

ADA TOWNSHIP PLANNING COMMISSION THURSDAY, DECEMBER 21, 2017 MEETING, 7:00 PM TOWNSHIP OFFICES, 7330 THORNAPPLE RIVER DR. ADA, MICHIGAN

I. CALL TO ORDER

- II. ROLL CALL
- III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES OF NOVEMBER 16, 2017 MEETING

V. PUBLIC HEARINGS

- 1. Request for Special Use Permit, Accessory Building with its highest Sidewall Height being at 32 Feet and 7/8 Inches at the Walkout Level, in the RP-1 Zoning District, 8951 E. Fulton St., Parcel No. 41-19-01-100-037, Design Build Concepts, for Timothy & Christina Forell
- PUD Plan Amendment, the addition of a 4,050 sq. ft. School Age Classroom Building to the Big Steps Little Feet Child Care Center campus, 7030 E. Fulton St., Parcel No. 41-15-28-477-046, 7030 Fulton, LLC

VI. UNFINISHED BUSINESS - None

VII. NEW BUSINESS

 Review of PVM District Development Plan for Three (3) "Village House" Lots on .48 Acres in the Village Proper 2 (VP-2) Transect Zone of the PVM District, 7177 Bronson St. SE, Parcel No. 41-15-33-230-006, Let Us Development, LLC

VIII. COMMISSION MEMBER/STAFF REPORTS

- 1. Review of Proposed Regulations for Short Term Rentals
- 2. Ada Township Strategic Plan Final Report

IX. PUBLIC COMMENT

X. ADJOURNMENT

ADA TOWNSHIP PLANNING COMMISSION MINUTES OF THE NOVEMBER 16, 2017 MEETING

Draft

A meeting of the Ada Township Planning Commission was held on Thursday, November 16, 2017, 7:00 p.m. at the Ada Township Offices, 7330 Thornapple River Dr., Ada, MI.

I. CALL TO ORDER

Meeting was called to order by Commissioner Leisman at 7:00 p.m.

II. ROLL CALL

Present: Commissioners Leisman, Jacobs, Butterfield, Lunn, and Carter Absent: Easter Staff Present: Planning Director Ferro, Planner/Zoning Administrator Bajdek Five members of the community

III. APPROVAL OF AGENDA

Moved by Jacobs, supported by Carter, to approve the agenda as presented. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF OCTOBER 19, 2017

Moved by Lunn, supported by Carter, to approve minutes of the October 19, 2017, meeting. Motion carried unanimously.

V. PUBLIC HEARINGS

None.

VI. UNFINISHED BUSINESS

Request for Special Use Permit, 4,968 sq. ft. building for an existing Landscape Contracting Business in the RP-1 Zoning District, 9430 Vergennes St. SE, Parcel No. 41-15-36-200-065, New Urban Home Builders, for Enchanted Gardener/Hayden Holdings, LLC

Planner/Zoning Administrator Brent Bajdek explained that this item had been tabled for the second time at the last meeting. There had been a meeting between the applicant and the Planning Department, but the expected revised plans showing a lean-to have still not been received.

Moved by Carter, supported by Burton, to table the matter until the next Planning Commission meeting. Motion carried unanimously.

VII. NEW BUSINESS

Review of PVM District Development Plan, 24,302 sq. ft. two-story Commercial Building, Unit A7, River Street Commons Site Condominium, 496 Ada Dr. SE, portion of Parcel No. 41-15-34-127-001, CDV5 Properties

Ken Dixon explained that this L-shaped building will be situated at the southeast corner of the Ada Drive/Headley Street intersection. The building is proposed as a "Village Blockfront Lot" under the PVM district provisions.

There are two departures required. The dimensional standards have been met with the exception of the building being proposed with 85.9% frontage along Ada Drive and 83.9% frontage along Headley Street, rather than the 90% minimum frontage requirement and the ground story's primary facade consists of less than the required 75% of transparent storefront windows of its principal plane at 74.2%.

Planner/Zoning Administrator Bajdek summarized his staff report, which included a review of the parking requirements for the River Street Commons Condominium development and the subject unit; 47 parking spaces are intended for the subject site. He stated that approval is recommended subject to the two conditions as stated in the staff memo and approval of the two departures.

Commissioner Lunn asked about the awnings. Planner/Zoning Administrator Bajdek stated that they are included within the unit itself.

Commission Burton stated she loved the corner treatment of the building and that it is a huge building.

Commissioner Leisman asked about the breakdown of restaurant space for parking for River Street Commons Condominium development. Dixon replied the plan for the development is for restaurants on the ends and retail in the middle, but this may change as tenants are identified. Second floors are planned for office space.

Moved by Jacobs, supported by Burton, to approve the Plan for Unit A7 of River Street Commons Site Condominiums, subject to the following findings and conditions:

- 1. The Planning Commission makes the following findings:
 - a. The proposed development plan, as modified by the conditions of approval listed below, requires the following "departures" from the standards of the PVM district, which are hereby approved:
 - 1) Sec. 78-476(a) Minimum frontage percentage.
 - 2) Sec. 78-476(g) Windows on primary facades.
 - b. The above departures result in a plan that complies with the spirit and intent of the PVM District to a greater degree than would be the case without authorization of the departures.
 - c. The proposed alternative is consistent with the purpose and intent of the PVM District.
 - d. The proposed alternative, in comparison to conformance with the PVM district standards, will not have a detrimental impact on adjacent property or the surrounding neighborhood.
 - e. The proposed alternative is necessary and appropriate to accommodate a superior design of the proposed development.
- 2. The proposed development plan for a two-story 243,302 square foot commercial building is hereby approved, subject to the following conditions:
 - a. The building and site improvements shall be completed substantially as shown on the plan set titled "River Street Commons A7 Building (civil drawings) dated October 16, 2017, with a revision date November 9, 2017, and "River Street Commons Building A7" (architectural drawings) dated October 19, 2017, except as modified in accordance with these conditions of approval.
 - b. Any exterior building mounted light fixtures shall qualify as "full-cutoff" control of light emission or of a low light intensity non-glaring style, subject to approve of the Planning Department. Fixture specifications shall be submitted for approval, prior to building permit issuance.

Motion carried unanimously.

Pre-Application Conference, PUD Plan Amendment, the addition of a 4,230 sq. ft. School Age Classroom Building to the Big Steps Little Feet Child Care Center campus, 7030 E. Fulton St., Parcel No. 41-15-28-477-046, 7030 Fulton, LLC

Rob Young, Big Steps Little Feet, explained he would like to add a supplemental building to the property that would include two (2) school-aged classrooms, a play-space/gym area, and storage space.

Young anticipates an increase of 36 children and four (4) employees with the addition of the building to the site.

Planner/Zoning Administrator Bajdek explained that the portion of the property where the additional building is planned to be situated was recently acquired through a boundary-line adjustment with the AGO property. He added that the construction of the building requires the same review and approval procedures as was required for the initial development of the property. There are 58 parking spaces on site and 11 deferred parking spaces. Review and discussion on the number of additional parking spaces required and planned for the construction of the new building occurred. The existing stormwater detention basin is planned to receive the stormwater drainage associated with the new building; however, the Township's consulting engineer will need to verify there is enough capacity. Public utilities exist onsite, including water and sewer. The building is proposed three (3) feet from the east property line, which meets requirements. A sidewalk connection to the adjacent Bronson Street Residences project, to the east, is proposed.

The architectural design and appearance of the proposed building will match the existing building, including color; however building renderings/elevations and a floorplan have not been provided.

Commissioner Leisman stated this is a pre-application conference.

Planner/Zoning Administrator Bajdek stated that feedback to the applicant is needed.

Commissioner Leisman questioned the location of the parking spaces and sidewalk along the south side of the building due to the planned overhead door leading to the storage area of the building and the parking of vehicles/buses.

The applicant explained that although an overhead is proposed in that location, the buses do not need to be stored in the building; a couple of the five parking spaces could be designated for their storage.

Commissioner Leisman stated that with the submittal of the next plan that should be clarified.

Commissioner Leisman expressed that with the proposed building facing E. Fulton Street it should be up to the standards of the other developed/under development properties in the area.

Young presented a rendering of the proposed building and explained that its appearance would match the existing building.

Discussion on the sidewalk along E. Fulton Street occurred.

Commissioner Butterfield inquired about the type of trees that are currently located in the planned to be developed area of the site and proposed landscaping along E. Fulton Street.

Young stated that a Walnut tree will need to be removed, but would like to incorporate the milled tree into the new building somehow. He also stated that landscaping will be provided along E. Fulton Street.

Commissioner Carter stated that the vast amount of green space depicted on the rendering does not accurately reflect the proposed building setback as shown on the site plan.

Leisman stated that the subject site is a PUD.

Young stated he is planning to erect a new fence along the eastern edge of the property's current boundary line.

Commissioner Lunn asked for clarification regarding the sidewalk by McDonalds and AGO and whether there is a connecter along Fulton. Planning Director Ferro responded that when the original Big Steps Little Feet plans were approved we contemplated the possibility of a sidewalk running alongside the entire service drive between Big Steps Little Feet and the north-south drive between Fulton and the Post Office. The AGO plan includes a dumpster corral on the south edge of the property. So if there is a sidewalk it would come around the back side of the dumpster area. At an earlier staff review meeting we talked about the sidewalk that goes through the Bronson Street Residences project being a much more comfortable pedestrian route to use. Ada Township Planning Commission Minutes of the November 16, 2017 Meeting Page 4 of 4

There was a question whether the sidewalk is really there in front of the applicant's property. The applicant stated he assumed they were going to connect all the way to the old sidewalk. Planner/Zoning Administrator Bajdek stated the sidewalk is not in the best condition, but there is a sidewalk there.

VIII. COMMISSION MEMBER/STAFF REPORTS

Planning Director Ferro stated they were working on the short-term rental issue, and he had just sent the draft ordinances to legal counsel for review and is expecting revisions by tomorrow.

Chair Leisman stated that a date needs to be set for the East Fulton Street Industrial Corridor Use Regulations subcommittee.

IX. PUBLIC COMMENT

Bob Starkey, 249 Creek Run Drive asked if there was any progress on Vitale's violations. Planning Director Ferro stated there has been one meeting with the owner and he was waiting for proposed solutions from them. He also stated that corrective work may not be possible yet this year because of the time of year and they would be working toward solutions next spring. Starkey stated it was not fair to others who do what they are supposed to do.

X. ADJOURNMENT

Motion by Jacobs, supported by Carter, to adjourn at 7:48 p.m. Motion passed unanimously.

Respectfully submitted,

Jacqueline Smith Ada Township Clerk js

MEMORANDUM

Date: 12-18-17



TO:Ada Township Planning CommissionFROM:Brent M. Bajdek, Planner/Zoning AdministratorRE:December 21, 2017 Agenda Items

1. Request for Special Use Permit, Accessory Building with its highest Sidewall Height being at 32 Feet and 7/8 Inches at the Walkout Level, in the RP-1 Zoning District, 8951 E. Fulton St., Parcel No. 41-19-01-100-037, Design Build Concepts, for Timothy & Christina Forell

Overview of Request:

The applicant is proposing to erect a 3-story 'walkout' accessory building with its highest sidewall height being at 32 feet and 7/8 inches. The footprint of the building is planned at 2,052 sq. ft.

The irregularly shaped and topographically varied 21.11-acre site, zoned RP-1 Rural Preservation 1, is located northwest of the E. Fulton Street and Sargent Avenue intersection. The subject property fronts the E. Fulton Street right-of-way; however, the northernmost extent of the property abuts a private road.

A single-family home was recently constructed onsite. The accessory building is planned to be located east of the dwelling with the closest separation distance between the two (2) buildings being at 105.4 feet and far exceeding the required setback of 50 feet at over 300 feet to nearest eastern property line.

