email of July 17, 2020 "to all" for Section 3.17, 3.23, 3.32 drafts discussed at July 15th meeting):**
  - i. **Section 3.17 Outdoor Storage in Residential Districts:** Campbell said the new title should read "Recreational Vehicle Storage or Parking in Residential Districts. He said he felt the PC should adopt the proposed wording discussed in July as written.

A question was raised as to whether the zoning ordinance had a definition of "Recreational vehicle". Smalley read the definition as follows: *"Recreational vehicle means a vehicle intended for temporary or periodic use for recreational or leisure pursuits. Such vehicles shall include boats, airplanes, special purpose automobiles, floats, rafts, trailers, snowmobiles, camping or travel trailers, motorized homes, detachable travel equipment of the type adaptable to light trucks, and other similar transportable equipment or vehicles of a similar nature."*

Graff questioned why tent camping was added as Section C in the proposed amendment. She noted that tent camping was not part of the recreational vehicle definition, yet was added to the proposed Section 3.17 draft.

Smalley explained tent camping was in that section because it goes with recreation.

Litts questioned whether tent camping is in the current ordinance anywhere.

Smalley said it is not, and that is why she wanted to include it.

Litts questioned whether Section C Overnight tent camping being prohibited was referring to all zoning districts.

Smalley said it would only be prohibited in residential districts.

Graff questioned whether there are any non-residential districts where there is beach property. She noted tent camping on the beach has been an issue for a long time.

Smalley said there is one little RR district below Glen Shores, but does not go to the lake. She stated all of the lake shore is residential.

Knisley asked if the Consumer's Power property across from the golf course, north of Windcliff is residential.

Campbell added anything on the Lakeshore will be covered by this amendment.

Fleming questioned why, if Smalley says tent camping is not allowed in the current ordinance, has she received calls on it.

Smalley said because it is not "allowed", it is prohibited. It is kind of a backwards prohibition. If put in the ordinance, people will not have to hunt for it.

Smalley read Section 3.01C "*Any land use not specifically permitted by right or special use is prohibited*".

Fleming stated if it is going to be added as prohibited, the PC should come up with reasons it is not allowed and include the reason in the document.

Campbell asked Fleming if he wanted to make a motion to strike Section C from the 3.01 proposed amendment.

Fleming said he did not.

Litts said RR is mostly in the middle of nowhere in the township and inquired where the tent camping complaints have been.

Smalley said, "West of Blue Star".

Litts said his reason for asking was Allan Overhiser offered dry camping in the AG district. Litts added he can see the problem, but not if someone has a 10 acre lot.

Campbell said camping cannot be over 72 hrs. at one time, and not over a total of 14 days.

Knisley said he had an instance 2 lots away from him in an empty lot located between two houses. Someone camped for 4 days with 4 people. Refuse was put in neighbors garbage cans. It was right in the middle of the residential district.

Fleming suggested dealing with the violations when someone litters or trespasses instead of prohibiting camping..

Chairman Campbell said it is time to move along and asked if anyone would like "C" removed.

Smalley said the current ordinance does not allow camper camping on a vacant land and should not allow tent camping. She is trying to spell it out clearly.

Fleming reiterated Casco should be going after the violations, i.e. littering and health department issues as opposed to stopping everyone from camping.

Campbell suggested a straw vote to see how commissioners felt about the issue of tent camping.

Campbell, Hughes, Knisley, Graff and Adamson felt Section 3.17 C should be left in. Fleming thought beach camping could be prohibited, but other areas need reasoning behind it, therefore, he would like C removed. Litts did not like the language and said it should be removed.

Campbell stated 3.17 A 4 is the same meaning as the current ordinance, but is clarified. Smalley agreed.

Campbell asked Smalley if she could make the proposed changes to the amendment and be ready to go for an October public hearing. Smalley said she could.

- ii. **Section 3.32 Fences** Smalley explained currently 7' high fences require a 50' setback. This would result in fences being put in the middle of the yard and pretty much worthless. She is proposing a change to this. It could be something like a 20' or 25' setback from the right of way and 4' fences closer to the road.

Campbell suggested looking at the setback in various zones. There are setbacks of 25' and 50'. The fence would be back equal to the setback.

Smalley added it could be a percentage of the setback in a particular zone as opposed to a set distance regardless of setback. She explained it is the height of the fence that is being regulated. With the proposed change you could have

a 4' fence at the front, and at 20' from the right of way you could have a 7' fence. She added the reason for the 4' fence is for visibility as you pull onto the road.

Fleming suggested a diagram to make it clear.

Adamson stated hedges could be 10' tall.

Smalley said she could add a diagram. Section 3.19 deals with corner lots, and includes planting.

Campbell said this could be tabled for more information and a diagram. He added "Grade" is an important part of the fence ordinance.

Discussion continued on problems that could come from not including the grade in the height of a fence. Commissioners agreed and recalled incidents where berming up and putting a fence on top has been an issue.

Fleming said he would like to be clear what the reason is for the height limit.

Hughes asked Fleming, if fences higher than 8' are common in AG.

Campbell said the changes should be done as discussed and get it in the October 21st meeting.

Graff asked Smalley if a fence across from the Casco preserve was 8' or 7'.

