



**THORNAPPLE TOWNSHIP
PLANNING COMMISSION
Meeting Agenda
Monday, January 22, 2024
7:00 P.M.**

- 1. Call to Order (7:00 P.M.)**
- 2. Approval of Agenda:**
- 3. Approval of Minutes** November 27, 2023
- 4. Citizen Comments:**
- 5. Public Hearings:**
 - a. Special Use #165 – Accessory Building Closer to the road than the house (6476 Patterson Rd)
 - i. Applicant Presentation
 - ii. Staff Introduction – Gensterblum
 - iii. Public Comments
 - iv. Commission questions and deliberation
 - b. Special Use #166 – Accessory Building Closer to the road than the house (3689 Havens Way Ct.)
 - i. Applicant Presentation
 - ii. Staff Introduction – Gensterblum
 - iii. Public Comments
 - iv. Commission questions and deliberation
- 6. New Business:**
 - a. Election of Officers
 - b. Meeting schedule for 2024
- 7. Unfinished Business:**
 - a. Discussion of Williams & Works review of Peace Church project
- 8. Committee Reports:**
 - a. Ordinance Committee – *[Kilgore, Finkbeiner, Rairigh, Gasper (alt)]*
 - b. Site Plan Committee – *[Finkbeiner, Denton, Wandrie, Hansson (alt)]*
 - c. Joint Planning Committee – *[Rairigh, Gasper, Denton, Kilgore (alt)]*
- 9. Administrator's Report:**
 - a. Zoning Ordinance Audit
 - b. Zoning Report
 - c. Code Enforcement Report
- 10. Commissioner Comments:**
- 11. Adjournment**

THORNAPPLE TOWNSHIP PLANNING COMMISSION

Regular Meeting, November 27, 2023

1. Call to Order:

- a. The meeting was called to order by Chairperson Tom Kilgore 7:00 p.m. at Thornapple Township located at 200 E. Main St. Middleville, MI 49333.
- b. Present: Linda Gasper, Tom Kilgore, Sandra Rairigh, Bryan Finkbeiner, Elaine Denton, Liz Hansson, and Craig Wandrie. Also Present: Phil Gensterblum, Cindy Ordway, Todd Boerman, Jon Delger, Cody Mickelsen, Hal Isenhoff, Hank Coleman, Todd Stuive, Danny Van Houten

2. Approval of Agenda:

MOTION by Finkbeiner **SUPPORT** by Rairigh to approve the agenda as amended to strike "matters not on agenda" from Item No. 4. Citizen Comments. **MOTION CARRIED** with 7 yes voice votes.

3. Approval of Minutes:

MOTION by Hanssen **SUPPORT** by Denton to approve the Minutes from the September 25, 2023, meeting Minutes as presented. **MOTION CARRIED** with 7 yes voice votes.

4. Citizen Comments: None

5. Public Hearings: None.

6. New Business: None.

7. Unfinished Business: Peace Church Expansion Site Plan Review

The Peace Church Traffic Study has been completed and the M-37 Corridor Committee has met and completed their part.

Commission Questions and Deliberation: Todd Stuive with Exxel Engineering shared the following: Front row is the Building Committee from the Church. A few things were done in response to concerns. The neighbor was concerned about headlights. We removed one row of parking. Added a solid white fence along the property line and added landscaping. We have combined the 2nd drive with the existing driveway to the house into one driveway. Traffic study has been completed and approved by MDOT. The committee has approved the added driveway. A turn lane has been approved. The health department has approved the addition. The landscape plan has been updated. Excel Engineering has looked at the entirety of the project and they feel they are more than the landscape requirements and Thornapple Township's Ordinance. There are 60 interior trees required, and those are shown. The 6000 square feet of island requirement has been met. Asked for questions.

Todd Boerman shared the following: In 2017 the Planning Commission approved the expansion of additional classroom space. There were a few dimensional issues with that project. The landscape island issue was brought up. The Church indicated that they were planning an expansion and would be coming back with more information. This here is the new larger plan. Some of the items – retention basin- no longer required in this new site plan. One of the drives was not wide enough. That drive is going away. We can discuss landscapes. Replace two parking spaces with the landscape item. Also a requirement was to expand the paved space. We questioned why that needed to be widened. That does meet the typical driveway space. Storm water calculations have been submitted. Barry County Drain rules apply. Water quality requirement needs to be demonstrated to Barry County Health Department. One of the items that I did note was that there is not a clear outlet to a pipe that is being connected to M-37. Seems to be coming out of the road bank and pipe will be replaced. MDOT will require a pipe for storm water drainage. Adjacent residence to the North, the owner was at the last meeting and was concerned about drainage into his yard. I would prefer to see a concrete gutter to protect his yard. I recommend that the Fire Chief review. Also, the Barry Eaton Health Department must approve the plan prior to the Planning Commission approval. Todd Stuve indicated that the letter referred to Roosien as the engineer, but it was Exxel Engineering. Linda Gasper requested a copy of a letter referred to by Boerman. Bryan Finkbeiner questioned the direction of the drainage to/from the retention ponds.

Linda Gasper questioned if any action was to be taken tonight. Do we have an action item on this agenda? Phil Gensterblum indicated that the Church was meeting in response to our information request. Tom Kilgore said that we are still considering site plan approval as it was tabled at the last meeting. Elaine Denton asked about the landscape beds in the parking lot. Are they large enough to support a tree? Todd Stuve indicated that yes, the large trees are on the drawing and will put them in if required. Elaine Denton suggested that large trees be required due to aesthetics and cooling effects. Further discussion of trees took place regarding the location of trees. Bryan Finkbeiner asked if Williams and Works had reviewed. Tom Kilgore indicated that we could approve subject to these conditions. Also could approve subject to Williams and Works review. Linda Gasper questioned the Board's preparedness of taking action. This is a complex project and appreciates the meeting tonight, but feels it's important that Williams and Works takes another look at the project. Bryan Finkbeiner indicated that he is okay with the information provided and the questions. We have already had two engineers look at this and they both reviewed according to our standards. Linda Gasper indicated that the two engineers represent different clients and wants to be sure that what this body is approving of is in line with the township's standards. It's important that Williams and Works review. Sandy Rairigh asked if we can approve, subject to Williams and Works review. Linda Gasper indicated that she feels that the Planning Commission should keep to its longstanding standards. Tom Kilgore disagreed somewhat and indicated the Commission does approve of things subject to conditions. He expressed his confidence in the information Todd Boerman has provided.

MOTION by Rairigh **SUPPORT** by Denton to approve the Peace Church Expansion Site Plan, Special Use 168 subject to the comments indicated by Todd Boerman (also in his letter) and subject to approval by Williams and Works.

