



Jenison Bible Church

6360 14th Avenue, Hudsonville, Michigan 49426
ph. (616) 457-3770 www.JenisonBible.org

September 14, 2007

Township Clerk Del South
Charter Township of Georgetown
PO Box 769
Jenison, MI 49429-0769

Re: Addition to Jenison Bible Church, 6360 14th Avenue

Dear Mr. South:

I am writing to appeal, in behalf of Jenison Bible Church, a recent decision by your sidewalk committee to require the church to pay for the construction and installation of an eight-foot-wide non-motorized path located within the 44th Street right-of-way and extending for the entire length of the church property along 44th Street.

As you may know, we are constructing, and indeed are nearing the completion of, an addition to our church building at the corner of 44th Street and 14th Avenue. We received site plan approval for the construction of the addition.

As a part of our construction project, we are proposing to install a sidewalk along the entire length of our 14th Avenue frontage, where the driveway entrances to our church property are located. In preparing our site plan, we were directed by the zoning administrator to also show an eight-foot-wide non-motorized path along our entire 44th Street frontage, though we do not feel it is appropriate or fair for the Township to require us to pay for the installation of this lengthy and substantial non-motorized trail.

The non-motorized trail along 44th Street is to extend from 8th Avenue all the way to highway M-21, a distance of several miles. This is clearly a regional or area-wide trail for hiking, bicycles and the like. It is not a neighborhood sidewalk, nor would it have any particular relation to our church property. There is no driveway entrance to the property off 44th Street.

In the interest of cooperation with the Township, we have already indicated that as a compromise we would pay for the necessary grading along 44th Street, for the installation of the trail and indeed this grading has already taken place and we propose to bear that cost, as well as the entire cost of the sidewalk along 14th Avenue.

However, the cost of installing the very substantial non-motorized trail along the entire length of our 44th Street frontage would be very costly for us.

I must also say that we do feel an element of unfairness if the Township requires us to pay for the non-motorized trail along our 44th Street frontage, yet does not also require the neighboring property owners to do so as well. Indeed, we understand that the Township may have obtained grant monies or other funds for the construction of the trail along the properties near ours along 44th Street, but it appears that we are being required to pay for the construction of the trail in front of our property merely because we are in the process of building an addition to our church building.

We also wonder whether it is appropriate to require us, as a private property owner, to pay for the construction of what is a public facility, and indeed one that is located within the public right-of-way of 44th Street. While we do understand the value of neighborhood sidewalks in residential areas, it does seem to us that this very lengthy and major non-motorized trail is a Township-wide public facility, not a sidewalk that benefits homeowners living along it.

Because of our concern about this, we have read carefully your ordinance provisions on sidewalks and non-motorized paths. It is clear that you as a Township Board have the authority not to require a property owner to construct a sidewalk or path, because Section 10-216 of the Ordinance Code states that any directive for the construction of a sidewalk or path is in the Board's "discretion."

We also note that Section 10-216 also states that the Township Board has the authority "to waive the sidewalk and/or non-motorized path requirement . . . if, in the opinion of the Township Board, the requirement would result in significant unfairness or unreasonable hardship."

We therefore ask that you reverse the recent decision of the sidewalk committee and accept our offer of compromise regarding the 44th Street non-motorized trail, that is, that we would arrange and pay for the necessary grading along 44th Street (as we have done) but treat the construction of the trail as a necessary public expense as is apparently being done with regard to those parts of the trail adjacent and near our property.

Thank you for your consideration of our request.

Yours very truly,

JENISON BIBLE CHURCH



By Bruce Baker, Senior Pastor