Smalley said the fence is 8', and if the amendment is not approved, they will have to remove the fence or get a variance.

- iii. **Section 19 Signs (lawyers draft discussed at July Meeting)** Campbell said Section 19 would not be covered at the October Public Meeting because it still needs more discussion.
  
- d. **2021 ZO Initiatives (Campbell) (Informal Only):**
  - i. **Section 3.23 Projections into yards:** Campbell said Sec. 3.23 would provide opportunities to build an open deck into the setback zone of a district, which could bring it almost to the property line.. There needs to be more work on this.
  
  - ii. **Section 1.03.O Farm Market (Zoning Administrator):** There is a lot of work left for the attorney to do on this.

- e. **Administrative Zoning Ordinance links at Casco website (Campbell):**
  - i. **Issued Building Permits:** Campbell would like this added to the website. At this point we don't have that
  - ii. **Issued Zoning Compliance Permits:** Campbell would like a list added to the website so residents could see if a permit has been issued at a particular address.
  - iii. **Zoning Administrator FAQ:** Campbell would like to see a Zoning Administrator FAQ section added to the website.
- f. **Any old business that may come before the Commission:** Fleming questioned something that came up at the last public hearing on July 15th. At the June meeting there was a question raised about a change that could be made on nuisance in the proposed ordinance. When the topic came up at the July 15th Public Hearing, and the change was not made, he was told we are not at the point of wordsmithing. He felt they were still refining the wording, but then was told there was not time to discuss it.

Smalley said she did not make a change. If she was supposed to make a change, she did not realize it.

Fleming said his point was, it was still in the works and the process was not settled, yet was not able to discuss it.

## 6. New Business:

- a. **Marijuana Regulation Ordinance (Campbell) (Informational Only):** Campbell said there was a discussion at the board meeting in August, which he attended by Zoom, Atty Bultje was there and went over a proposed marijuana police ordinance that the board asked him to draft. He presented an ordinance for medical marijuana growing in Casco. Supervisor Overhiser asked Bultje to look at transportation because there needs to be a separate approval or license for that. Another thing Campbell raised was Casco is looking at AG, but RR allows AG activities.

Smalley said the law only allows medical marijuana to be grown in AG or industrial zones.

Campbell said the attorney thought it best for the PC to have a public hearing before the Board pass the Medical Marijuana Police Ordinance. Campbell said if the PC goes down that path, Bulje and/or the Board should be present to answer questions.



Smalley said the reason the PC would hold the public hearing is because the Board does not hold public hearings. Smalley said the attorney would like to get public input.

Campbell added the Board did the STR Ordinance, the PC had to change the zoning ordinance to fit and needed a public hearing for the amendments.

b. **Any new business that may come before the Commission:** none

**7. Administrative Reports:**

a. **Zoning Administrator (Smalley) (Attachment 4):** Campbell asked Smalley what the questions were about 146 Blue Star.

Smalley said the property is for sale. It was a store and four little cabins. Someone wanted to use it for a campground. Smalley told them it is zoned LDR and could not be used as a campground.

Campbell asked about the questions at 484 Blue Star.

Smalley said someone would like to use it for a group day care. It might be coming for a public hearing which is required for a group day care.

Knisley said he referred people to Smalley who wanted to talk about possibilities at the golf course property.

Smalley said she did talk to someone about the golf course property. They are interested in camping, residential development, and possibly keeping the golf course.

Fleming asked Smalley if she is keeping track of questions people ask, i.e. minimum dwelling regulations. Many times in deliberations it will come up that "nobody has asked for this before." It would be helpful to know what people are interested in.

Smalley said most questions she is asked are about general requirements. She has had questions on tiny houses.

Fleming said it would be good to know what people want. The PC might not make changes for one person, but it would be good to know if many people want something. Also, Fleming asked if there is anything Smalley thinks the PC needs to look at.

Graff asked about questions on Adams Street on August 12. She asked Smalley if it is a new property owner. Graff noted there are not too many vacant lots for sale on Adams Street, but there has been a camper there for more than 14 days. There is a house being built, and someone is tent camping on a vacant lot just north of the house being built.

Smalley will check into it.

**ZBA Chair (Hughes):** The ZBA has not met.

- b. **Water / Sewer Representative (Adamson):** They had a meeting last week. They hired a company to do a rate study. The study showed the rate needs to go up, water 6.5% and Sewer 9.3% for 2021. The rate will go up each year through 2025.

Campbell asked if the flood waters are being controlled.

Adamson said they are doing everything they can. Dunkley is dry today.

- c. **Township Board Representative (Graff):** Graff was not at the last board meeting.

8. **General Public Comment:** none

9. **Adjourn:** The meeting was adjourned at 8:08 PM.

Attachment #1: Minutes of 7/15/20 Public Hearing

Attachment #2: Minutes of 7/25/20 Regular Meeting

Attachment #3: Minutes of 8/19/20 Regular Meeting

Attachment #4: Zoning Administrator report

Minutes prepared by Janet Chambers, Recording Secretary

**CASCO TOWNSHIP PLANNING COMMISSION  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF INTENT TO USE A VIRTUAL PLATFORM  
FOR PUBLIC HEARING**

PLEASE TAKE NOTICE that the Planning Commission of Casco Township will conduct a public hearing and regular meeting to follow concerning the following matter on Wednesday, September 16, 2020 at 6:00 p.m. via Zoom (*at the Casco Township Hall, 7104 107<sup>th</sup> Ave, South Haven, MI 49090, within the Township*).