Roll Call Vote: Finkbeiner: no, Denton: yes, Gasper: no, Hansson: yes, Kilgore: yes, Rairigh: yes, Wandrie: yes. **MOTION CARRIED** with 5 yes voice votes and 2 no voice votes.

8. Committee Reports:

- a. Discussion regarding Granger Special Land Use Request.
- b. Requests by Commission should be honored by requestee.
- c. Discussion of Wind and Solar Energy control by the State. Discussed Solar Energy ordinance and how to best align our ordinance to retain as much control as possible at the local level. Also discussed the authority of the State.
- d. Bryan Finkbiner asked what will Williams and Works find? Discussions took place regarding the additional benefit to be received. Many agencies have control of this project.
- e. Gasper discussed the road commission requirements and how the businesses will be impacted when the church parishioners flood the left lane.

9. Administrator's Report:

- a. Zoning- Discussed recent requests.
- b. Code Enforcement Report – Discussed recent code enforcement issues. Kilgore requested an update next meeting regarding the building permit issue.
- c. Commissioner Comments:

10. Adjournment:

MOTION by Rairigh, **SUPPORT** by Finkbeiner, to adjourn at 7:58 p.m., **MOTION CARRIED** with 7 yes voice votes.

Sandra Rairigh, Secretary

Cindy Ordway, Recording Secretary

Approved _____

TOWNSHIP *of* THORNAPPLE



Eric Schaefer, *Supervisor* / Cindy Ordway, *Clerk* / Laura Bouchard, *Treasurer*
Ross DeMaagd, *Trustee* / Kim Selleck, *Trustee* / Curt Campbell, *Trustee* / Sandy Rairigh, *Trustee*

Phone 269-795-7202 * Fax 269-795-8812 * 200 E Main St.,
PO Box 459, Middleville MI 49333 * www.thornapple-twp.org

PLANNING COMMISSION MEETING DATES FOR CHANGE/APPROVAL 2024

January 22, 2024

February 26, 2024

Req to cancel/move meeting due to election on 2/27 and the need for the meeting room to be setup day prior.

March 25, 2024

April 22, 2024

May 27, 2024

Memorial Day

June 24, 2024

July 22, 2024

August 26, 2024

September 23, 2024

October 28, 2024

November 25, 2024

December 23, 2024

Christmas Day being close?



APPLICATION FOR APPROVAL OF SPECIAL USE

Thornapple Township, 200 E. Main St., Middleville, MI 49333
Phone: 269-795-7202 Fax: 269-795-8812
Email: zoning-administrator@thornapple-twp.org

Case # SU- 165
Hearing Date 1/22/2024

PROPERTY INFORMATION

Property Address: 6476 Patterson Rd.
Parcel ID Number: 14-007-010-00 Zoning District RR Wetlands Present? No
Parcel Size Frontage: 414 feet Depth: 531 feet Area: 5.05 acres [Acres or square feet]
Master Plan Future Land Use Map Designation for Parcel: _____
Current Use of Property [Describe] Single family home
Describe Proposed Special Land Use: Build outbuilding 82' off Patterson
185' off north lot line (side), and 135' off south lot line (side). 93' from existing home. Request to place
building closer to Patterson than the front wall of home due to the power lines that run across property.
This allows the driveway to the barn to not run under the power lines
Section of Zoning Ordinance Allowing Special Land Use: _____

Provide a land survey and/or legal description of the subject property on a page attached to this petition

APPLICANT INFORMATION

1. Applicant

Identify the person or entity making this petition:

Name: Mike VanLaan Cell Phone 616-893-1371
Mailing Address: 6476 Patterson Rd Telephone _____
City Middleville State MI Zip 49333 FAX _____
E-Mail vanlaan81@gmail.com

2. Applicant Interest

The applicant must have a legal interest in the subject property, please check one below:

Property Owner Purchase by Land Contract Option to Purchase Purchase Agreement Lessee over 1 year

3. Property Owner

Check here if applicant is also property owner

Identify person or entity that owns the subject property:

Name: Mike VanLaan Cell Phone 616-893-1371
Mailing Address: 6476 Patterson Rd Telephone _____
City Middleville State MI Zip 49333 Fax _____
E-Mail vanlaan81@gmail.com

Application of Special Use – Continued

4. Authorized Agent

Identify person or entity representing the property owner or applicant in this petition:

Name: Jeff Sherwood-Sherwood Custom Homes Cell Phone 616-890-9006
Mailing Address: 7982 Division Ave S Telephone
City Grand Rapids State Zip Fax
E-Mail jeff@buildsherwood.com

REQUIRED PETITION – WRITTEN ATTACHMENTS

- Provide narrative to explain need for the proposed Special Land Use
Provide narrative addressing Section 19.3(1)-(10) criteria.
Site Plan, if required

REQUEST & AFFIDAVIT

The applicant must read the following statement carefully and sign below:

The undersigned requests Thornapple Township review this petition and companion documents as provided in the zoning ordinance now in effect. The applicant further affirms and acknowledges the following:

- That the petitioner has a legal interest in the property described in this petition, and
The answers and statements contained in this petition and attachment are in all respects true and correct to the best of my knowledge, and
The petitioner offers the conditions set forth herein on its own volition and completely voluntary.
The approval of this petition does not relieve the undersigned from compliance with all other provisions of the Zoning Ordinance or other applicable codes and ordinances and does not constitute granting of a variance, and
The undersigned hereby grants Thornapple Township staff and Planning Commission member the right to access the subject property for the sole purpose of evaluating this petition.

[Handwritten signature]

1/3/24

Applicant Signature

Date

Applicant Signature

Date

If the petitioner is not the property owner, the property owner must sign below:

Property Owner Signature

Date

OFFICE USE ONLY:

Credit Card

Fee \$ 250.00 Fee Paid by [] Cash [] Check Receipt # 24403 Received by: RB

Section 21.3 Accessory Building Size Regulations in the “RR” Rural Residential and “RE” Residential Estates Zoning Districts

For all accessory buildings, as defined in this Ordinance, the following regulations shall apply in the “RR” and “RE” Zoning Districts:

(a) Location:

1. Accessory buildings less than 200 square feet on the main floor and not permanently attached to the ground, may be located closer to the front lot line than the front wall of the principal building provided they are not located in the front setback area required for a principal building. Accessory buildings less than 200 square feet are not subject to side and rear setback requirements.