Vehicular access to the residence is from E. Fulton Street via a private driveway; the proposed accessory building will be accessed via the same driveway.

The accessory building has been designed in a barn-like character with a high level of details and building materials to compliment and match the recently constructed principal structure. Based on the floorplans for the building, it is to be used for storage *(including vehicle storage)* and private recreational purposes. The ground/walkout level *(unfinished)* and main floor levels are 2,052 sq. ft., while the upper level is 1,574 sq. ft.

Analysis of the Request:

Pursuant to 78-20(5) of the Zoning Ordinance, for properties three (3) acres or greater in all residential and rural districts, zoning regulations limit the sidewall wall height of accessory buildings that are accessory to a single-family residential use to the following:

- 14 feet, for an accessory building with a single floor level, at grade on all sides.
- 20 feet, for a 2-story accessory building, provided the upper floor level is at grade on at least one side.

However, accessory building rules also state that the Planning Commission may authorize an increase in building floor areas and heights for accessory buildings greater than what is permitted by right, with approval of a special use permit, if the Commission determines that "the size, height, placement, design, and appearance of the accessory building will be compatible with the character of the surrounding area."

Based on the above language, Staff has determined that a special use permit could be sought for the proposed 3-story 'walkout' accessory building with its highest sidewall height being at 32 feet and 7/8 inches.

The accessory building (*with a building footprint of 2,052 sq. ft.*) is planned to be built into the hillside of the property to match the topography of the land. The northeastern facing wall of the building (*which includes the 'walkout' level*) will present the most exposure of the structure with a sidewall height of 32 feet and 7/8 inches. The remaining elevations (*with two floor levels*) will be at grade.

Its fairly centralized onsite location should not be any more visible to the properties to the east than the existing residence. It should be noted that extensive tree clearing did occur onsite to allow for the construction of the dwelling and private driveway; however, a natural tree line still exists and is planned to remain with the construction of the accessory building that will minimize the view of it. A similar massed structure (*a farm barn*) exists on the south side of E. Fulton Street near its intersection with Sargent Avenue.

Please be reminded that the maximum height of accessory buildings is measured as the maximum height of exterior sidewalls, measured from the finished floor to the top of the wall plate.

The building size and setback requirements have been satisfied.

Conclusion and Recommendation:

Given the barn-like character of the building, the large acreage of the site and the proposed setback from property lines, the proposed accessory building appears to meet the test of compatibility with the character of the surrounding area, and compliance with the general standards for special use permit approval.

If the Planning Commission determines that the size, height, placement, design, and appearance of the accessory building will be compatible with the character of the surrounding area, the following condition of approval is recommended:

- 1. The use of the accessory building shall be restricted to private residential storage and recreational use; no commercial storage or activities shall be permitted within the accessory building.
- 2. Any exterior lighting on the building shall be of a non-glaring style, subject to approval by the Planning Department.

2. PUD Plan Amendment, the addition of a 4,050 sq. ft. School Age Classroom Building to the Big Steps Little Feet Child Care Center campus, 7030 E. Fulton St., Parcel No. 41-15-28-477-046, 7030 Fulton, LLC

Overview of Request:

A 4,050 sq. ft. (*previously proposed at 4,230 sq. ft. at the time of the pre-application conference*) 1-story building and associated parking lot expansion to the Big Steps Little Feet Child Care campus, located at 7030 E. Fulton Street SE and zoned C-1 PUD, is proposed. The building is currently planned to accommodate two (2) school-aged classrooms, an activity room (*play-space/gym area*), and storage.

With the construction of the proposed building, the applicant anticipates an increase of 36 children and four (4) employees to the Big Steps Little Feet Child Care campus.

It should be noted that the submitted building floorplan indicates a future conversion of the proposed 'activity room' into two (2) additional classrooms.

The same review and approval procedure requirement for the initial development of the site apply to the current project. Submittal materials for the proposed project satisfy both preliminary, as well as final

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PUD requirements.

Overall Design and Site Layout:

The subject site was approved and developed to conform to all conventional zoning standards for the C-1 zoning district, except for signage. Vehicular access to the property will remain unchanged.

The proposed building is located on land that was recently acquired through a boundary line adjustment with the AGO property to the east. It is planned to be set back five (5) feet from the east property line. A zero (0) side yard setback is allowable per the conventional C-1 zoning rules; however, due to the property's PUD designation greater setbacks can be required.

The proposed building is planned to mirror the architectural design and appearance of the existing building, including its building materials and exterior blue hued color. A five (5) foot sidewalk is intended to be placed along the perimeter of the north, west, and south facing walls of the building.

An overhead door (8' x 8') is planned for the south side of the building, leading to a storage area. Per the applicant, the storage area will be primarily used for the storage of lawn equipment, playground equipment, and similar items. Utilization of the proposed overhead door as a 'garage door' for the ingress/egress of motor vehicles is impractical due to the presence of parking spaces and sidewalk located in front it.

Parking:

A total of 58 parking spaces exist onsite (*plus 11 deferred parking spaces*); the current amount and configuration of the parking area was approved as part of the site plan approval for the recently constructed addition to the existing building. A net gain of 17 parking spaces is proposed as part of the current project, bringing the total number of provided parking space to 75. 13 additional parking spaces are required for the new building based on the number of children and employees anticipated by the applicant (*36 children and 4 employees*). The required parking calculation is 1 space per client plus 1 space per employee. Two (2) of the 11 deferred parking spaces will be constructed as part of the subject project.

Parking spaces have not been designated for the parking/storage of the two (2) commercial vehicles (*vans/buses*) dedicated to the daycare operation. The applicant has stated that a normal sized parking space accommodates the commercial vehicles.

It should be noted that conversion of the proposed activity room into two (2) additional classrooms was not included in the parking calculations.

Pedestrian Access:

A new eight (8) foot wide bituminous bike bath is planned to be constructed along the property's E. Fulton Street frontage that would replace an existing sidewalk that is currently in disrepair. The location of the bike path depicted on the site plan is subject to change; the exact/final location of it within the right-of-way will be determined by MDOT. It is anticipated that the Township will construct a bituminous bike path across the fire station property to the west in the future that will connect to the bike path proposed as part of the subject project.

At the southern extent of the site, a sidewalk connection to the Bronson Street Residences project to the east is proposed, while an existing northerly extending section of sidewalk (which is currently unutilized and appears to be unnecessary for current or future pedestrian connectivity of the site and the adjacent area) in the same general area of the site is planned to be eliminated.

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Landscaping:

Landscape improvements to the site occurred at the time of the recent addition to the existing building. An extension of those landscape improvements is planned within the project area of the site along the E. Fulton Street frontage. However, a detailed landscaping plan that includes specific plant material has not been provided.

Please note that the proposed improvements to the property will require the removal of a mature Walnut tree, as well as three (3) other trees; their removal is indicated on the plans.

Storm Water Management:

The existing stormwater detention basin, located on the west side of the property and adjacent to the E. Fulton Street right-of-way, is proposed to receive stormwater drainage associated with the new building and expanded parking area; stormwater calculations have been reviewed and approved by the Township's consulting engineer.

Public Utilities:

The building will be served with public utilities. Sanitary sewer service is proposed via a lateral extension from sanitary sewer main located on the south side of E. Fulton Street, while the water service connection is proposed from the existing watermain located east of the planned building. Verification that an easement extends to the eastern property line of the subject property for the water service connection is necessary. An easement document will need to be prepared and recorded if one does not exist.

Conclusion and Recommendation:

The revised submittal satisfies both preliminary, as well as final PUD requirements.

Approval of the PUD Plan Amendment to allow for the addition of a 4,050 sq. ft. building to the Big Steps Little Feet Child Care Center campus is recommended, subject to the following conditions:

- 1. The submittal of a detailed landscape plan for the proposed landscape improvements to the site, subject to review and approval of the Planning Department.
- 2. A revised site plan showing the final location of the planned eight (8) foot wide bituminous bike path within the E. Fulton Street right-of-way, as approved MDOT.
- 3. The 'future' proposed conversion of the 'activity room' of the subject building into two (2) additional classrooms, as depicted on the building floorplan, is not included in the subject approval.
- 3. Review of PVM District Development Plan for Three (3) "Village House" Lots on .48 Acres in the Village Proper 2 (VP-2) Transect Zone of the PVM District, 7177 Bronson St. SE, Parcel No. 41-15-33-230-006, Let Us Development, LLC

Overview of Request:

The applicant is proposing to construct three (3) single-family homes (*with detached garages that include livable space*) on a .48-acre site located at 7177 Bronson Street. The subject property currently consists of two (2) platted lots, as well as vacated alley right-of-way. A single-family dwelling and two (2)

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accessory buildings currently occupy the site; all are planned to be demolished.

The site is zoned V-R Village Residential and is within the PVM overlay district as a Village Proper 2 Transect Zone. *Please note that the PVM overlay district permits an accessory dwelling unit in addition to a principal residential building provided that is maintains the same side yards as required for the principal building.*

Three (3) single-family home sites are planned to be created. All three (3) of the lots are proposed to include 2-story custom designed single-family dwelling units along with rear yard detached three (3) stalled garages with living quarters above (*one* (1)-bedroom units). Three (3) elevation options are proposed to be available for the single-family dwelling units. (Architectural elevations and floorplans have been submitted that convey the intent, massing, scale, architectural style, and materials for the planned single-family homes; however, their build-out may vary due to customization.)

Applicable Zoning Ordinance Provisions:

An application has been received for review under the provisions of the Planned Village Mixed Use Overlay (PVM) district. Review and approval of a "development plan" by the Planning Commission is required for projects proposed to be developed under PVM district regulations.

Conformance with PVM District Dimensional Standards:

The single-family unit sites are being proposed as "Village House" lots, under the PVM district regulations. The PVM district dimensional standards for "Village House" lots have been met.

Conformance with PVM District Architectural Standards: Building Form and Placement Standards:

The house designs that have been submitted comply with all applicable standards.

Vehicular Access:

Access to the home sites will be through private driveways from Bronson Street. Driveway permits from the Kent County Road Commission will be required prior to the issuance of a building permit for each new home.

Pedestrian Access:

The existing sidewalk along Bronson Street is planned to be removed and replaced with a new five (5) foot concrete sidewalk. It will be slightly rerouted from its current course to allow for the straightening of it; however, an existing canopy tree will need to be removed.

Storm Water Management:

Storm water control is proposed through leaching basins connected with perforated storm sewer. The applicant's design engineer will obtain soil borings; calculations be need to be submitted to the Township's consulting engineer showing that there will be no adverse impacts off the site.

Public Utilities:

Public water and sanitary sewer will serve the subject properties.

The private sanitary sewer service for each home site has been designed to consist of a single gravity sewer line that will provide service to the principal residence and the garage/apartment unit (*via a grinder*)

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pump/force main connection). Maintenance and upkeep of the grinder pumps will be the responsibility of the homeowners.

Parking:

Two (2) parking spaces per dwelling unit are required for single and two-family dwellings; four (4) parking spaces per home site are necessary. Three (3)-stalled garages are planned for each home site along with adequate pavement/driveway area space to meet the parking requirement of four (4) parking spaces.

The PVM overlay district does allow for a reduction from the standard minimum off-street parking requirements; however, its utilization appears to be unnecessary.

Landscaping:

The site plan depicts the planting of a White Oak tree within the tree lawn for each of the proposed home sites.

Although specific landscape plans for the proposed home sites have not been provided, the applicant has stated that each front yard will receive a landscape treatment that includes the installation of sod and a planting bed along the front porch including a mix of perennials and evergreen shrubs (*boxwoods*); the side and rear yards will be hydro-seeded.