PLEASE TAKE NOTICE this meeting will be held electronically pursuant to the Open Meetings Act and Governor Whitmer's Executive Order. The public may participate in the meeting electronically and may make public comment: **cascotownship.info** Homepage will have the Zoom link and specific log in information, or call Zoning Administrator: 1-800-626-5964 for information.

PLEASE TAKE FURTHER NOTICE that the item(s) to be considered at said public hearing include the following:

1. South Haven Big Sky LLC has petitioned for a rezoning from RR Rural Residential to LDR Low Density Residential of Lighthouse Estates, a Condominium; 25 units, 29.69 acres located east of Blue Star Hwy.

0302-525-001 thru 025 -00

Part of the Northwest 1/4 of the fractional Section 19, Town 1 North, Range 16 West, and the Northeast 1/4 of the fractional Section 24, Town 1 North, Range 17 West, Casco Township Allegan County, Michigan, described as commencing at the West 1/4 post of said Section 19 and also the point of beginning of this description; thence along the East and West 1/4 line of said Section 19, South 88° 36' 08" East a distance of 1414.72 feet to the East line of the fractional 1/2 of the Northwest 1/4; thence North 01° 22' 06" East a distance of 709.80 feet; thence North 88° 36' 08" West a distance of 1419.99 feet to the West section line of said fractional section; thence South 00° 57' 52" West a distance of 0.32 feet along said West section line; thence North 88° 36' 08" West a distance of 380.88 feet to the centerline of Blue Star Highway as existing; thence South 11° 18' 41" West a distance of 661.86 feet along said centerline thence South 88° 36' 08" East a distance of 499.76 feet to the East 1/4 post of fractional Section 24; thence South 00° 41' 48" West a distance of 57.51 feet to the West 1/4 post of fractional Section 19 and the place of beginning of this description; containing 29.69 acres of land.

Any other business that may come before the Planning Commission

PLEASE TAKE FURTHER NOTICE that the application can be viewed at [cascotownship.info](http://cascotownship.info) or contacting the Zoning Administrator 1-800-626-5964 or [mtsallengan@frontier.com](mailto:mtsallengan@frontier.com).

PLEASE TAKE FURTHER NOTICE that written comments will be received from any interested person concerning the foregoing by the Township Clerk at the address set forth below, or by email to the Township Clerk [cascoclerk@gmail.com](mailto:cascoclerk@gmail.com) up to the date of the hearing.

Casco Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the hearing upon seven (7) days' notice to the Casco Township Clerk.

Cheryl Brenner  
Casco Township Clerk  
7104 107<sup>th</sup> Ave, South Haven MI 49090  
269-637-4441

Tasha Smalley  
Zoning Administrator  
1-800-626-5964

**Casco Township Planning Commission**

**Public Hearing – via Zoom**

Rezoning request

September 16, 2020

6:00PM

*Regular meeting immediately after*

1. Call to order
2. Review and Approve agenda
3. Public Comment – other than agenda items; please keep comments to no more than 2 minutes
4. Overview of the Public Hearing Notice
5. Open Public Hearing
  - Rezone request – South Haven Big Sky LLC – Light House Estates  
East off Blue Star Hwy  
From RR Rural Residential to LDR Low Density Residential
  - Public Comment – Please keep comments to no more than  
2 minutes per person
  - Planning Commission comments / questions
  - Final comments / questions
6. Close Public Hearing
7. Discussion and decision
8. Adjournment of Public Hearing session
9. *Open regular scheduled planning commission meeting*

Memorandum: Casco Township Planning Commission  
Date: September 1, 2020  
From: Tasha Smalley, Zoning Administrator  
RE: STAFF REPORT – Rezone request – RR to LDR

**Meeting date: Wednesday September 16, 2020 6:00PM**

Owner & Applicant: South Haven Big Sky, LLC  
Mailing Address: 61747 CR 388, South Haven MI 49090

Subject Property: Lighthouse Estates  
Parcel #: 0302-525-001 thru 025-00

Current - RR Rural Residential District

6.03 District Regulations

Minimum lot area – 1 acre / s 30,000 sq ft  
Minimum lot width – 150 feet  
Front setback – 50 feet  
Side setback – 25 feet  
Rear setback – 50 feet  
Maximum building height - 35 feet  
Lot coverage – 20%

Proposed - LDR- Low Density Residential District

8.03 District Regulations

Minimum lot area – 20,000 sq ft / s&w 10,000 sq ft  
Minimum lot width – 100 feet / s&w 85 ft  
Front setback – 50 feet / w&s 30 ft  
\*\*Per Section 3.09 200 ft  
Side setback – 25 feet / w&s 15 ft  
Rear setback – 40 feet  
Maximum building height - 35 feet  
Lot Coverage – 25%

Analysis

Property 0302-525-001 ► 025-00 are legal existing conforming lots of record  
Lot area: approx 30 acres  
Established – 2005. This does not fall in 3.28. The lots are conforming even though created prior to 2006.