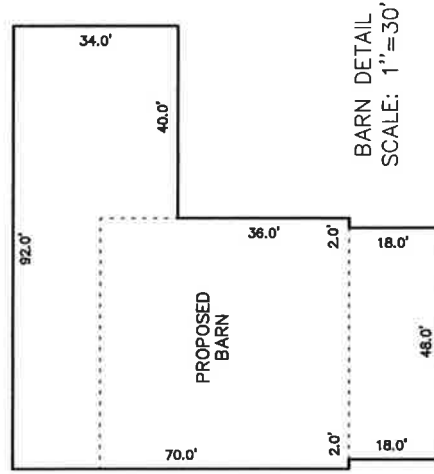
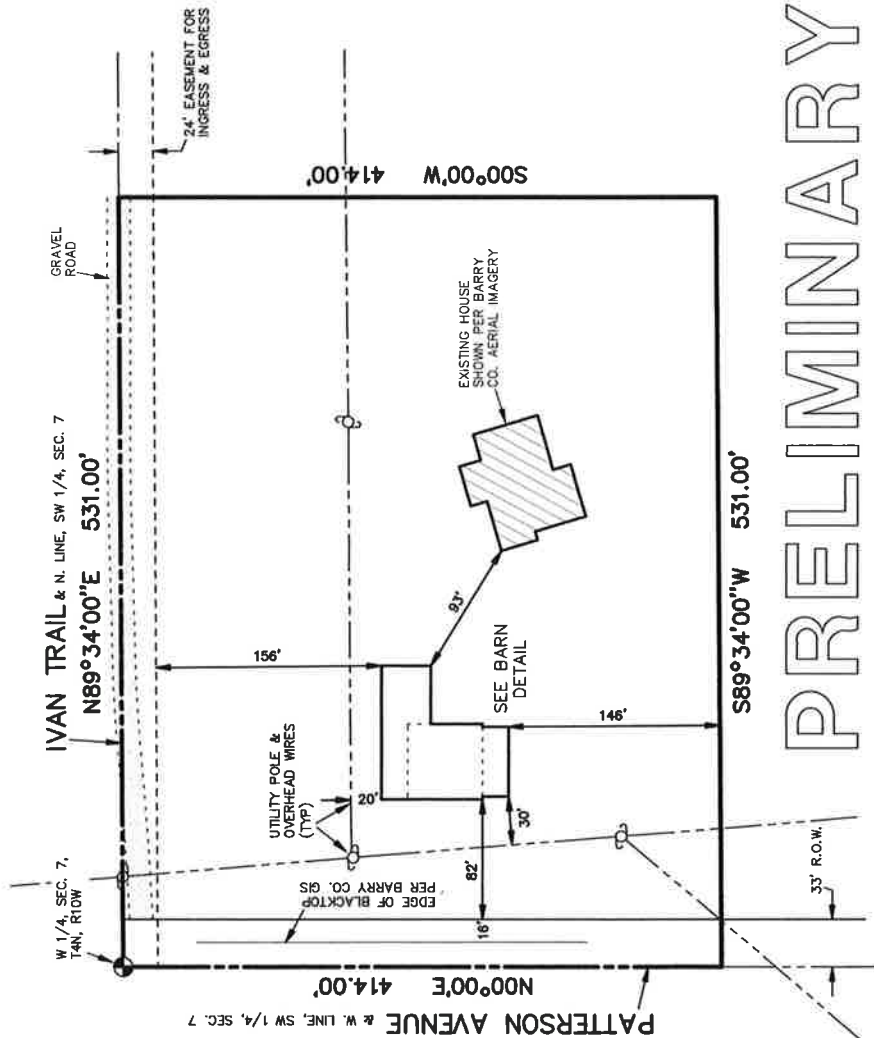
2. Accessory buildings 200 square feet or larger on the main floor, shall be located at least ten (10) feet from a side lot line and at least five (5) feet from a rear lot line. Accessory buildings 200 square feet or larger on the main floor shall not be located closer to the front lot line than the front wall of the principal building provided that the following provisions shall apply:

(i) The above stated provision prohibiting an accessory building from being located closer to the front lot line than the front wall of the principal building shall not apply if both the principal building and the accessory building are located at least 200 feet back from the street right-of-way line.

(ii) As a special land use, the Planning Commission may approve an accessory building that is located closer to the front lot line than the front wall of the principal building and within the first 200 feet back from the street right-of-way line; provided, however, that no such special land use shall be granted for an accessory building located in the required front yard setback area for the respective zoning district. The approval of any such special land use shall take place at a public meeting of the Planning Commission, and public hearing and special public notice shall be required. In its review of the application, the Planning Commission shall consider the standards applying to all special land uses as listed in Section 19.3. In addition, the accessory building shall be compatible in appearance to the dwelling on the property and dwellings in the area. In determining whether the proposed accessory building is compatible in appearance, the following shall be considered: exterior colors, materials, roof pitch, window coverage, landscaping and other features of the structure and site.

Site Plan for: Sherwood Custom Homes
 Attn: Tammy Vander Kam
 7982 Division Ave SE
 Grand Rapids, MI 49548

RE: 6476 Patterson Rd



PRELIMINARY

NOTE: The location of the proposed building as shown on this map is based on instructions given to Excel Engineering, Inc. Municipal approval of the proposed location should be obtained prior to construction.

Description:
 That part of the SW 1/4 of Section 7, T4N, R10W, Thornapple Township, Barry County, Michigan, described as: Beginning at the W 1/4 corner of Section 7; thence N89°34'E 531.00 feet along the North line of said SW 1/4; thence S00°00'E 414.00 feet parallel with the West line of Section 7; thence S89°34'W 531.00 feet; thence N00°00'W 414.00 feet along the West line of Section 7 to the place of beginning. Subject to highway ROW for Patterson Avenue. Also subject to and together with an easement for ingress and egress over the North 24 feet thereof.

- Scale 1" = 100'
- D = Deeded dimension
- M = Measured dimension
- P = Platted dimension
- = Set iron stake
- = Found iron stake
- ⊙ = Concrete monument
- x— = Fence line

excel engineering, inc.
 planners · engineers · surveyors
 5252 Clyde Park, S.W. • Grand Rapids, MI 49509
 Phone: (616) 531-3660 www.excelengineering.com

FILE NO.: S231829-V4 DATE: 12/22/2023

SLU 165 6476 Patterson Rd request for accessory building in front yard setback

Mr./Mrs. VanLaan are requesting to construct an accessory building within the front yard setback. They are wishing to construct an L shaped accessory building totaling approximately 5,700 sq ft. There is a high-tension power line running through the middle of their property. The yard behind their house becomes wooded and slopes down preventing from going behind their house short of significant land filling and tree clearing. The lighter shade of green on the N half of their property is intended to become a crop location providing feed for their future horses I believe was mentioned. The final issue bringing this to us is that their drain field is behind their house and partially into the side yard on the N side.