Lighting:

One (1) existing street light pole is intended to be relocated due to the planned location of "Lot B's" driveway.

Conclusion and Recommendation:

The proposed development plan effectively allows the site to be developed in character with the Village.

Approval of the development plan is recommended, subject to the following conditions:

- 1. The submission of a Land Division Application and subsequent approval by Township Staff.
- 2. A determination by the Planning Department, prior to issuance of a building permit for each new home, that PVM District Architectural Standards have been met.
- 3. Wall-mounted exterior lighting shall be of a non-glaring style, subject to approval of the Planning Department.



APPLICATION FOR APPROVAL OF SPECIAL USE

The following application fee must accompany this application:

For a residential accessory building or Type 2 home occupation permit: \$200.00 For all other special use permit applications: \$300.00

Applicant Name: DESIGN BUILD CONCEPT Contact Name: DAN VENEWA				
Address: K FOR: 89516FULTON AVE Phone No.: 616-318-2260				
P.O. BOX TIM'S TINA FORELL Fax No.:				
19315 The undersigned hereby requests approval of the following special use: (Describe fully)				
WE REQUEST APPROVAL TO EXCEED THE 20' SITEWALL (TO 32-019) HEIGHT DUE TO THE SITE TOTOGRAPHY DESULTING				
The the state of t				
A THIRD LEVEL WALFOUT WALL ON THE NORTH EAST FACING				
upon the following parcel of property: (address) 8951 FULTON ST ELEVATC				
Permanent Parcel Number: <u>41 - 19 -01 - 100 - 037</u> , which property is located within the				
<i>RP-1</i> zoning district. The undersigned also hereby grants permission to				
Ada Township and its officials and staff to enter upon the subject property for purposes of				
review and evaluation of this request.				
2. In support of this application, the following items are attached:				

(a) A complete site plan [see Sec. 78-492 (2)(b) and Sec. 78-524]

(b) A written statement addressing the extent to which the proposed use complies with the standards set forth in Sec. 78-493 of the zoning

ordinance.

FOR COMPLETION BY ADA TOWNSHIP Application and fee in the amount of \$____ , on 11 1/9 17. received by C12# 12969 _ received by _____, on __/_ /___. Escrow deposit (if required) in the amount of \$_____

Form Revised 6-1-07

Signature of Applicant:

Date:



December 7, 2017

Accessory Building - Special Use Permit 8951 E. Fulton St. Ada, Mi. 49301

Design Build Concepts is applying for a Special Use Permit for an accessory building, proposed to be built on the Property of Tim and Christina Forell located at 8951 E. Fulton St. Ada Mi. 49301. Here is a brief explanation on how we propose to comply with the Special Use Standards for this project.

Special Use Standards:

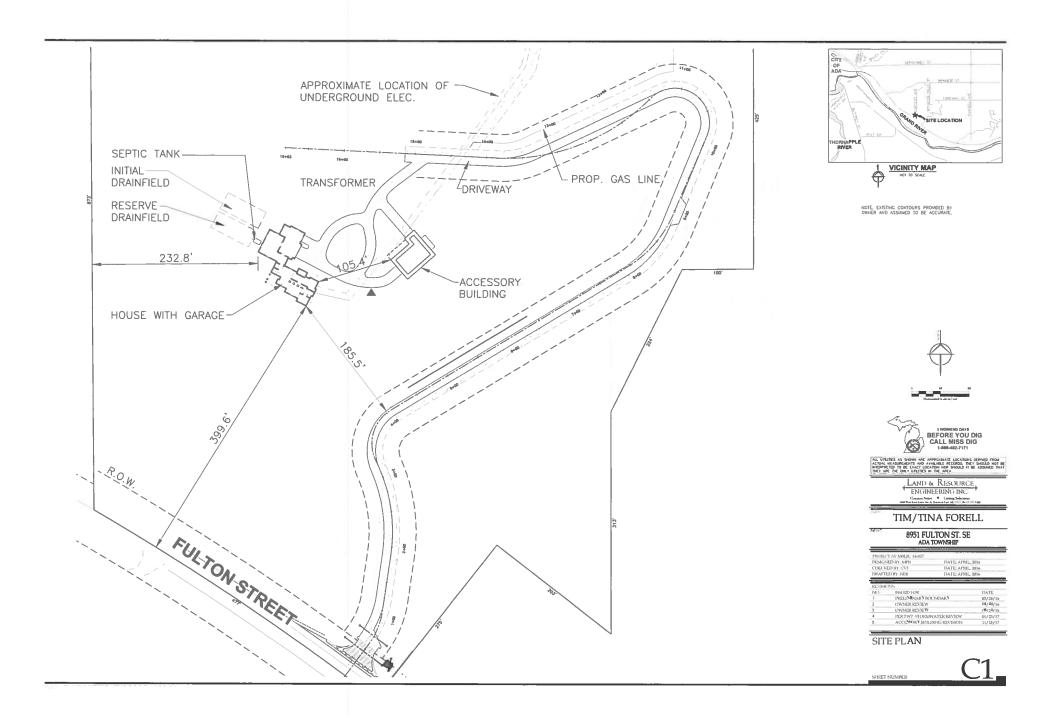
- 1. The special use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of the adjacent property and surrounding area.
 - The proposed accessory building will be designed and constructed with a high level of details and building materials to match the existing, recently built home design.
- 2. The special use shall not change the essential character of the surrounding area.
 - The proposed accessory building will be built into the side of a hill behind a natural tree line to compliment the natural topography of the site to compliment and match the overall height of the existing home
- 3. The special use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be hazardous or detrimental to the health, safety or welfare of this or any adjacent properties
 - The proposed accessory building will not have any activities, materials or equipment, which will be hazardous or detrimental to the health, safety or welfare of this or any adjacent properties.
- 4. The special use shall not place demands on public services and facilities in excess of capacity.
 - The proposed accessory building meets the required square footage requirements and will not place any demands on public services or facilities

Sincerely, Daniel L Venema

President, Design Build Concepts Inc.

PO Box 327

Byron Center, Mi. 49315 | Phone: 616-878-5400 | Web: DBCcustomhomes.com



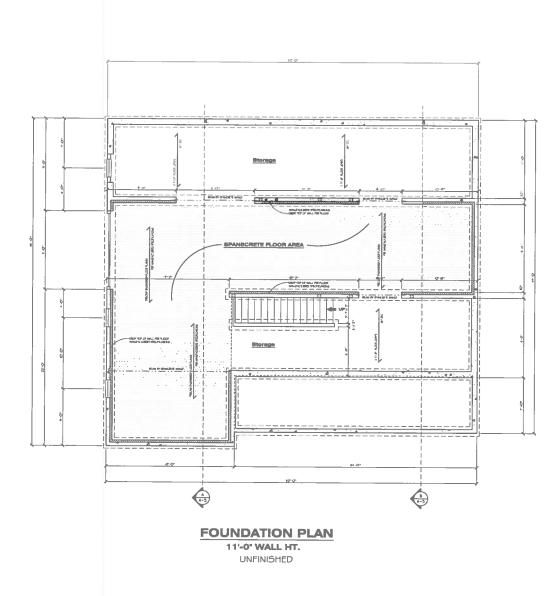






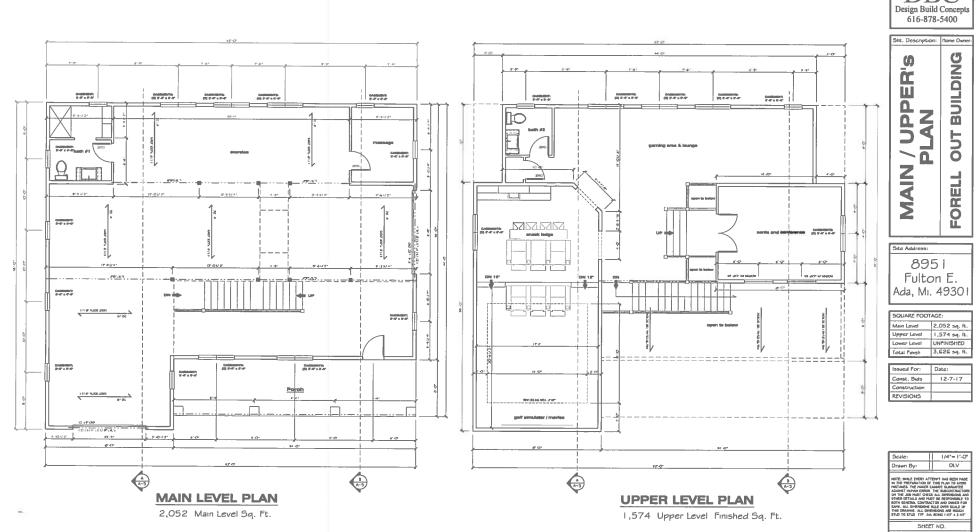
LEFT SIDE ELEVATION













Builder:

DBC









TOWNSHIP OF ADA DEVELOPMENT APPLICATION

Applicant Name: 7030 Fulton, LLC		Telephone: (616) 285-8900 Fax: (616) 942-6699		
5500 Cascade Road SE, Suite 2002,		ал. (UIU) 342-0033		
Mailing Address: Grand Rapids, MI	Zip: 49546			
Property Owner Name: Same As Applicant		Telephone: Fax:		
Mailing Address:	Zip:			
IF THE APPLICANT IS NOT THE RECORD OWNER OF THE PROPERTY ATTACH THE OWNER'S WRITTEN CONSENT TO THIS APPLICATION.				
Permanent Parcel No: 41 - 15-28-477-046				
Property Address: 7030 Fulton Street E, Ada, MI 49301				
Name of Project: Big Steps Little Feet				
Summary Description of Project: Big Steps Little Feet is proposing to construct an additional building along the east property line. The building will be used for two classrooms.				
Type of Application:				
Pre-Application Conference				
☑ Preliminary PUD or Revised Preliminary PUD				
X Final PUD				
Revised Final PUD				
The undersigned also hereby grants permission to As a Township and its officials and staff to enter upon the subject				
property for purposes of review and evaluation of this request.				
Signature of Applicant:	ar -			
Date: October 25, 2017				
APPLICATION FEE SCHEDULE:				
	50.00			
Preliminary PUD Application:				
Less than 25 acres: \$200.00				
25.00 - 39.99 acres: \$300.00				
40.00 – 79.99 acres: \$400.00				
80.00 acres or more: \$500.00 + \$5.00/acre over 80 acres				
Final PUD Application: Less than 25 acres: \$100.00				
25.00 - 39.99 acres: \$150.00				
40.00 – 79.99 acres: \$200.00				
80.00 acres or more: \$250.00, + \$2.00/acre over	80 acres			
Revised Final PUD: Same as Final PUD				
TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT				
Application received: <u>11/27/17</u> by: <u>15/5</u>				
Application fee of \$ 300.00 received $11/27/2017$	by KA C	heck No:		
Escrow deposit of \$ received	<u>17</u> by <u>Km</u> Cl	heck No.: 13406		
(date)				