Rezone:

Current property is RR. Request is for LDR. This will be more compatible with the zoning of the other Plats / Site Condo / Subdivisions in the Township.

Master Plan: it is important to look at the MP for rezoning. To be sure the change is already designated.

Future Master Plan Map – designates this area as LDR

Text to clarify residential, LDR: pg 15, 30. I have enclosed a few pages from the Master Plan. Be sure to read over the MP for other information you may need.

# CASCO TOWNSHIP

7104 107<sup>th</sup> Ave. \* South Haven, Michigan 49090

(269) 637 - 4441 \* Fax(269) 639 - 1991

## APPLICATION FOR RE-ZONING

Rec'd 8-19-20  
Ch # 201942  
@ 1500-  
D.S.

Please complete all of the following information, then sign and return this form to the Township office. To be placed on the Planning Commission agenda, the following statements and any accompanying materials must be complete and accurate.

### I. GENERAL INFORMATION

Property Owners SOUTH HAVEN BIG SKY LLC Phone 269-637-2899 Fax 269-637-3199  
+ 3 OTHERS (SEE ATTACHED UNIT INFORMATION AND AGENT AUTHORIZATION LETTERS)

Address 61747 CR 388 City SOUTH HAVEN State MI Zip 49090

Parcel No. SEE ATTACHED Existing Zoning RR Proposed Zoning LDR

Developmental Firm SOUTH HAVEN BIG SKY LLC Project Director NATE STAFFORD Phone 906-221-5154

Address 61747 CR 388 City SOUTH HAVEN State MI Zip 49090 Fax 269-637-3199

Property Address SEE ATTACHED Acreage 29.69 ACRES

### II. PROJECT INFORMATION

Legal Description of Property  
SEE ATTACHED

Description of Proposed Land Use Development

Reason for Re-zoning Request  
SEE ATTACHED

**III. APPLICATION PROCEDURE**

The application for re-zoning and all other submission requirements must be submitted to the Zoning Administrator's Office thirty (30) days prior to the Planning Commission meeting date.

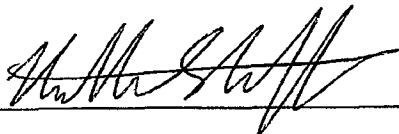
If there is not sufficient space to fully describe the proposed development, please attach additional information as may be needed.

The re-zoning fee shall be required at the time the request is filed with the Zoning Administrator and is currently \$450 <sup>See new</sup> per each parcel as it appears on Township tax roles will be considered a separate application for purpose of determining fee.

The developers and /or owners attendance is required at the Planning Commission meeting to answer questions and /or to present any necessary plans or drawings.

Casco Township reserves the right to deny acceptance of any request until such time as all requirements are met. Any revisions and /or modifications to the site plan, elevations, and other pertinent information must be resubmitted to the Zoning Office for review. No Planning Commission action will be initiated until such time as these requirements are completely fulfilled.

I hereby authorize the Casco Township staff to inspect this site at their discretion and that I have a legal or equitable interest in all land subject to this application.

Applicant signature  Date 8-19-2020

For Office Use: Date Rec'd 8-19-20 ; Fee Rec'd # 201942; Amount \$ 1500<sup>00</sup> ;  
Hearing Date \_\_\_\_\_ ; Action \_\_\_\_\_

Property owner, Parcel Numbers and Addresses:

	Property Owner	Parcel #	Address
Unit 1	South Haven Big Sky LLC	03-02-525-001-00	524 Little Sable Drive
Unit 2	Mauro Nogueira	03-02-525-002-00	516 Little Sable Drive
Unit 3	South Haven Big Sky LLC	03-02-525-003-00	508 Little Sable Drive
Unit 4	South Haven Big Sky LLC	03-02-525-004-00	507 Little Sable Drive
Unit 5	South Haven Big Sky LLC	03-02-525-005-00	515 Little Sable Drive
Unit 6	Tamara & Jeffery Korth	03-02-525-006-00	519 Little Sable Drive
Unit 7	Jeanne L Van Zoeren Trust	03-02-525-007-00	7205 Point Betsie Drive
Unit 8	South Haven Big Sky LLC	03-02-525-008-00	504 Big Sable Drive
Unit 9	South Haven Big Sky LLC	03-02-525-009-00	510 Big Sable Drive
Unit 10	South Haven Big Sky LLC	03-02-525-010-00	518 Point Betsie Drive
Unit 11	South Haven Big Sky LLC	03-02-525-011-00	7199 Point Betsie Drive
Unit 12	South Haven Big Sky LLC	03-02-525-012-00	505 Big Sable Drive
Unit 13	South Haven Big Sky LLC	03-02-525-013-00	511 Big Sable Drive
Unit 14	South Haven Big Sky LLC	03-02-525-014-00	517 Big Sable Drive
Unit 15	South Haven Big Sky LLC	03-02-525-015-00	7186 Point Betsie Drive
Unit 16	South Haven Big Sky LLC	03-02-525-016-00	7180 Point Betsie Drive
Unit 17	South Haven Big Sky LLC	03-02-525-017-00	7172 Point Betsie Drive
Unit 18	South Haven Big Sky LLC	03-02-525-018-00	7166 Point Betsie Drive
Unit 19	South Haven Big Sky LLC	03-02-525-019-00	7160 Point Betsie Drive
Unit 20	South Haven Big Sky LLC	03-02-525-020-00	7193 Point Betsie Drive
Unit 21	South Haven Big Sky LLC	03-02-525-021-00	7187 Point Betsie Drive
Unit 22	South Haven Big Sky LLC	03-02-525-022-00	7181 Point Betsie Drive
Unit 23	South Haven Big Sky LLC	03-02-525-023-00	7173 Point Betsie Drive
Unit 24	South Haven Big Sky LLC	03-02-525-024-00	7167 Point Betsie Drive
Unit 25	South Haven Big Sky LLC	03-02-525-025-00	7161 Point Betsie Drive