PATTERSON AVENUE & W. LINE, SW 1/4, SEC. 7

N00°00'E 414.00'



S89°34'00"W 531.00'

S00°00'W 414.00'

24' EASEMENT FOR INGRESS & EGRESS

30' = 1/2''



Section 19.3 Basis of Decision The decision of the Planning Commission on a special land use shall be incorporated in a statement which sets forth the findings, determinations and conclusion relative to the special land use application being considered. The statement shall specify the basis for the decision of the Planning Commission and any conditions imposed. Prior to the approval of a special land use application, the Planning Commission shall ensure that the standards specified in this section, as well as applicable standards established elsewhere in this Article, shall be satisfied by the special land use application being considered. The Planning Commission shall review the particular circumstances of the special land use request under consideration in terms of the following general standards, and shall approve a special land use only upon finding compliance with each of the following standards, as well as applicable standards established elsewhere in this Article:

(1) The special land use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property.

Yes

(2) The special land use shall not impair the essential character of the surrounding area.

Barn is designed and built to compliment current residence.

(3) The special land use shall not create serious nuisance nor be hazardous to the adjacent property or involve uses, activities, materials, or Article XIX – Special Land Uses 19-3 Thornapple Township Zoning Ordinance Effective Date: June 25, 2016 equipment which will be detrimental to the public health, safety and general welfare.

Everything has been thought through to comply with article 19

(4) The special land use shall not have a substantial adverse effect on storm water drainage; street capacity and volume of traffic; traffic safety and vehicle circulation; sanitary sewage disposal and water supply; or other adverse effects.

All storm drainage will be routed to it current drainage location of the area, to the south east.

(5) The special land use shall not have a substantial adverse effect on the need and extent of law enforcement and fire protection services, or other public safety and emergency services.

None needed

(6) The special land use shall not have a substantial negative impact on the natural resources and natural features.

This has no negative impact to natural resources or features.

(7) Vehicular and pedestrian traffic circulation shall be designed to minimize conflicts on public streets and upon the property thereof. Safe and convenient off-street parking areas, appropriate to the special land use shall be provided.

The location in front set back offers better flow with circular drive addition.

(8) The period of day and times of the year during which a special land use activity commences or continues shall be reasonably related to both the use and the neighborhood or area in which it is proposed.

Agreed

(9) The special land use shall not place demands on public services and facilities in excess of current capacities.

Yes

(10) The special land use is in general agreement with the Township's Master Plan.

Located in the "farmland of local importance" area but use as "one family Resident"

Complies with the master plan for the Duncan lake area future land use that is in the master plan.

I see nothing in the townships master plan that this special land use goes against.

The Planning Commission may impose conditions with the approval of a special land use which are necessary to protect the public health, safety and general welfare and to ensure compliance with the standards for approval stated in this Section or any other applicable standards contained in this Article. Such conditions shall be considered an integral part of the special land use permit and shall be enforced by the Zoning Administrator

THORNAPPLE TOWNSHIP

Receipt: 24403

01/03/24

200 E. MAIN STREET
MIDDLEVILLE, MI 49333

Cashier: LBOUCHARD

Received Of: SHERWOOD CUSTOM HOMES/VANLAAN

(269) 795-7202
TREASURER@THORNAPPLE-TWP.ORG
WWW.THORNAPPLE-TWP.ORG

The sum of: 250.00

ZONING	14-007-010-00 SU#165		250.00
		101-000-626.200	250.00
		Total	250.00

CREDIT CARD PA CC148844594 250.00

SLU165
 Mike VanLaan
 6476 Patterson Rd
 1/22/2024

Signed: _____

THORNAPPLE TOWNSHIP
AFFIDAVIT OF MAILING

STATE OF MICHIGAN
COUNTY OF BARRY SS.
TOWNSHIP OF THORNAPPLE

I, PAUL GENSTERBUUM, Zoning Administrator, Thornapple Township, attests

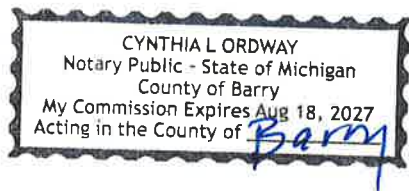
that the attached list of property owners were duly informed by first class mail on this date:

1/3/2024 concerning the Public Hearing on 1/22/2024 SW 165
SW 166

[Signature]
Zoning Administrator

Subscribed and sworn to before me this 3RD day of JANUARY, 2024

[Signature]
Notary Public



My Commission Expires 8/18/2027



DEBOER EMILY B
12871 WINDY RIDGE DR
CALEDONIA, MI 49316

HIBBITTS TAMARA
12877 WINDY RIDGE DR
CALEDONIA, MI 49316

RAREDON TIMOTHY & KRISTIN J
12767 WINDY RIDGE DR
CALEDONIA, MI 49316

FORMER ROBERT & KARELYN
12876 WINDY RIDGE DR
CALEDONIA, MI 49316

TAGG NATHAN E & REBECCA R
12874 WINDY RIDGE DR
CALEDONIA, MI 49316

PYLMAN BRAD & STACEY
12915 WINDY RIDGE DR
CALEDONIA, MI 49316

LUCAS DANIEL & JESSICA L
12977 WINDY RIDGE DR
CALEDONIA, MI 49316

PYLMAN BRAD & STACEY
12915 WINDY RIDGE DR
CALEDONIA, MI 49316

VANLAAN MICHAEL & DIANA
6476 PATTERSON RD
MIDDLEVILLE, MI 49333

VANLAAN JOHN & ABBEY
6404 PATTERSON RD
MIDDLEVILLE, MI 49333

BATDORFF STEVEN E & LINDA S
12875 IVAN TRAIL
MIDDLEVILLE, MI 49333

GAUGIER KEVIN W
12815 IVAN TRAIL
MIDDLEVILLE, MI 49333

BURGESS JOHN C & PATRICIA
6268 PATTERSON RD
MIDDLEVILLE, MI 49333

SLW 11/24/20
6476 PATTERSON VANLAAN



APPLICATION FOR APPROVAL OF SPECIAL USE

Thornapple Township, 200 E. Main St., Middleville, MI 49333
Phone: 269-795-7202 Fax: 269-795-8812
Email: zoning-administrator@thornapple-twp.org

Case # SU-1618
Hearing Date 1/22/2024

PROPERTY INFORMATION

Property Address: 3689 Havens Way Ct. Middleville MI. 49333

Parcel ID Number: 14-026-195-07 Zoning District RR Wetlands Present? No

Parcel Size Frontage: 160 feet Depth: 135 feet Area: 1.58 (Acres or square feet)

Master Plan Future Land Use Map Designation for Parcel: _____

Current Use of Property [Describe] Primary Residence

Describe Proposed Special Land Use: Our property behind the house is sloped too steep. Also avoiding well/septic. Building a 30x48 pole barn in the side yard in front of our house. The survey I had done has the building 10 feet away from our third stall and 12 1/2 feet from our neighbors property line.