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BENCHMARKS

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REMOVAL / DEMOLITION NOTES

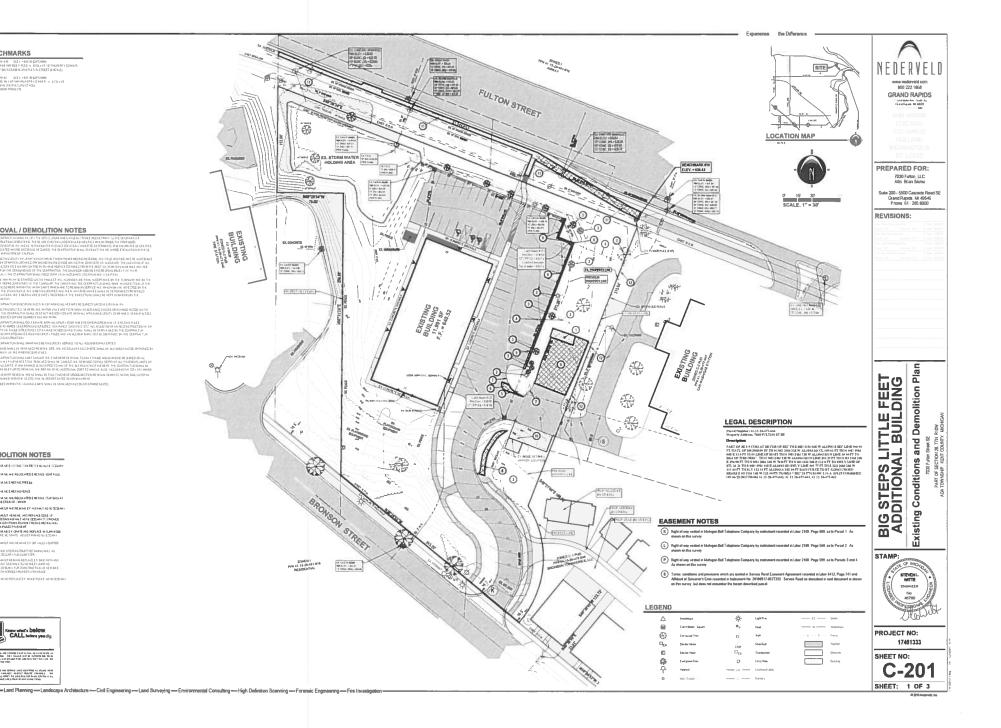
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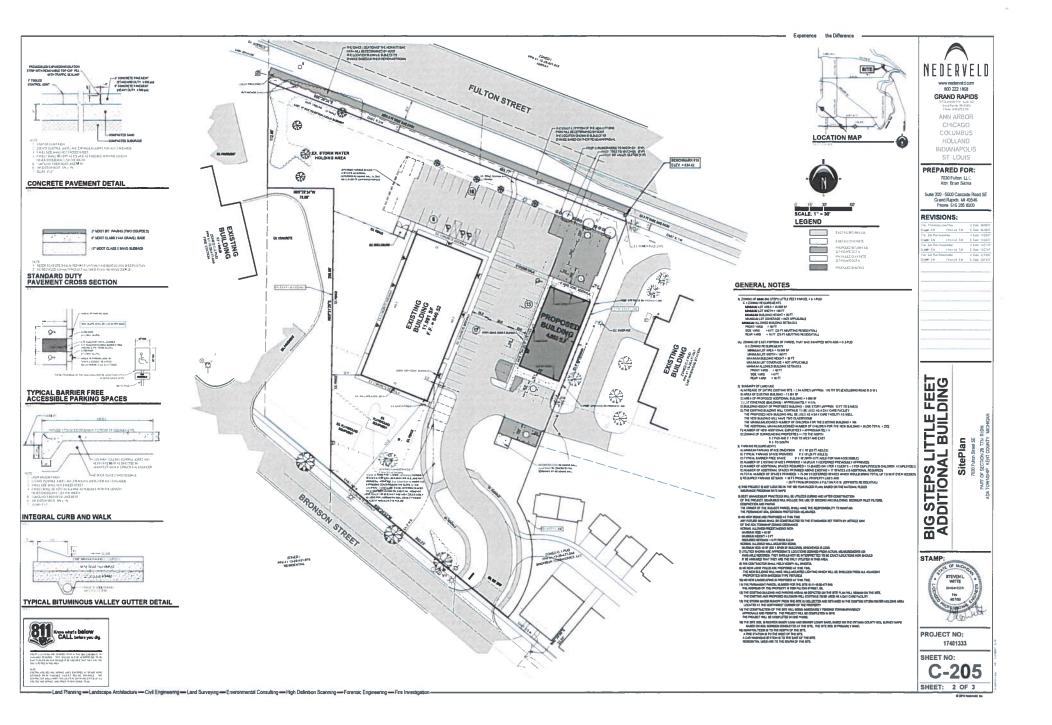
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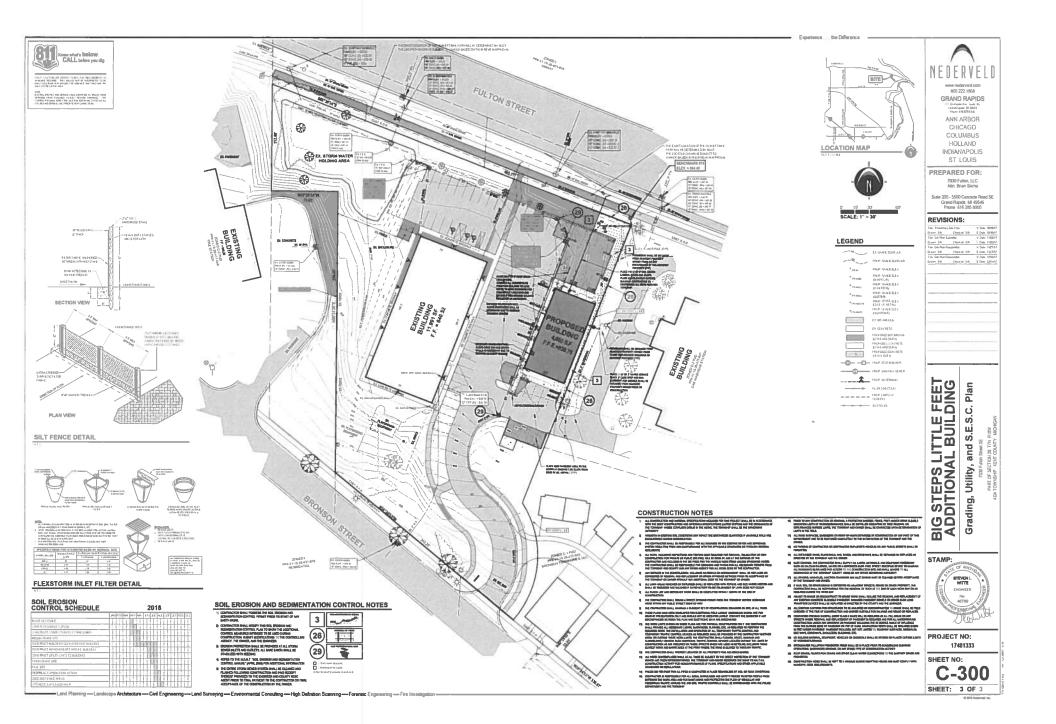
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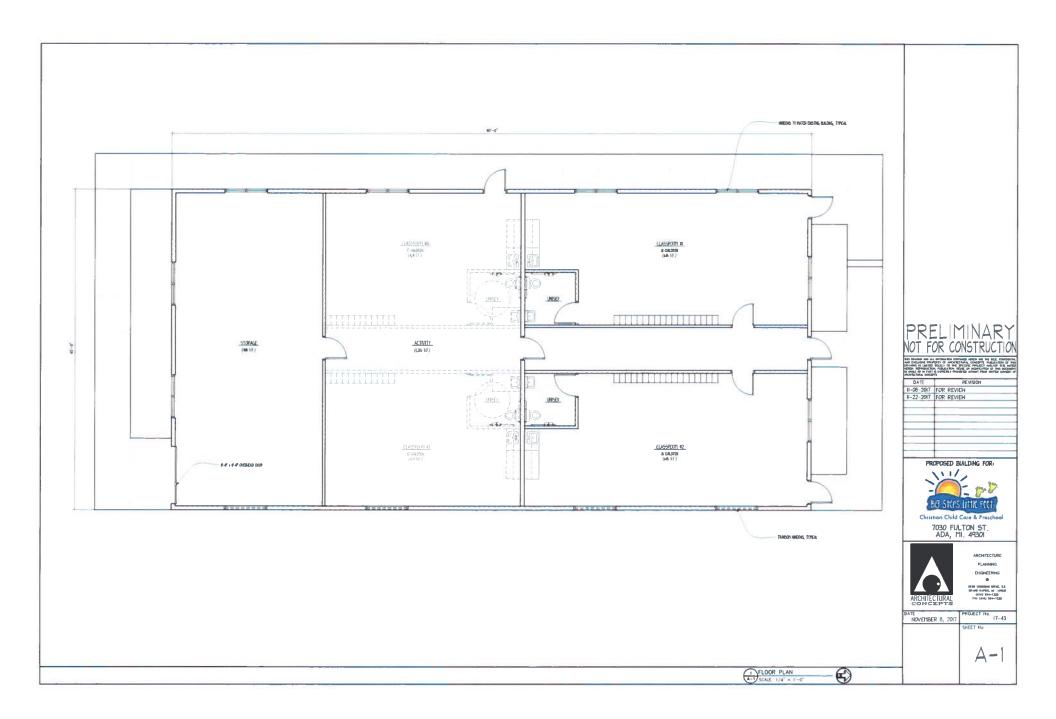
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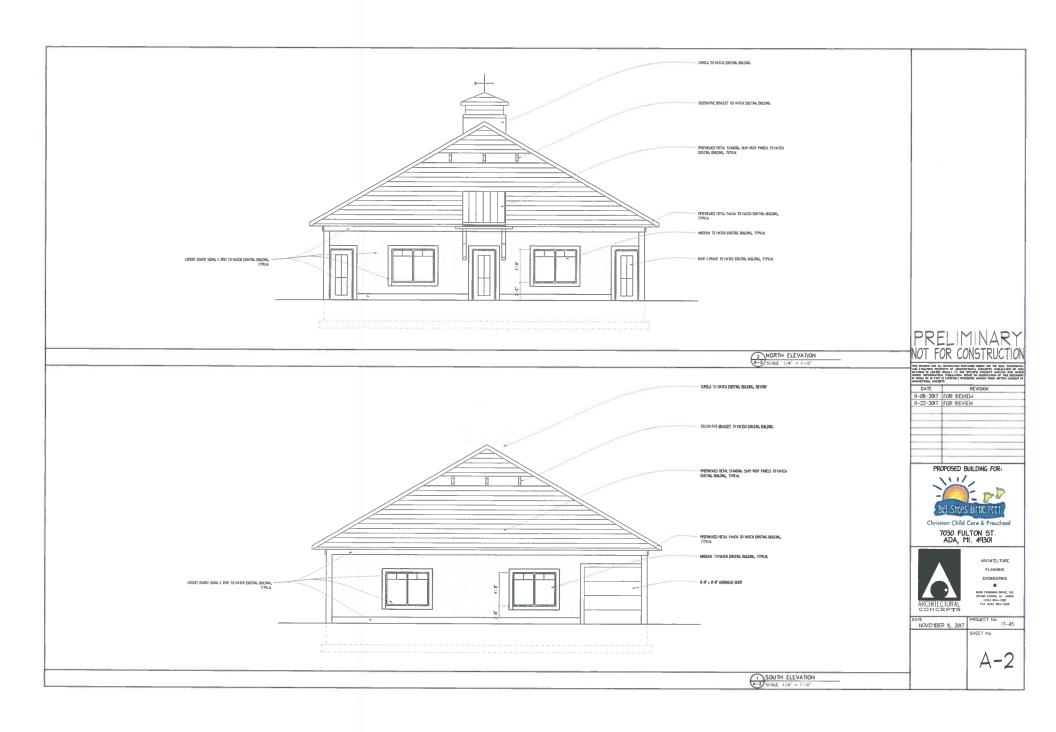