See attached documents authorizing Nathan Stafford to act as agent for Mr. Nogueira, Mr. & Mrs. Korth, Mrs. VanZoeren for the purposes of rezoning their units from RR to LDR.

**Description of Development**

South Haven Big Sky was created in 2005 through a partnership between Cornerstone Ag and Great Lakes Pipe for developing the Lighthouse Estates, a subdivision with generous size lots that is located north of South Haven on the east side of Blue Star Highway. Cornerstone Ag became the sole owner in 2011. During its thirteen years of operation, there have been three lots sold and two homes built. The rezoning of the Lighthouse Estates development is not part of a larger plan to modify the development from what has been built, and how the land has been divided. The rezoning is merely an effort align the zoning description with the observable condition of the development.

**Reason for Rezoning Request**

In the process of selling Unit 6 to the Korths, it was discovered that they were in need of a variance to relieve them of front yard setback of 50 feet (reducing the requirement to 30 feet), in order for them to be able to build their desired home on the lot. This was due to the ravines on the east and south side of lot 6, along with the road frontage on the north and west property lines. Upon investigating the zoning



ordinance and requirements for a variance request, we determined that the entirety of Lighthouse Estates more accurately fits the description and purpose of a Low Density Residential District (Sec. 8.01):

“The purpose of this zoning district is to provide areas for a stable and sound family residential environment with suburban-style, single-family dwellings. This zoning district is intended primarily for a relatively low density urban residential pattern with public utilities available, and including public sanitary sewer and, where needed, public water.”

Lighthouse estates is laid out for suburban-style, single-family dwellings, and each lot has public sanitary sewer and public water. This opposed to Rural Residential, its current zoning, which is “intended primarily for large residential lots,” and “No public utilities are planned for these areas.” (Sec. 6.01)

It is our belief that Lighthouse Estates should be rezoned to LDR, which is more fitting for the development type it is. Had Lighthouse Estates been zoned LDR, the Korths would not have been required to pursue a variance in order to build their desired home. It is our hope that rezoning the property will minimize the chances of another variance being required to build on one of the lots.

Furthermore, if you review the Casco Township Master Plan Update, dated April 16, 2012, and look specifically at the Future Land Use Map on page 25, you will see that the Master Plan intends for the Lighthouse Estates property to be zoned LDR in the future. We are requesting that the rezoning desired in the Master Plan be executed on for the Lighthouse Estates property.

ALLEGAN COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 246

EXHIBIT B TO MASTER DEED OF:

LIGHTHOUSE ESTATES,  
A CONDOMINIUM

CASCO TOWNSHIP, ALLEGAN COUNTY, MICHIGAN

DEVELOPER:

SOUTH HAVEN BIG SKY ENTERPRISE, LLC  
08760 44TH STREET  
BLOOMINGDALE, MI 49026

ENGINEER:

MIDWEST CIVIL ENGINEERS  
950 S. BAILEY AVENUE, UNIT 11  
SOUTH HAVEN, MICHIGAN 49090

ATTENTION COUNTY REGISTER OF DEEDS

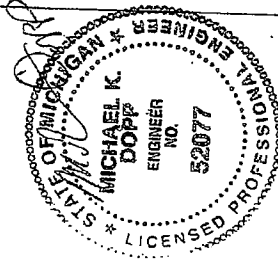
THE CONDOMINIUM SUBDIVISION PLAN NUMBER  
MUST BE ASSIGNED IN CONSECUTIVE SEQUENCE.  
WHEN A NUMBER HAS BEEN ASSIGNED TO THIS  
PROJECT, IT MUST BE PROPERLY SHOWN IN THE  
TITLE ON THIS SHEET AND IN THE SURVEYOR'S  
CERTIFICATE ON SHEET 2.