Section of Zoning Ordinance Allowing Special Land Use: 21.3

Provide a land survey and/or legal description of the subject property on a page attached to this petition

APPLICANT INFORMATION

1. Applicant

Identify the person or entity making this petition:

Name: Jordan Terrell Cell Phone (616) 835-4383

Mailing Address: 3689 Havens Way Ct. Telephone _____

City Middleville State MI. Zip 49333 FAX _____

E-Mail Jordanterrell2016@gmail

2. Applicant Interest

The applicant must have a legal interest in the subject property, please check one below:

Property Owner Purchase by Land Contract Option to Purchase Purchase Agreement Lessee over 1 year

3. Property Owner

Check here if applicant is also property owner

Identify person or entity that owns the subject property:

Name: _____ Cell Phone _____

Mailing Address: _____ Telephone _____

City _____ State _____ Zip _____ Fax _____

E-Mail _____

Application of Special Use – Continued

4. Authorized Agent

Identify person or entity representing the property owner or applicant in this petition:

Name: _____ Cell Phone _____
Mailing Address: N/A Telephone _____
City _____ State _____ Zip _____ Fax _____
E-Mail _____

REQUIRED PETITION – WRITTEN ATTACHMENTS

- ✓ Provide narrative to explain need for the proposed Special Land Use
✓ Provide narrative addressing Section 19.3(1)-(10) criteria.
✓ Site Plan, if required

REQUEST & AFFIDAVIT

The applicant must read the following statement carefully and sign below:

The undersigned requests Thornapple Township review this petition and companion documents as provided in the zoning ordinance now in effect. The applicant further affirms and acknowledges the following:

- ✓ That the petitioner has a legal interest in the property described in this petition, and
✓ The answers and statements contained in this petition and attachment are in all respects true and correct to the best of my knowledge, and
✓ The petitioner offers the conditions set forth herein on its own volition and completely voluntary.
✓ The approval of this petition does not relieve the undersigned from compliance with all other provisions of the Zoning Ordinance or other applicable codes and ordinances and does not constitute granting of a variance, and
✓ The undersigned hereby grants Thornapple Township staff and Planning Commission member the right to access the subject property for the sole purpose of evaluating this petition.

Applicant Signature [Handwritten Signature]

Date 1-2-2024

Applicant Signature

Date

If the petitioner is not the property owner, the property owner must sign below:

Property Owner Signature

Date

OFFICE USE ONLY:

Fee \$ 250.00 Fee Paid by [] Cash [X] Check Receipt # 24404 Received by: [Signature]

BOUNDARY SUBDIVISION SURVEY FOR:

Ryan Martin
B+R Excavating
137-124th Avenue
Shelbyville, MI. 49344

RE:
Irving Road
Middleville, MI. 49333

PREPARED BY:

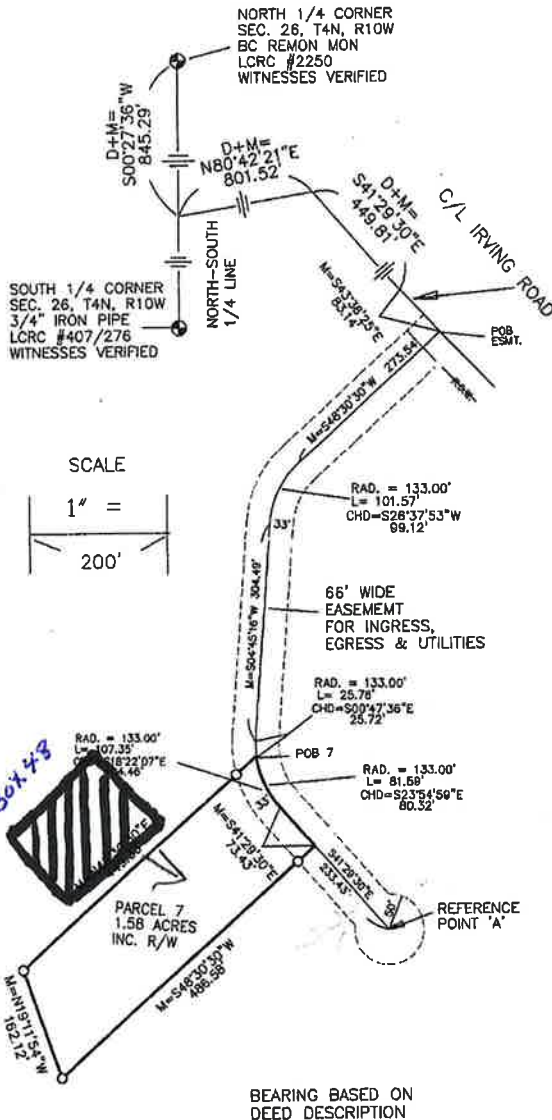
ARROW LAND SURVEYS
335 WILLOW RUN DRIVE
WAYLAND, MICHIGAN 49348
BUSINESS PHONE 269-792-8684
FILE NO. 18-519-P7 DATE 4-12-2018

DESCRIPTION OF NEW PARCEL 7: (Subdivided from larger parcel)

(Bearing based on previous survey description)
That part of the Northeast 1/4 of Section 26, Town 4 North, Range 10 West, Thornapple Township, Barry County, Michigan, described as: Commencing at the North 1/4 corner of Section 26; thence S00°27'36"W, 845.29 feet along the North-South 1/4 line of said Section; thence N80°42'21"E, 801.52 feet to the centerline of Irving Road; thence S41°29'30"E, 449.81 feet along said centerline; thence S43°36'25"E, 83.14 feet, along said centerline; thence S48°30'30"W, 273.54 feet; thence Southwesterly 101.57 feet, along a 133.00 foot radius curve to the left, the chord of which bears S26°37'53"W, 99.12 feet; thence S04°45'16"W, 304.49 feet; thence Southeasterly 25.76 feet, along a 133.00 foot radius curve to the left, the chord of which bears S00°47'36"E, 25.72 feet; to the point of beginning of this description; thence Southeasterly 81.59 feet, along a 133.00 foot radius curve to the left, the chord of which bears S23°54'59"E, 80.32 feet; thence S41°29'30"E, 73.43 feet; thence S48°30'30"W, 486.58 feet; thence N19°11'54"W, 162.12 feet; thence N48°30'30"E, 449.33 feet, to the point of beginning.
Parcel contains 1.58 acres, including easement right of way. Subject to easements, restrictions, limitations, of record.