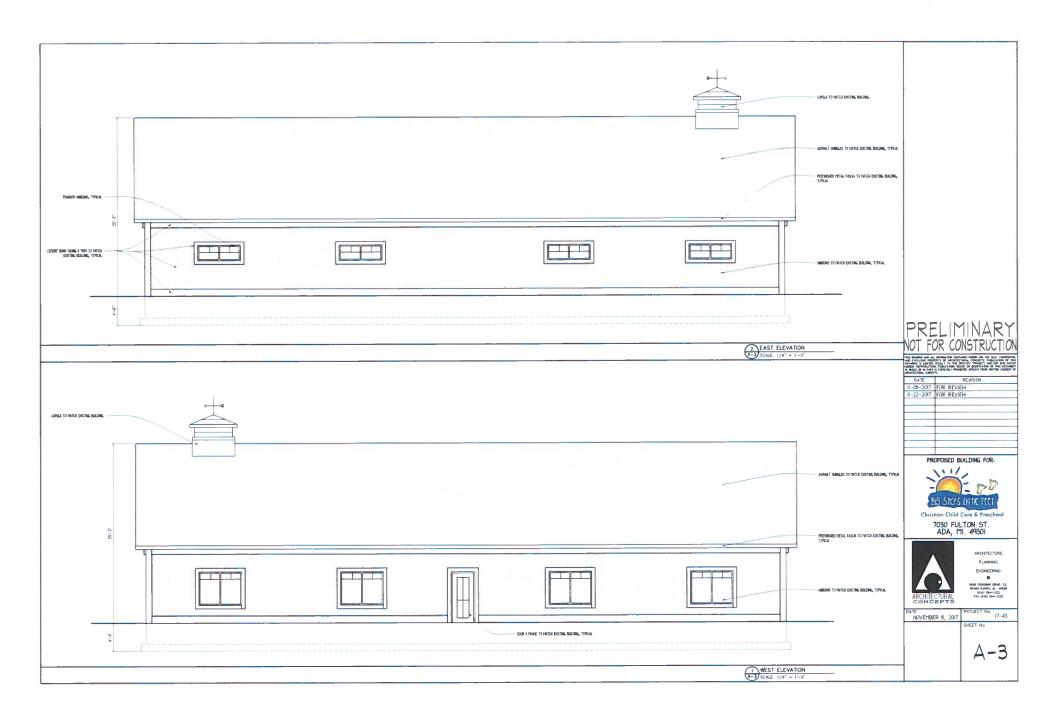














ADA TOWNSHIP SITE PLAN REVIEW APPLICATION

Applicant: Let us, inc	Telephone No: 616 - 893 - 2341	
Contact Name: Joel P. HARNEN	Fax No.://	
Mailing Address:		
-	Telephone No:	
Property Owner: (If different than applicant)	Telephone No:	
NIS	616- 893-2341	
Mailing Address:		
SAM Ar Abark		
Permanent Parcel No.(s) of subject property: 41-/5-33-230-006	Zoning District: V-R PVM	
Address of subject property: 7177 Bronson St	SE Ada, MI 49301	
Name of Project		
Bronson St. Project		
Type of Project:		
 Retail, Office, Industrial or other Non-Residential Development Open Space Preservation Development, Preliminary Plan Parking area, 10 or fewer spaces (Staff Review) 	 Site Condominium Open Space Preservation Development, Final Plan Parking area, 11 or more spaces (Planning Commission Review) 	
Summary project description: Spliting 2 Lotr	into 3 Single Family siter	
 This application must be accompanied by the following: (1) All items called for by Article XXII of the Zoning Regulations. (2) If the Applicant is not the record property owner, attach written documentation of the owner's consent to this application. 		
The undersigned hereby grants permission to Ada Township and its off of review and evaluation of this request Signature of Applicant:	ficials and staff to enter upon the subject property for purposes Date: $10 - 9 - 17$	
TO BE COMPLETED BY THE ADA TOWNSHIP PLANNING DEPARTMENT		
Application received: 11111 by:	\frown	
Application fee of \$_250 received 11 [7] 17 by	Check No: 776	
Escrow deposit of $\frac{1000}{(date)}$ received $\frac{1000}{(date)}$ by $\frac{1000}{(date)}$	$\frac{1}{2}$ Check No: $\frac{776}{776}$ Check No.: $\frac{776}{776}$	

Revised: 10/30/03)



Let us, inc PO Box 992 Ada, MI 49301

Bronson St Project

I would like to split the 2 current lots at 7177 Bronson St into 3 lots and offer 3 single family home sites that will follow the PVM guidelines for new single-family homes. I plan to offer clients the ability to Design their home keeping within the foot prints on the attached plans and utilize the elevations provided as options for these three homes.

Exterior Finish options:

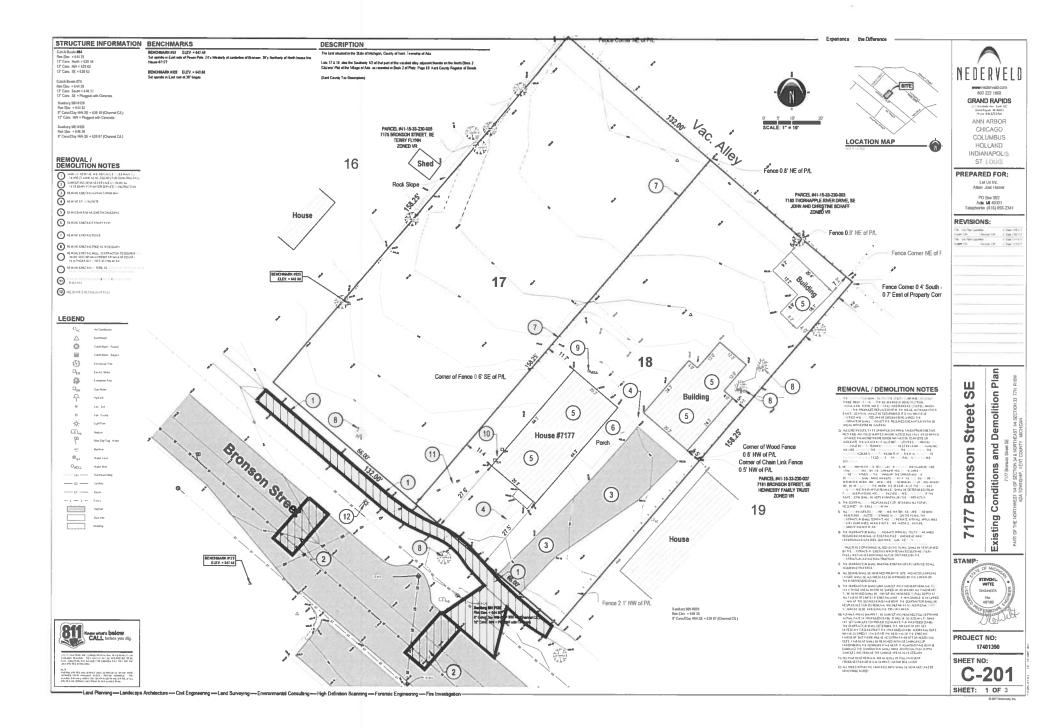
• Cedar, Cement board siding, Brick, and Stone

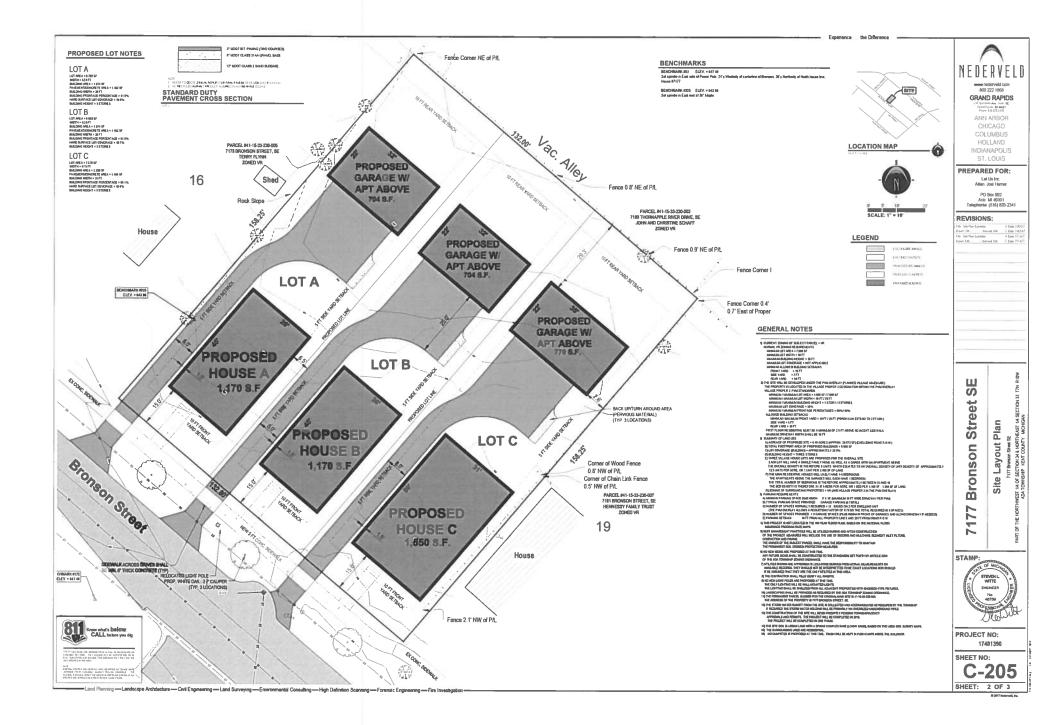
Street Scape:

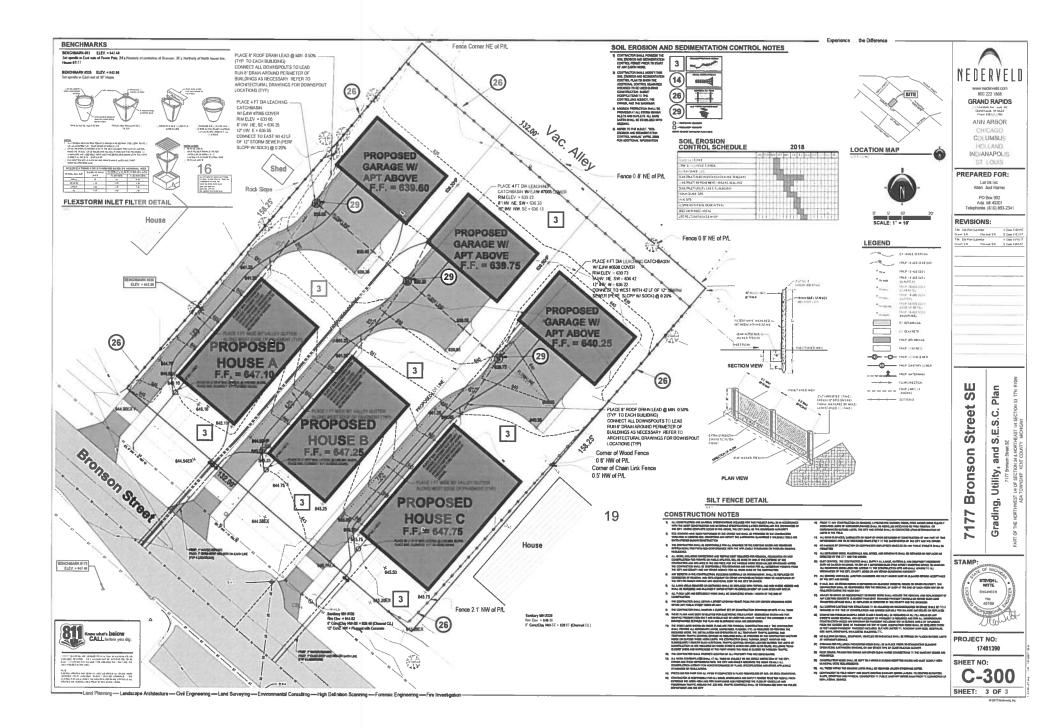
- Each home will receive a new Silver Oak or Maple to be planted between the Sidewalk and Street Green Space.
- All sections of Sidewalk will be replaced for each lot, so it looks uniform and safe for neighbors.