SHEET INDEX

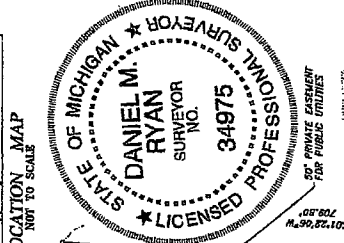
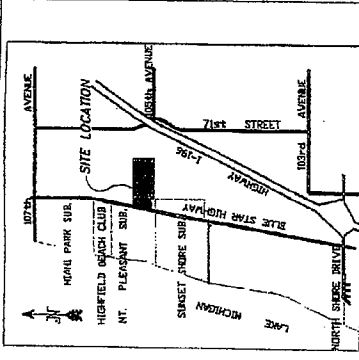
1. TITLE & DESCRIPTION
2. SURVEY PLAN
3. SITE PLAN
4. UTILITY PLAN

PROPERTY DESCRIPTION:

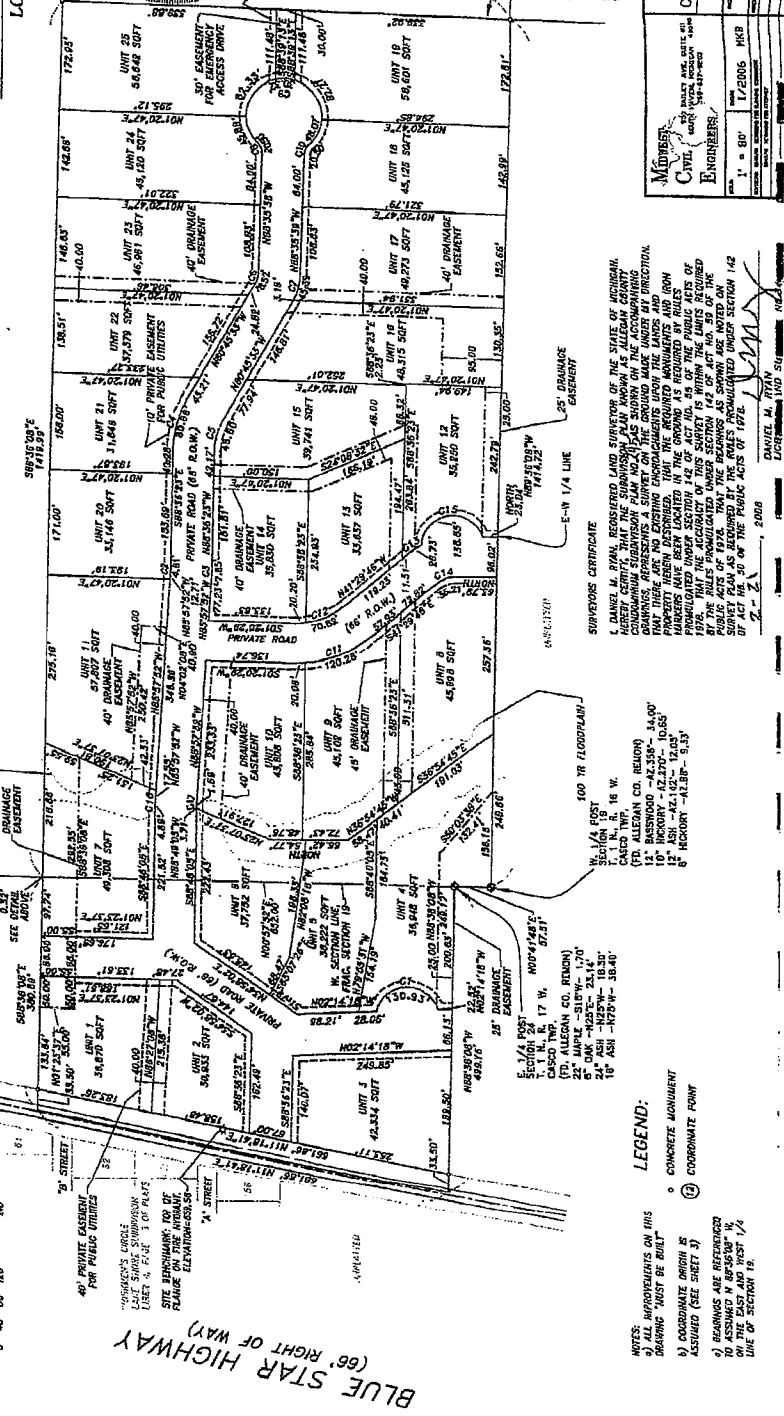
PART OF THE NORTHWEST 1/4 OF THE FRACTIONAL SECTION 19, TOWN 1 NORTH, RANGE 16 WEST, AND THE NORTHEAST 1/4 OF THE FRACTIONAL SECTION 24, TOWN 1 NORTH, RANGE 17 WEST, CASCO TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE WEST 1/4 POST OF SAID SECTION 19 AND ALSO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ALONG THE EAST AND WEST 1/4 LINE OF SAID SECTION 19, SOUTH 88° 36' 08" EAST A DISTANCE OF 1414.72 FEET TO THE EAST LINE OF THE FRACTIONAL 1/2 OF THE NORTHWEST 1/4; THENCE NORTH 01° 22' 06" EAST A DISTANCE OF 709.80 FEET; THENCE NORTH 88° 36' 08" WEST A DISTANCE OF 1419.99 FEET TO THE WEST SECTION LINE OF SAID FRACTIONAL SECTION; THENCE SOUTH 00° 57' 52" WEST A DISTANCE OF 0.32 FEET ALONG SAID WEST SECTION LINE; THENCE NORTH 88° 36' 08" WEST A DISTANCE OF 380.88 FEET TO THE CENTERLINE OF BLUE STAR HIGHWAY AS EXISTING; THENCE SOUTH 11° 18' 41" WEST A DISTANCE OF 661.86 FEET ALONG SAID CENTERLINE; THENCE SOUTH 88° 36' 08" EAST A DISTANCE OF 499.76 FEET TO THE EAST 1/4 POST OF FRACTIONAL SECTION 24; THENCE SOUTH 00° 41' 48" WEST A DISTANCE OF 57.51 FEET TO THE WEST 1/4 POST OF FRACTIONAL SECTION 19 AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; CONTAINING 29.69 ACRES OF LAND.