66' WIDE EASEMENT FOR INGRESS, EGRESS AND UTILITIES:

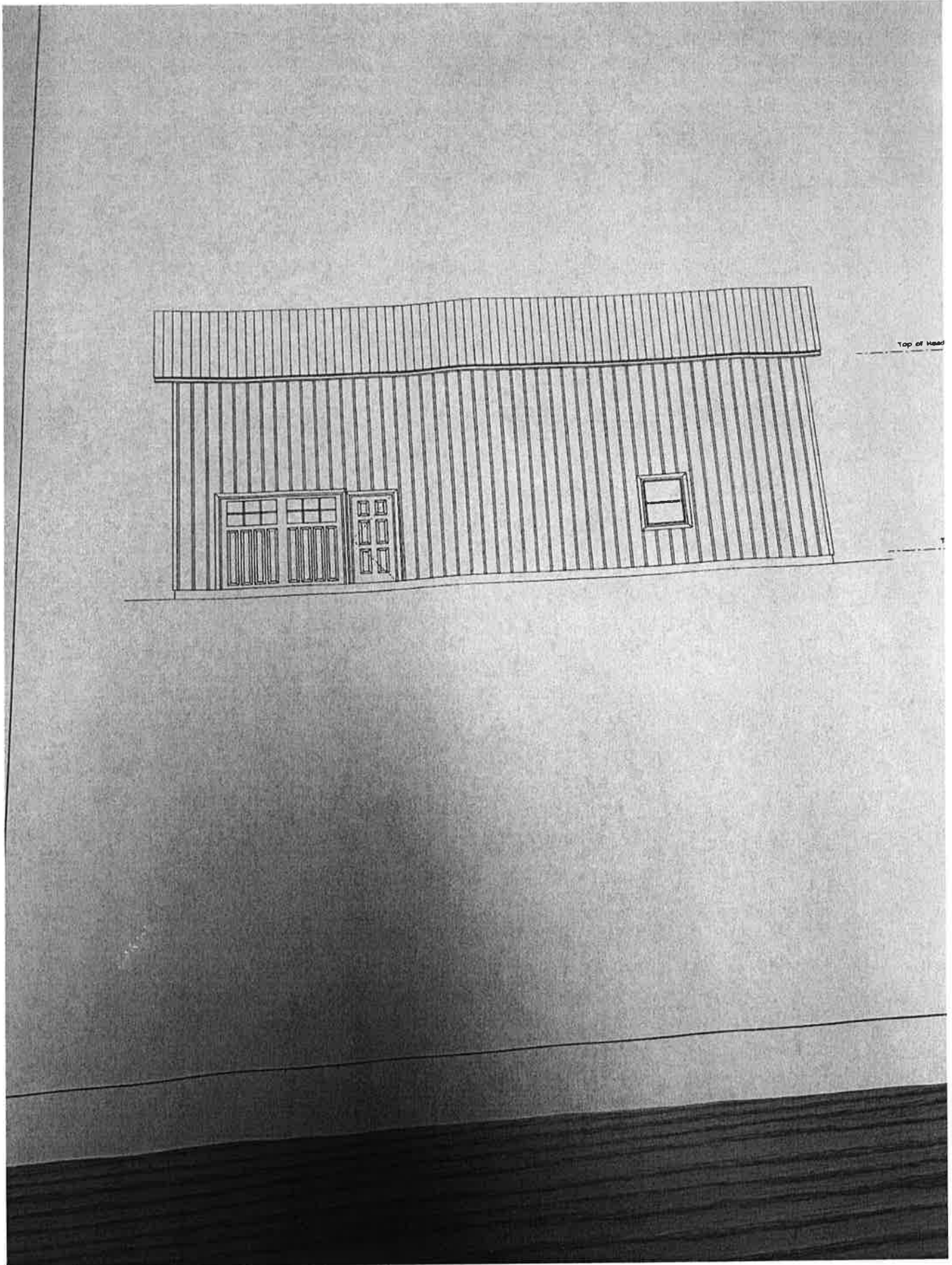
The centerline of a 66 foot wide easement for ingress, egress and utility purposes is described as: Commencing at the North 1/4 corner of Section 26, Town 4 North, Range 10 West; thence S00°27'36"W, 845.29 feet along the North-South 1/4 line of said Section; thence N80°42'21"E, 801.52 feet to the centerline of Irving Road; thence S41°29'30"E, 449.81 feet along said centerline; thence S43°36'25"E, 83.14 feet, along said centerline, to the centerline and point of beginning of a 66 foot wide strip of land for ingress, egress and utility purposes; thence S48°30'30"W, 273.54 feet; thence Southwesterly 101.57 feet, along a 133.00 foot radius curve to the left, the chord of which bears S26°37'53"W, 99.12 feet; thence S04°45'16"W, 304.49 feet; thence Southeasterly 107.35 feet, along a 133.00 foot radius curve to the left, the chord of which bears S18°22'07"E, 104.46 feet; thence S41°29'30"E, 233.43 feet, to Reference Point 'A' and the place of ending of the centerline of said 66 foot wide strip of land. Also subject and together with an easement for ingress, egress and utilities over a 50.0 foot radius turnaround, the radius point of which is the aforesaid Reference Point 'A'.