Landscaping:

- The Front yard of each home will have Sod installed and a planting bed along front porch (plant materials-perennials and Boxwoods) and walkway will be completed prior to move in.
- The Sides and rear yards will be hydroseeded.









7177 BRONSON STREET SE | HOUSE A

PRELIMINARY ARCHITECTURAL DRAWINGS

November 15, 2017

- PREPARED FOR: (E1 US INC. Atth: Joel Harner Po Box 997, Ada Mi 49301 (616) 893-2341
- 03 HOUSE FLOOR PLANS 04 HOUSE ELEVATIONS

02 GENERAL INFORMATION

05 GARAGE PLANS AND ELEVATIONS

CHAD GOULD I ARCHITECT LLC DHAD H. GEVER MANTEC

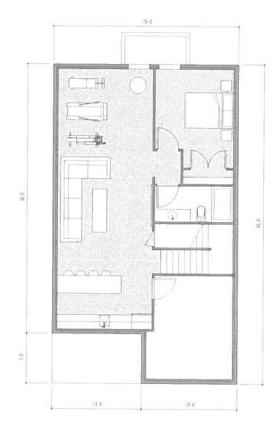
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INDEX 01 TITLE SHEET



CHAD GOULD | ARCHITECT LLC

| 7177 BRONSON STREET SE | HOUSE A | November 15, 2017 02



O LOWER LEVEL FLOOR PLAN

CHAD GOULD I ARCHITECT LLC.







EAST ELEVATION 4

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3)

4]

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6)

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NORTH ELEVATION 4

SOUTH ELEVATION



WEST ELEVATION 4

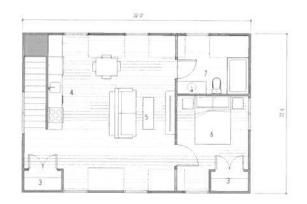
ELEVATIONS MATERIAL NOTES:

- 1) ALL HODIZONTAL SIDNIG SHOWIN TO BE NO BE CEMENT Bondo Lap Saturg & "Exposente."
- 2) ALL FROMS AND CASONES SHOWN TO BE CEMENT BOARD TRUN, SIMULAR TO HARDRE TRUN.
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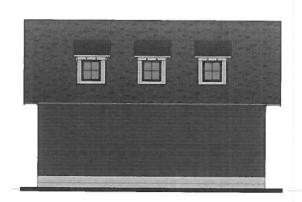
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- 10) EXTERIOR MATERALS TO BE CONSISTENT ON ALL Elevations of monse and garage.



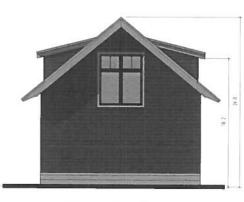
SOUTH ELEVATION 4



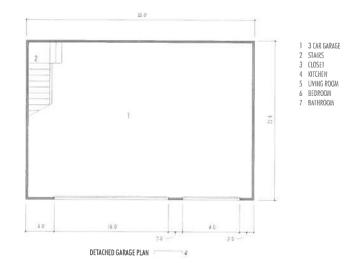
ACCESSORY UNIT OVER GARAGE PLAN



NORTH ELEVATION 4



EAST AND WEST ELEVATION



SHORT TERM RENTAL ORDINANCE

Section 1. Definitions.

As used in this Ordinance,

"Dwelling unit" means a building or portion of a building providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, cooking, sanitation, and one or more bedrooms. In this definition, "bedroom" means a separate room or space used or intended to be used for sleeping.

"Habitable space" means space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces. In this definition, "bathroom" means a room containing a sink, and either a water closet or urinal, and either a bathtub or shower; and "toilet room" means a room containing a sink, and either a water closet or urinal, but not a bathtub or shower.

"Occupant" of a space means a person living in, sleeping in, or otherwise having possession of that space.

"Operator" of a space means a person who owns; or has charge, care, or control of, that space, or otherwise has the legal right to rent that space to others.

"Person" means an individual, firm, corporation, association, partnership, limited liability company, or other legal entity.

"Rent" means to give, or offer to give, possession or occupancy of space under a lease, license, or other agreement, whether written or unwritten.

"Short-Term Rental Unit" means all or part of a detached single-family dwelling unit that is either rented to a person for less than 30 consecutive days while the operator does not reside in the unit, or is advertised for that kind of occupancy.

Section 2. Permit Required.

No person shall own or operate a short-term rental unit in Ada Township without a permit from the Township under this Ordinance.

Section 3. Application and Fee Requirements.

A person may apply to the Township Clerk for a permit for a short-term rental unit by submitting the following information:

- (1) The name and contact information for the unit's operator.
- (2) Proof that the applicant is the operator of the unit.
- (3) An application fee, which shall be determined from time to time by resolution of the Township board.

- (4) A certificate of zoning compliance issued by the Zoning Administrator stating that the short-term rental unit complies with the all Township zoning regulations (Chapter 78 of the Ada Township Code of Ordinances, as amended).
- (5) A certificate from the Fire Department stating that the short-term rental unit has been inspected and complies with building, health, fire, and related safety codes.
- (6) The applicant's certification that the short-term rental unit will comply with the conditions in section 6 and other ordinance requirements.
- (7) A statement that the operator has not had a previous short-term rental unit permit revoked within the past year.
- (8) All other information that the Township Clerk determines is necessary to determine whether this Ordinance's requirements for permit approval have been met.

Section 4. Standards for Approval.

The Township Clerk shall approve an application for a permit only if the application contains the information required in Section 3 and meets the conditions in Section 6.

Section 5. Duration of Permit.

A permit issued under this Ordinance automatically expires upon one or more of these events:

- (1) The short-term rental unit is physically altered so the habitable space within the unit is increased, decreased, or redistributed among living, sleeping, eating, or cooking areas without the Township's prior approval of an amendment to the permit.
- (2) The short-term rental unit no longer meets the requirements of this ordinance, whether the failure is because the ordinance standards have been amended or otherwise.
- (3) Ownership of the short-term rental unit is sold or otherwise transferred, or the unit's operator changes.

Section 6. Conditions.

Each short-term rental unit shall comply with these conditions:

- (1) The unit shall have a designated local agent, whose principal place of business shall be located no greater than 15 miles from the short-term rental unit.
- (2) A notice shall be posted (facing outside) in a prominent first-floor window of the unit stating, in 16-point type or larger, the name of the local agent, a 24-hour telephone number at which the agent can be reached, and the maximum occupancy permitted by this ordinance.
- (3) A notice giving the unit's street address in 16-point type or larger shall be posted in the kitchen, next to each landline telephone and pool, and in at least two other locations that are prominent locations within the unit. These notices assist occupants in directing emergency service personnel to the unit in an emergency.

- (4) The number of occupants in the short-term rental unit shall not exceed the lesser of: (i) six; or (ii) the number meeting the legal egress requirements for occupancy.
- (5) No attic or basement may be counted to determine the maximum number of occupants in a shortterm rental unit, unless the Township has inspected the unit and determined that the attic or basement meets the legal egress requirements for occupancy.
- (6) The use of exterior decks, pools, and other outdoor yard areas shall not produce noise, odor, or other disturbances to neighbors beyond what would be reasonable and typical for a residential neighborhood.
- (7) A short-term rental unit shall not be sublet.

Section 7. Nuisance.

Violating this Ordinance is hereby declared to be a public nuisance, a nuisance per se, and offensive to the public health, safety, and welfare.

Section 8. Violations

- (1) A person who violates this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Complied Laws, and shall be subject to a fine of \$500. Each day this Ordinance is violated is a separate violation.
- (2) The Zoning Administrator may determine that a permit should be revoked for violating any of the following relating to a short-term rental unit, whether the violation is committed by the operator or an occupant of a short-term rental unit:
 - (a) Any provision of this ordinance.
 - (b) Any violation of a Township ordinance relating to any of the following:
 - (i) Noise.
 - (ii) Controlled substances.
 - (iii) Offensive property conditions (Junk, Rubbish, and Noxious Weeds).
 - (iv) Offenses against public peace.
 - (v) Solid waste (Provision and Use of Trash Containers).
 - (vi) Zoning Ordinance or any permit or approval issued under the Zoning Ordinance.
- (3) Upon a determination by the Zoning Administrator to revoke a permit, the Zoning Administrator shall give notice of that determination to the unit's operator and local agent. The notice shall inform the operator and local agent of a right to a hearing on whether the revocation should be upheld. The operator or local agent may request a hearing by giving written request to the Township Clerk within 30 days after the Zoning Administrator gives notice of its determination. If a hearing is timely requested, the Township Clerk shall schedule the hearing and notify the operator and local

agent in writing of a time and place for that hearing. At the hearing, the operator and local agent may present evidence that the requirements for revocation are not satisfied. At or after the hearing, The Township board shall decide whether to revoke the permit.

(4) A person may not apply for another permit for that unit until one year after the revocation is effective.

Section 9. Enforcement Official

Municipal civil infractions may be issued by officers of the Kent County Sheriff's Department and any other person legally authorized to issue civil infractions.

Section 10. Civil Action

Besides enforcing this Ordinance through a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 11. Validity.

If a term in this ordinance is held invalid, that invalidity shall affect no other term in this ordinance. Every term shall be enforced to the maximum extent permitted by law.

Section 12. Review after Implementation

- (1) Within 120 days after this ordinance becomes effective, the Township shall begin a review of this Ordinance to determine whether its implementation has achieved its intent and what amendments should be made, if any.
- (2) The Township shall hold a public hearing before amending or repealing any provision of this Ordinance. Notice of that hearing shall be published in a newspaper of general circulation in the Township at least 15 days before the hearing.
- (3) Failure or delay by the Township under this section does not invalidate any part of this ordinance or any proceeding to enforce this ordinance.

Section 13. Effective Date.

The ordinance shall take effect 30 days after publication of the notice of its adoption.

SHORT TERM RENTAL ORDINANCE

Section 1. Definitions.

As used in this Ordinance,

"Bathroom" means a room containing a water closet or urinal, a sink, and a bathtub or shower. "Bedroom" means a separate room or space used or intended to be used for sleeping purposes.

"Dwelling unit" means a building or portion of a building providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, cooking, sanitation, and <u>one or more bedrooms. In this definition, "bedroom" means a separate bedroom(s)room or space used or intended to be used for sleeping.</u>

"Short-Term Rental Occupancy Certificate" means a certificate from the Township authorizing a propertyowner to use a dwelling unit as a short-term rental unit.

"Short Term Rental Unit" means a detached single family dwelling unit or portion thereof which is rented to a person for less than 30 consecutive days, or is advertised to be rented for any period less than 30 days.

"Habitable space" means space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces."Occupancy" means the purpose for which a dwelling unit or portion thereof is utilized or occupied. In this definition, "bathroom" means a room containing a sink, and either a water closet or urinal, and either a bathtub or shower; and "toilet room" means a room containing a sink, and either a water closet or urinal, but not a bathtub or shower.

"Occupant" <u>of a space means any individual a person</u> living $\frac{1}{100}$ living $\frac{1}{100}$ sleeping in <u>a dwelling unit</u>, or <u>otherwise</u> having possession of <u>athat</u> space within a dwelling unit.

"Operator" <u>of a space</u> means $\frac{anya}{2}$ person who owns; or has charge, care, or control of <u>a dwelling unit which</u> is offered for rent, that space, or otherwise has the legal right to rent that space to others.