Midwest Civil & Surveying Engineers		LIGHTHOUSE ESTATES A CONDOMINIUM CASCO TOWNSHIP, ALLEGAN COUNTY, MI	
NO. SCALE	7/2005 HKD	DATE	05-01
COVER SHEET			



CURVE	ARC	RADIUS	CHORD	ANGLE	TANGENT	LC	BEARING	LC LENGTH
C1	120.00	100.00	100.00	120.00°	100.00	100.00	S 71.11° W	100.00
C2	4.00	100.00	4.00	4.00°	4.00	4.00	S 71.11° W	4.00
C3	7.00	100.00	7.00	7.00°	7.00	7.00	S 71.11° W	7.00
C4	10.00	100.00	10.00	10.00°	10.00	10.00	S 71.11° W	10.00
C5	13.00	100.00	13.00	13.00°	13.00	13.00	S 71.11° W	13.00
C6	16.00	100.00	16.00	16.00°	16.00	16.00	S 71.11° W	16.00
C7	19.00	100.00	19.00	19.00°	19.00	19.00	S 71.11° W	19.00
C8	22.00	100.00	22.00	22.00°	22.00	22.00	S 71.11° W	22.00
C9	25.00	100.00	25.00	25.00°	25.00	25.00	S 71.11° W	25.00
C10	28.00	100.00	28.00	28.00°	28.00	28.00	S 71.11° W	28.00
C11	31.00	100.00	31.00	31.00°	31.00	31.00	S 71.11° W	31.00
C12	34.00	100.00	34.00	34.00°	34.00	34.00	S 71.11° W	34.00
C13	37.00	100.00	37.00	37.00°	37.00	37.00	S 71.11° W	37.00
C14	40.00	100.00	40.00	40.00°	40.00	40.00	S 71.11° W	40.00
C15	43.00	100.00	43.00	43.00°	43.00	43.00	S 71.11° W	43.00
C16	46.00	100.00	46.00	46.00°	46.00	46.00	S 71.11° W	46.00
C17	49.00	100.00	49.00	49.00°	49.00	49.00	S 71.11° W	49.00



**LIGHTHOUSE ESTATES  
A CONDOMINIUM  
CASCO TOWNSHIP ALLEGAN COUNTY, MI**

MINNESOTA CIVIL ENGINEERS  
1" = 80'  
1/2006 MKP  
2 4 05-031

**SURVEYOR CERTIFICATE**

I, DANIEL M. RYAN, REGISTERED LAND SURVEYOR OF THE STATE OF MICHIGAN, HEREBY CERTIFY THAT THE SUBDIVISION PLAN KNOWN AS "LIGHTHOUSE ESTATES A CONDOMINIUM" IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE BY ME AND THAT THERE ARE NO EXISTING ENCUMBRANCES UPON THE LANDS AND INTERESTS HEREIN EXCEPT AS SHOWN ON SAID PLAN AND THAT THE SAME HAVE BEEN LOCATED IN THE PUBLIC RECORDS OF THE REGISTERED INSTRUMENTS SECTION 142 OF ACT NO. 24 OF THE PUBLIC ACTS OF 1927. THAT THE RECORDS AS SHOWN ARE NOTED ON BY ACT NO. 24 OF THE PUBLIC ACTS OF 1927.

DANIEL M. RYAN  
REGISTERED LAND SURVEYOR

**LEGEND:**

- ALL DIMENSIONS ON THIS DRAWING MUST BE BEST ASSUMED (SEE SHEET 1/4)
- CONCRETE MONUMENT
- COORDINATE POINT

NOTES:  
1) ALL DIMENSIONS ON THIS DRAWING MUST BE BEST ASSUMED (SEE SHEET 1/4)  
2) DIMENSIONS ARE REFERENCED TO THE EAST AND WEST 1/4 LINE OF SECTION 18.

**REGULAR ZOOM MEETING OF CASCO TOWNSHIP PLANNING COMMISSION**  
**September 16, 2020**  
**Immediately Following *Lighthouse Estates* Public Hearing**  
**6PM**