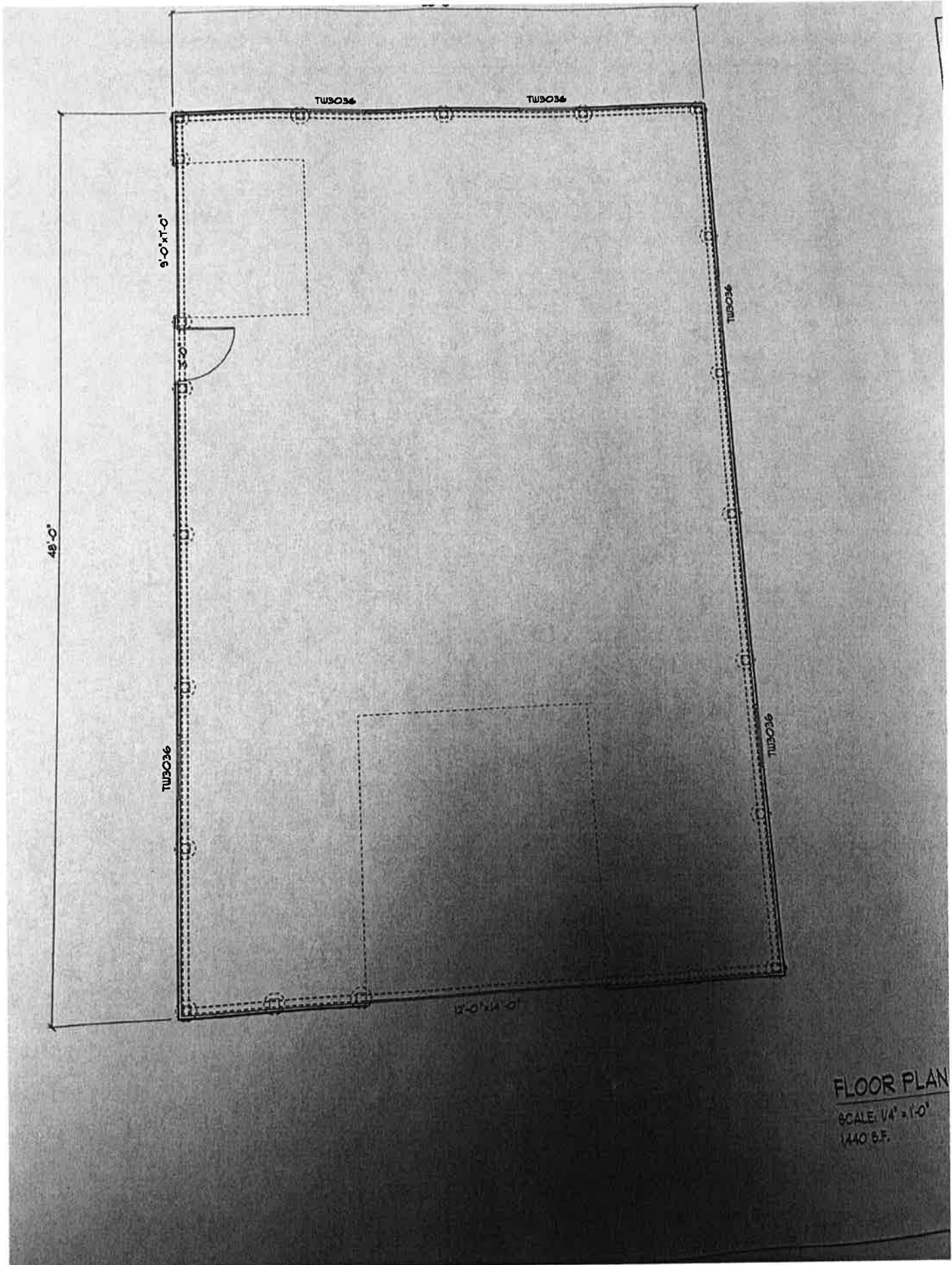


- LEGEND**
- O = SET IRON STAKE
 - = FOUND IRON STAKE
 - P = PLATED DIMENSION
 - D = DESCRIBED DIMENSION
 - M = MEASURED DIMENSION
 - X-X = FENCELINE
 - C/L = CENTERLINE
 - ⊙ = MONUMENT
 - = WOOD STAKE
 - * = TREE

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions. This survey may not meet the requirements for land division approval for this particular city or township.

SURVEYOR'S CERTIFICATE
I hereby certify that this survey has been prepared in conformance with the requirements of Act No. 132, P.A. 1970, and of Act 260, P.A. 1972, as amended, and that the survey error of closure is no greater than 1:5000.





FLOOR PLAN
SCALE: 1/4" = 1'-0"
1440 S.F.

Section 21.3 Accessory Building Size Regulations in the “RR” Rural Residential and “RE” Residential Estates Zoning Districts

For all accessory buildings, as defined in this Ordinance, the following regulations shall apply in the “RR” and “RE” Zoning Districts:

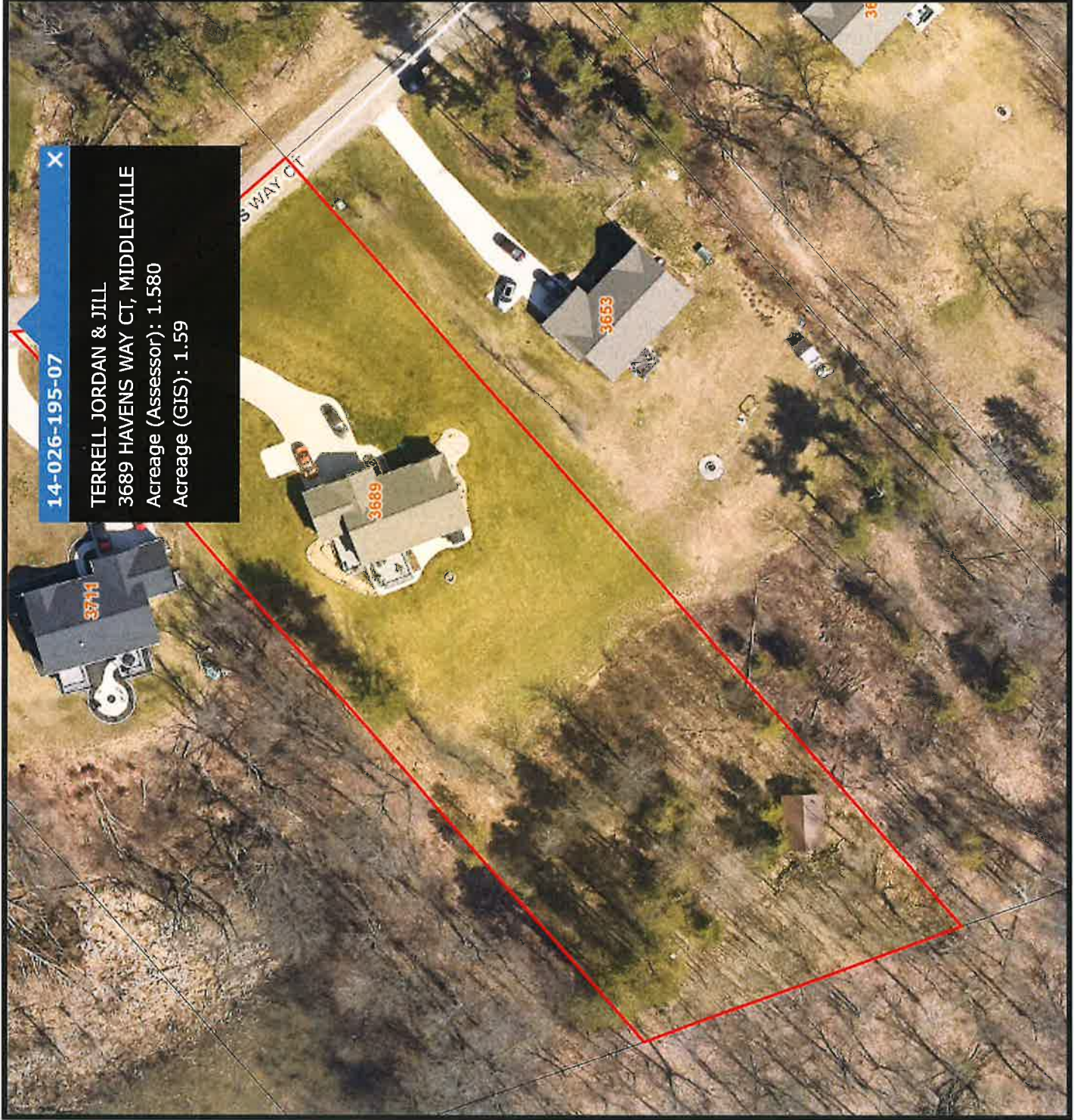
(a) Location:

1. Accessory buildings less than 200 square feet on the main floor and not permanently attached to the ground, may be located closer to the front lot line than the front wall of the principal building provided they are not located in the front setback area required for a principal building. Accessory buildings less than 200 square feet are not subject to side and rear setback requirements.

2. Accessory buildings 200 square feet or larger on the main floor, shall be located at least ten (10) feet from a side lot line and at least five (5) feet from a rear lot line. Accessory buildings 200 square feet or larger on the main floor shall not be located closer to the front lot line than the front wall of the principal building provided that the following provisions shall apply:

(i) The above stated provision prohibiting an accessory building from being located closer to the front lot line than the front wall of the principal building shall not apply if both the principal building and the accessory building are located at least 200 feet back from the street right-of-way line.

(ii) As a special land use, the Planning Commission may approve an accessory building that is located closer to the front lot line than the front wall of the principal building and within the first 200 feet back from the street right-of-way line; provided, however, that no such special land use shall be granted for an accessory building located in the required front yard setback area for the respective zoning district. The approval of any such special land use shall take place at a public meeting of the Planning Commission, and public hearing and special public notice shall be required. In its review of the application, the Planning Commission shall consider the standards applying to all special land uses as listed in Section 19.3. In addition, the accessory building shall be compatible in appearance to the dwelling on the property and dwellings in the area. In determining whether the proposed accessory building is compatible in appearance, the following shall be considered: exterior colors, materials, roof pitch, window coverage, landscaping and other features of the structure and site.



Barry County GIS



Map Publication:
01/03/2024 10:10 AM



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FetchGIS

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Barry County expresses no warranty for the information displayed on this map document.

SLU 166 3689 Havens Way Ct request for accessory building in front yard setback

Mr./Mrs. Terrell are requesting to construct an accessory building in their front setback. They are looking at a 30x48 structure. There are a couple circumstances prompting them to submit this request. The first is on the N side of their residence there is a fairly significant slope approx. 20' from the corner of the house, nestled in this 20' area is the placement of their well. According to BEDHD's site evaluation, the drain field rests in the S portion of their front yard going almost to the property line on the S.

The attached picture shows their lot and the issues. The red line on N side is where the sloping begins. The drawing is approximations and is not drawn to scale.



THORNAPPLE TOWNSHIP

Receipt: 24404

01/03/24

200 E. MAIN STREET
MIDDLEVILLE, MI 49333

Cashier: DENISE
Received Of: TERRELL/CHEEZY DUZ-IT LLC

(269) 795-7202
TREASURER@THORNAPPLE-TWP.ORG
WWW.THORNAPPLE-TWP.ORG

The sum of: 250.00

ZONING	14-026-195-07 SU#166		250.00
		101-000-626.200	250.00
		Total	<u>250.00</u>

CASHIERS CHEC 9449412796CC 250.00

*SU 1166
Jordan Terrell
3689 Homers Way Ct*

Signed: _____



MULDER JORDAN & HOLLY
7324 HAMMOND AVE SE
CALEDONIA, MI 49316

ROEHL HARLYN W
8101 IRVING RD
MIDDLEVILLE, MI 49333

AUSTIN LINDSEY R & FEDETZ KYRA E
8075 IRVING RD
MIDDLEVILLE, MI 49333

WASSENAAR HOPE & AARON
8177 IRVING RD
MIDDLEVILLE, MI 49333

BEYER DANIEL J & SHAWNA L
3495 LOOP RD
MIDDLEVILLE, MI 49333

CLOSER PROPERTIES LLC
137 124TH AVE
SHELBYVILLE, MI 49344

BETTIG ROBERT & ASHLEY L
3732 HAVENS WAY CT
MIDDLEVILLE, MI 49333

DEBOER JAY & DIANE
3706 HAVENS WAY CT
MIDDLEVILLE, MI 49333

THORINGTON CODY & MARIA
8245 IRVING RD
MIDDLEVILLE, MI 49333

KNAPP TYLER W & GINA M
3627 HAVENS WAY CT
MIDDLEVILLE, MI 49333

GRIFFIN DAVID
3653 HAVENS WAY CT
MIDDLEVILLE, MI 49333

TERRELL JORDAN & JILL
3689 HAVENS WAY CT
MIDDLEVILLE, MI 49333

VIVIANO PHILIP J & JULIE M
3711 HAVENS WAY CT
MIDDLEVILLE, MI 49333

KONING RICHARD S & JULIE A
3737 HAVENS WAY CT
MIDDLEVILLE, MI 49333

JORDAN TERRELL
3689 HAVENS WAY CT
500'
GLUIES
Site Plan 131

THORNAPPLE TOWNSHIP
AFFIDAVIT OF MAILING

STATE OF MICHIGAN
COUNTY OF BARRY SS.
TOWNSHIP OF THORNAPPLE

I, PAUL GENSTERBLUM, Zoning Administrator, Thornapple Township, attests

that the attached list of property owners were duly informed by first class mail on this date:

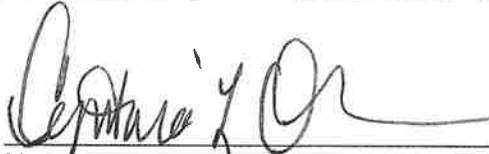
1/3/2024 concerning the Public Hearing on 1/22/2024

SLU 165
SLU 166



Zoning Administrator

Subscribed and sworn to before me this 3RD day of JANUARY, 2024



Notary Public

My Commission Expires 8/18/2027