"Person" means an individual, firm, corporation, association, partnership, limited liability company, or other legal entity.

"Rent" or "Rental" means to permit, provide forgive, or offer to give, possession or occupancy of a dwelling unit in which the owner does not reside for a period of less than thirty (30) days to a person who is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license.space under a lease, license, or other agreement, whether written or unwritten.

"Tenant" means a person who is not the legal owner of record and who is occupying a dwelling unit pursuant to a written or unwritten rental lease, agreement or license. "Short-Term Rental Unit" means all or part of a detached single-family dwelling unit that is either rented to a person for less than 30 consecutive days while the operator does not reside in the unit, or is advertised for that kind of occupancy.

"Toilet room" means a room containing a water closet or urinal and a sink, but not a bathtub or shower.

Section 2. License<u>Permit</u> Required.

No person shall rent or cause to be rented a dwellingown or operate a short-term rental unit in Ada Township for a period less than thirty (30) days without first obtaining a license permit from the Township pursuant to the requirements of under this Ordinance.

Section 3. Application and Fee Requirements.

A person may apply to the Township Clerk for a permit for a short-term rental unit by submitting the following information:

- (1) The name and contact information for the unit's operator.
- (2) Proof that the applicant is the operator of the unit.
- (3) An operator seeking a license under this Ordinance shall submit a complete application to the Township Clerk or their designee and pay the required application fee, which shall be determined from time to time by resolution of the township board. The application shall include proof of ownership of, or the legal right to rent, and all information reasonably necessary for the Township Clerk or their designee to determine whether the applicable standards for approval provided in Section 4 have been met. Township board.
- (4) <u>A certificate of zoning compliance issued by the Zoning Administrator stating that the short-term</u> rental unit complies with the all Township zoning regulations (Chapter 78 of the Ada Township Code of Ordinances, as amended).
- (5) A certificate from the Fire Department stating that the short-term rental unit has been inspected and complies with building, health, fire, and related safety codes.
- (6) The applicant's certification that the short-term rental unit will comply with the conditions in section 6 and other ordinance requirements.
- (7) <u>A statement that the operator has not had a previous short-term rental unit permit revoked within the past year.</u>
- (8) All other information that the Township Clerk determines is necessary to determine whether this Ordinance's requirements for permit approval have been met.

Section 4. Standards for Approval.

The Township Clerk or their designee shall approve, or approve with conditions, an application for a short term rental licensepermit only upon a finding that<u>if</u> the application complies with all of the following applicable standards:contains the information required in Section 3 and meets the conditions in Section 6.

Section 5. Duration of Permit.

A permit issued under this Ordinance automatically expires upon one or more of these events:

- (1) Approval of the use of the subject property for short-term rental use under the provisions of the Township zoning regulations (Chapter 78 of the Ada Township Code of Ordinances, as amended)-shall have been granted, as evidenced by a certificate of zoning compliance issued by the Zoning-Administrator.
- (1) The short-term rental unit is physically altered so the habitable space within the unit is increased,

decreased, or redistributed among living, sleeping, eating, or cooking areas without the Township's prior approval of an amendment to the permit.

- (2) The short-term rental unit no longer meets the requirements of this ordinance, whether the failure is because the ordinance standards have been amended or otherwise.
- (3) Ownership of the short-term rental unit is sold or otherwise transferred, or the unit's operator changes.

Section 6. Conditions.

(2) The owner of the dwelling shall register the short-term rental unit with Ada Township. The ownerof the dwelling shall be responsible for obtaining a short-term rental occupancy permit. No shortterm rental shall occur without a valid short-term rental occupancy permit.

Each short-term rental unit shall comply with these conditions:

- (1) (3) All dwelling units used for short-term rentals<u>The unit</u> shall have a designated local agent, whose principal place of business shall be located no greater than 15 miles from the short-term rental unit.
- (2) (4)—A notice shall be posted (facing outside) in a prominent first-floor window of any dwellingthe unit used for short-term rentals stating, (in at least 16-point type) or larger, the name of the local agent, a 24-hour telephone number withat which the agent can be reached, and the maximum occupancy of the dwelling unit as permitted by this ordinance.
- (3) (5) The A notice giving the unit's street address of the property in 16-point type or larger shall be posted in the kitchen, next to each landline telephone and pool, and in at least two other locations that are prominent locations within the dwelling-unit-in order to. These notices assist occupants in directing emergency service personnel to the property unit in the event of an emergency. The address should be posted near the kitchen and near any telephone or pool.
- (4) (6) Maximum occupancy established. The number of occupants in a dwelling unit during athe short-term rental <u>unit</u> shall not exceed the lesser of: (i), 10 total occupants; or (ii) 2 occupants per bedroom plus two additional occupants per finished story meeting the applicable <u>six</u>; or (ii) the number meeting the legal egress requirements for occupancy in the Michigan Construction Code.
- (5) (7) Attics and basements. No attic or basement can<u>may</u> be counted for the purpose of determiningto determine the maximum number of occupants in a dwelling unit during a short-term rental <u>unit</u>, unless the property owner or local agent has given the Township, in writing, consent for the Township to inspect the premises to verify whether that Township has inspected the unit and determined that the attic or basement meets the applicable[egal egress requirements for occupancy in the Michigan Construction Code, the Michigan Residential Code and the applicable fire codes.
- (8) The short-term rental unit shall meet all applicable building, health, fire, and related safety codes at all times and shall be inspected by the fire department before any short term rental occupancy-certificate can be issued.
- (6) (9)—The use of <u>exterior decks</u>, pools, and other outdoor yard areas, open decks, pools and the like shall not result in the production of excessive off-siteproduce noise, odor-and, or other-external disturbances to neighbors beyond what would be-considered reasonable and typical for a residential neighborhood.

- (10) In no event shall the owner of the
- (7) <u>A</u> short-term rental unit or their agent rent an individual room in the short-term rental unit to a person, family, or other group of persons, nor shall the renter so sublet any roomshall not be sublet.
- (11) Any finding of responsibility or conviction for a violation of the Township Code of Ordinancesinvolving a rental unit shall result in the short term rental occupancy certificate being revoked bythe Zoning Administrator. Any such revocation of a short term rental occupancy certificate may be appealed to the Township Board for good cause so long as a written appeal is filed with the Township Clerk within 30 days of the date of revocation.
- (12) Any sale or transfer of the property automatically causes any existing short term rental occupancy certificate to be null and void and the new property owner must apply for a new short term rental occupancy certificate.

Section 5. Duration of License; Re-application.

A license issued under this Ordinance shall remain in effect until the happening of one or more of the following events:

(1) The dwelling unit is physically altered in such a way that the habitable space within the unit is increased, decreased, or redistributed among living, sleeping, eating, or cooking areas.

(2) This Ordinance is amended to alter the standards for approval contained in Section 4.

If a license is no longer in effect as a result of subsection (1) above, the operator shall re-apply for a newlicense following the same procedures for a new license.

Section 6. Conditions.

The Zoning Administrator or their designee may impose reasonable conditions on a license issued under this Ordinance which are reasonably necessary to ensure compliance with the standards for approval provided in Section 4.

Section 7. Nuisance.

A violation of <u>Violating</u> this Ordinance is hereby declared to be a public nuisance, a nuisance per se_{\pm} and is hereby further declared to be offensive to the public health, safety, and welfare.

Section 8. Violations

- (1) Any∆ person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Complied Laws, and shall be subject to a fine of Five Hundred and 00/100 (\$500.00) Dollars. \$500. Each day this Ordinance is violated shall be considered is a separate violation.
- (2) Revocation of Registration and offenses warranting revocation. The township may revoke the rental registration for any dwelling unit which is the site of at least 3 separate incidents (occurring on 3 separate days) within a calendar year resulting in a plea of responsibility (with or without an explanation.) A plea of guilty, a plea of no contest, or a court's determination of responsibility or

guilt by the owner, local agent, or any renter for a violation of one or more of the following: The Zoning Administrator may determine that a permit should be revoked for violating any of the following relating to a short-term rental unit, whether the violation is committed by the operator or an occupant of a short-term rental unit:

- (a) Any provision of this article <u>ordinance</u>.
- (b) <u>Any violation of a Township ordinance relating to any of the following:</u>
 - (i) Noise.
 - (eii) Controlled substances.
 - (diii) Offensive property conditions (Junk, Rubbish, and Noxious Weeds).
 - (eiv) Offenses against public peace.
 - (\underline{fv}) Solid waste (Provision and Use of Trash Containers).

(g) Any violation of the vi) Zoning Ordinance or any permit or approval issued pursuant to under the Zoning Ordinance.

(3) Revocation Procedure. Upon a determination by the *PERSON TO BE DETERMINED* that the registration of a dwelling unit is subject to revocation, the {PERSON TO BE DETERMINED} shall issue aZoning Administrator to revoke a permit, the Zoning Administrator shall give notice of that determination to the property ownerunit's operator and the local agent-stating that Ada Township intends to revoke the rental registration. The notice shall inform the owneroperator and local agent of a right to a hearing to show cause as to why the registration on whether the revocation should not be revoked, if a hearing is requested be upheld. The operator or local agent may request a hearing by giving written request to the Township Clerk within 30 days of after the service of the Zoning Administrator gives notice of its determination. If a hearing is timely requested, {PERSON_TO BE DETERMINED the Township Clerk shall schedule the hearing and notify the owneroperator and local agent in writing of a time and place for that hearing. At the hearing, the owneroperator and local agent may present evidence that the requirements for revocation are not satisfied, or that the property owner and local agent should not be held responsible for one or more of the three requisite violations due to extenuating circumstances. At or after the hearing, The Township board shall decide whether to revoke the permit.

Extenuating circumstances may include circumstances such as:

- (a) The violation was committed by a non-renter and the renter(s) attempted to prevent or halt the violation;
- (b) The violation resulted from an act of God; or
- (c) Other circumstances that the owner or the owner's agent could not reasonably anticipateand prevent, and could not reasonably control.
- (4) Revocation Period and Effect. Upon revocation of registration, a dwelling unit cannot be reregistered for a period of 1 year, and cannot be used for short term rentals until re registered.<u>A</u> person may not apply for another permit for that unit until one year after the revocation is effective.

Section 9. Enforcement Official

The {PERSON TO BE DETERMINED} or their designee and Municipal civil infractions may be issued by officers of the Kent County Sheriff's Department are hereby designated as the and any other person legally authorized officials to issue municipal civil infractions directing alleged violators of this Ordinance to appear in court.

Section 10. Civil Action

In addition to <u>Besides</u> enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 11. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstancea term in this ordinance is held invalid, suchthat invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application<u>affect no other term in</u> this ordinance. Every term shall be enforced to the maximum extent permitted by law.

Section 12. Review after Implementation

- (1) One hundred and twenty (<u>Within 120</u>) days after <u>implementation the townshipthis ordinance</u> <u>becomes effective, the Township</u> shall begin a review of this Ordinance to determine whether its implementation has achieved its intent and what, if any, amendments should be made, if any.
- (2) The township Township shall hold a public hearing before amending or repealing any provision of this Ordinance, publishing notice. Notice of that hearing shall be published in a newspaper of general circulation in the township at least 15 days prior to such meeting. Township at least 15 days before the hearing.
- (3) Failure or delay by the Township under this section does not invalidate any part of this ordinance or any proceeding to enforce this ordinance.

Section 13. Effective Date.

The ordinance shall take effect upon the expiration of 30 days followingafter publication of the notice of its adoption.

ADA TOWNSHIP ORDINANCE NO. O-_____

AN ORDINANCE TO AMEND THE ADA TOWNSHIP ZONING REGULATIONS CHAPTER 78 OF THE ADA TOWNSHIP CODE OF ORDINANCES (ORDINANCE NO. 0- 091100-1, AS AMENDED)

NOW THEREFORE, THE TOWNSHIP OF ADA ORDAINS:

Section 1. Amendment to Article II of Chapter 78 of the Code of Ordinances, to revise the definition of the term "motel or hotel."