1. Call to order and review agenda
2. **Interested Citizens in the audience will be heard on items NOT on the Agenda & Public Correspondence received** (2 minutes each).
3. **Accept minutes:**
  - a. 7/15/2020 Public Hearing on Section Amendments: 208 G & N; 3.29A4; 3.30A and 15.03D (Attachment 1) (Previously provided)
  - b. 7/15/2020 Regular Meeting (Attachment 2) (Previously provided)
  - c. 8/19/2020 Regular Meeting (Attachment 3) (Recording Sec. 8/21 email)
4. **May 20, 2020 Calendar Review (Campbell) (Informational Only)**
  - a. Regular meeting dates for 2021 (3<sup>rd</sup> Wednesday of month)
  - b. Election of officers for 2021 (Whose in the barrel?)
5. **Old Business:**
  - a. Update: Bylaws posting at Casco website (Smalley)
  - b. Update: Board decisions on amendments voted out by PC following our July 15, 2020 Public Hearing. (Campbell)
  - c. **October 21, 2020 ZO Public Hearing Amendments** (Campbell/Smalley) (See Campbell email of July 17, 2020 "to all" for Section 3.17, 3.23, 3.32 drafts discussed at July 15th meeting)
    - i. **Section 3.17 Outdoor Storage in Residential Districts**
    - ii. **Section 3.32 Fences**
    - iii. **Section 19 Signs** (lawyer's draft discussed at July Meeting)
  - d. 2021 ZO Initiatives (Campbell) (Informational Only)
    - i. **Section 3.23 Projections into yards**
    - ii. **Section 15.03.O Farm Market (Zoning Administrator)**
  - e. Administrative Zoning Ordinance links at Casco website (Campbell)
    - i. Issued Building Permits
    - ii. Issued Zoning Compliance Permits
    - iii. Zoning Administrator FAQs
  - f. Any old business that may come before the Commission
6. **New Business:**
  - a. **Marihuana Regulation Ordinance (Campbell) (Informational Only)**
  - b. Any new business that may come before the Commission
7. Administrative Reports
  - a. Zoning Administrator (Smalley) (Attachment 4)
  - b. ZBA Chair (Hughes)
  - c. Water/Sewer representative (Adamson)
  - d. Township Board representative (Graff)
8. General Public Comment (2 minutes each)
9. Adjourn

Proposed text amendment

Tasha proposed text

For meeting 9-16-20

Section 3.17 Outdoor storage in residential districts

Recreational vehicle storage or parking in residential districts

A. The outdoor storage or parking of recreational vehicles in all residential districts shall be subject to the following minimum conditions:

RR, LDR, MDR, LRA & B

1. Any recreational vehicle parked outside shall not be located in any required front or required side yard setback area. Not more than one recreational vehicle shall be stored on a lot or parcel, except as allowed under Subsection 4 below.

2. Recreational vehicles stored outside shall be maintained in a clean, well-kept state so as not to detract from the appearance of the surrounding area.

3. Storage or parking of recreational vehicles shall be limited to a lot or parcel upon which a principal building is located. The lease of space for storage or parking of recreational vehicles for compensation shall not be permitted in a residential district other than a licensed campground.

4. It shall be lawful for only non-paying guests at a dwelling in a residential district to occupy one recreational vehicle, parked subject to the provisions of this Ordinance, for sleeping purposes only, for a period not exceeding 72 consecutive hours. The total number of days during which a recreational vehicle may be occupied under this Subsection shall not exceed 14 in any calendar year.

4. It shall be lawful for only non-paying guests to occupy one recreational vehicle on a lot or parcel upon which a principal building is located and parked subject to the provisions of this Ordinance, for sleeping purposes only, for a period not exceeding 72 consecutive hours. The total number of days during which a recreational vehicle may be occupied under this Subsection shall not exceed 14 in any calendar year.

5. Recreational vehicles and other vehicles or equipment intended or adaptable for sleeping purposes shall remain unoccupied, except as otherwise permitted in Subsection 4 above, and shall not be connected to sanitary sewer facilities or have a fixed connection to electricity, water, or gas.

6. Notwithstanding the provisions above, a recreational vehicle may be parked anywhere on the premises during active loading or unloading, and use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use.

B. The storage of recreational vehicles not owned by the primary resident shall be permitted within an approved and fully enclosed accessory building or farm building on property within the AG and RR Districts.

C. Overnight tent camping is prohibited on vacant land and the beach along Lake Michigan.

- Dan  
- Andy  
Concerns

**Proposed text amend**  
*Tasha proposed text*  
**For Meeting 9-16-20**

**Underline is changed proposed text**

**Section 3.32 Fences**

A. Fences shall not be constructed in any public right-of-way.

50ft { B. Unless provided for elsewhere in this Ordinance, a fence may not exceed a height of three feet within any required front yard setback area, or a height of seven feet in any other area. For waterfront lots, a fence may not exceed a height of three feet within any front or rear yard setback area, or a height of seven feet in any other area.

Leave { Unless provided for elsewhere in this Ordinance, a fence within a setback of 20 feet from ROW shall not be greater than four feet in height, or a height of seven feet in any other area. For waterfront lots, a fence may not exceed a height of four feet within the front yard or waterfront yard setback, or a height of seven feet in any other area.

yes C. Fence height shall be measured from average grade on the ground to top of fence.

D. No fence shall contain any barbed wire or electrification unless necessary for agricultural or industrial purposes. Barbed wire may be used for security in a nonresidential district, or for the protection of public utility buildings or improvements. The barbed portion of the fence shall be at least six feet from the ground, in which case the height of a fence may extend to a maximum of seven feet.

E. Razor wire is prohibited in the Township.

F. In the case of a double frontage (through) lot in any residential district, a fence up to seven feet in height may be erected in the rear yard, as determined by the Zoning Administrator, but shall not block clear vision for area driveways or roadways.

yes G. Fences used to enclose vacant land or land used for agricultural purposes may be erected within any yard, provided that any fence over four feet in height shall be not greater than 50 percent opaque. Fences used for agricultural purposes shall not exceed eight feet in height.

make Diagram