Sec 78-51, Definitions and rules of construction, is hereby amended to revise the definition of the term "hotel or motel" to read as follows:

"Motel or hotel" means a building or group of buildings on the same lot, other than a detached single-family dwelling for which a short-term rental unit permit is in effect as authorized under the provisions of this Chapter, containing sleeping units for public accommodation. The term shall include any building or group of buildings designated as motor lodges, transient cabins, or by any other title intended to identify them as providing lodging for compensation to transient or resident guests.

Section 2. Amendment to Article II of Chapter 78 of the Code of Ordinances, to add definition of the term "short-term rental.

Sec 78-51, Definitions and rules of construction, is hereby amended to add the following:

Short-term rental unit: means all or part of a detached single-family dwelling unit that is either rented to a person for less than 30 consecutive days while the unit's owner does not reside in the unit, or is advertised for that kind of occupancy.

Section 3. Amendment to Article VI of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Agricultural Preservation (AGP) district, when approved as a special use by the Planning Commission, and establishing standards for approval of short-term rental units.

Sec. 78-152, Use Regulations of the Agricultural Preservation (AGP) district, is hereby amended by addition of the following item (19), to read in its entirety as follows:

- (19) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and provided the following minimum standards are met:
 - a. The subject property shall have a minimum lot area of two (2) acres.
 - b. The dwelling unit on the subject property shall be located no less than fifty (50) feet from any lot line.
 - c. The dwelling unit shall have access to a public road on a driveway that is exclusively used for access to the subject property. A short-term rental unit shall not be located on a property whose access to a public road is obtained from a shared driveway or private road.
 - d. The subject property and the dwelling unit located thereon shall be the principal residence of the owner of the subject property, as evidenced by the property having a principal residence exemption in the property assessment records of the Township.
 - e. The number of occupants in a dwelling unit during a short-term rental, excluding members of the owner's household, shall not exceed six (6) total occupants.
 - f. The use of exterior decks, pools, and other outdoor yard areas shall not produce noise, odor, or other disturbances beyond what would be reasonable and typical for a residential neighborhood.

Ordinance Number O-_____ Page 2 of 3

g. The special use permit authorizing the short-term rental use shall be conditioned upon the issuance of a short-term rental unit permit, issued pursuant to ordinance number ______. No short-term rental use of the subject property shall occur without the property having a valid short-term rental unit permit.

Section 4. Amendment to Article VI-A of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Rural Preservation-1 (RP-1) district.

Sec. 78-157, Use Regulations of the Rural Preservation-1 (RP-1) district, is hereby amended by addition of the following item (21), to read in its entirety as follows:

(21) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and the standards in Sec. 78-152.

Section 5. Amendment to Article VI-B of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Rural Preservation-2 (RP-2) district.

Sec. 78-162, Use Regulations of the Rural Preservation-2 (RP-2) district, is hereby amended by addition of the following item (21), to read in its entirety as follows:

(21) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and the standards in Sec. 78-152.

Section 6. Amendment to Article VII of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Rural Residential (RR) district.

Sec. 78-172, Use Regulations of the Rural Residential (RR) district, is hereby amended by addition of the following item (17), to read in its entirety as follows:

(17) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and the standards in Sec. 78-152.

Section 7. <u>Amendment to Article XIII of Chapter 78 of the Code of Ordinances, to add provisions</u> allowing short-term rental units in the Low Density Single Family Residential (R-1) district.

Section 7. Amendment to Article XII of Chapter 78 of the Code of Ordinances, to add provisions allowing in the Village Residential (VR) district.

Sec. 78-292, Use Regulations of the Village Residential (VR) district, is hereby amended by addition of the following item (14), to read in its entirety as follows:

- (14) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and provided the following minimum standards are met:
 - a. The subject property shall have a minimum lot area of two (2) acres.
 - b. The dwelling unit on the subject property shall be located no less than fifty (50) feet from any lot line.

Ordinance Number O-_____ Page 3 of 3

- c. The dwelling unit shall have access to a public road on a driveway that is exclusively used for access to the subject property. A short-term rental unit shall not be located on a property whose access to a public road is obtained from a shared driveway or private road.
- d. The subject property and the dwelling unit located thereon shall be the principal residence of the owner of the subject property, as evidenced by the property having a principal residence exemption in the property assessment records of the Township.
- e. The number of occupants in a dwelling unit during a short-term rental, excluding members of the owner's household, shall not exceed six (6) total occupants.
- f. The use of exterior decks, pools, and other outdoor yard areas shall not produce noise, odor, or other disturbances beyond what would be reasonable and typical for a residential neighborhood.
- g. The special use permit authorizing the short-term rental use shall be conditioned upon the issuance of a short-term rental unit permit, issued pursuant to ordinance number ______. No short-term rental use of the subject property shall occur without the property having a valid short-term rental unit permit.

Section 8. Severability.

If a term in this ordinance is held invalid, that invalidity shall affect no other term in this ordinance. Every term in this ordinance shall be enforced to the maximum extent permitted by law.

Section 9. Effective Date.

This Ordinance shall become effective upon the expiration of 7 days after publication in a newspaper of general circulation in the Township.

Jacqueline Smith Township Clerk George Haga Township Supervisor

I hereby certify that this ordinance was adopted by the Ada Township Board in regular session held on ______, 2017, and that it was published in the ______ on _____, 2017.

Jacqueline Smith Township Clerk

ADA TOWNSHIP ORDINANCE NO. O-_____

AN ORDINANCE TO AMEND THE ADA TOWNSHIP ZONING REGULATIONS CHAPTER 78 OF THE ADA TOWNSHIP CODE OF ORDINANCES (ORDINANCE NO. O- 091100-1, AS AMENDED)

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<u>"Motel or hotel"</u> means a building or group of buildings on the same lot, other than a detached single-family dwelling for which <u>a</u> short-term rental <u>use has been unit permit is in effect as</u> authorized under the provisions of this Chapter, containing sleeping units for public accommodation. The term shall include any building or group of buildings designated as motor lodges, transient cabins, or by any other title intended to identify them as providing lodging for compensation to transient or resident guests.

Section 2. Amendment to Article II of Chapter 78 of the Code of Ordinances, to add definition of the term "short-term rental.

Sec 78-51, Definitions and rules of construction, is hereby amended to add the following:

Short-term rental unit: means <u>all or part of</u> a detached single-family dwelling unit or portion thereof which is that is either rented to a person for less than 30 consecutive days while the unit's owner does not reside in the unit, or is advertised to be rented for any period less than 30 days for that kind of occupancy.

Section 3. Amendment to Article VI of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Agricultural Preservation (AGP) district, when approved as a special use by the Planning Commission, and establishing standards for approval of short-term rental units.

Sec. 78-152, Use Regulations of the Agricultural Preservation (AGP) district, is hereby amended by addition of the following item (19), to read in its entirety as follows:

- (19) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and provided the following minimum standards are met:
 - a. The subject property shall have a minimum lot area of two (2) acres.
 - b. The dwelling unit on the subject property shall be located no less than fifty (50) feet from any lot line.
 - c. The dwelling unit shall have access to a public road on a driveway that is exclusively used for access to the subject property. A short-term rental unit shall not be located on a property whose access to a public road is obtained from a shared driveway or private road.
 - d. The subject property and the dwelling unit located thereon shall be the principal residence of the owner of the subject property, as evidenced by the property having a principal residence exemption in the property assessment records of the Township.
 - e. The number of occupants in a dwelling unit during a short-term rental, excluding members of the owner's household, shall not exceed six (6) total occupants.

- f. The use of <u>exterior decks</u>, <u>pools</u>, <u>and other</u> outdoor yard areas, <u>open decks</u>, <u>pools</u> <u>and the</u> <u>like</u> shall not <u>result in the production of excessive off siteproduce</u> noise, odor <u>and</u>, <u>or</u> other <u>external</u> disturbances beyond what would be<u>considered</u> reasonable and typical for a residential neighborhood.
- g. The special use permit authorizing the short-term rental use shall be conditioned upon the issuance of a short-term rental occupancyunit permit, issued pursuant to ordinance number ______. No short-term rental use of the subject property shall occur without the property having a valid short-term rental occupancyunit permit.

Section 4. Amendment to Article VI-A of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Rural Preservation-1 (RP-1) district.

Sec. 78-157, Use Regulations of the Rural Preservation-1 (RP-1) district, is hereby amended by addition of the following item (21), to read in its entirety as follows:

(21) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and the standards in Sec. 78-152.

Section 5. Amendment to Article VI-B of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Rural Preservation-2 (RP-2) district.

Sec. 78-162, Use Regulations of the Rural Preservation-2 (RP-2) district, is hereby amended by addition of the following item (21), to read in its entirety as follows:

(21) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and the standards in Sec. 78-152.

Section 6. Amendment to Article VII of Chapter 78 of the Code of Ordinances, to add provisions allowing short-term rental units in the Rural Residential (RR) district.

Sec. 78-172, Use Regulations of the Rural Residential (RR) district, is hereby amended by addition of the following item (17), to read in its entirety as follows:

(17) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and the standards in Sec. 78-152.

Section 7. <u>Amendment to Article XIII of Chapter 78 of the Code of Ordinances, to add provisions</u> allowing short-term rental units in the Low Density Single Family Residential (R-1) district.

Section 7. Amendment to Article XII of Chapter 78 of the Code of Ordinances, to add provisions allowing in the Village Residential (VR) district.

Sec. 78-292, Use Regulations of the Village Residential (VR) district, is hereby amended by addition of the following item (14), to read in its entirety as follows:

(14) Short-term rental units, when approved by the Planning Commission as a Special Use, according to the standards of article XXI of this chapter, and provided the following minimum standards are met:

- a. The subject property shall have a minimum lot area of two (2) acres.
- b. The dwelling unit on the subject property shall be located no less than fifty (50) feet from any lot line.
- c. The dwelling unit shall have access to a public road on a driveway that is exclusively used for access to the subject property. A short-term rental unit shall not be located on a property whose access to a public road is obtained from a shared driveway or private road.
- d. The subject property and the dwelling unit located thereon shall be the principal residence of the owner of the subject property, as evidenced by the property having a principal residence exemption in the property assessment records of the Township.
- e. The number of occupants in a dwelling unit during a short-term rental, excluding members of the owner's household, shall not exceed six (6) total occupants.
- f. The use of <u>exterior decks</u>, <u>pools</u>, <u>and other</u> outdoor yard areas, <u>open decks</u>, <u>pools</u> and the like shall not result in the production of excessive off-siteproduce</u> noise, odor-and, <u>or</u> other-<u>external</u> disturbances beyond what would be-<u>considered</u> reasonable and typical for a residential neighborhood.
- g. The special use permit authorizing the short-term rental use shall be conditioned upon the issuance of a short-term rental occupancyunit permit, issued pursuant to ordinance number ______. No short-term rental use of the subject property shall occur

without the property having a valid short-term rental occupancyunit permit.

Section 8. Severability.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby. If a term in this ordinance is held invalid, that invalidity shall affect no other term in this ordinance. Every term in this ordinance shall be enforced to the maximum extent permitted by law.

Section 9. Effective Date.

This Ordinance shall become effective upon the expiration of 7 days after publication in a newspaper of general circulation in the Township.

Jacqueline Smith Township Clerk George Haga Township Supervisor

I hereby certify that this ordinance was adopted by the Ada Township Board in regular session held on ______, 2017, and that it was published in the ______ on _____, 2017.

Jacqueline Smith Township Clerk