

CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
AGENDA

REGULAR MEETING

July 14, 2014

Town Hall Room, Meridian Municipal Building
5151 Marsh Road, Okemos, MI 48864

Regular Meeting

1. Call meeting to order at approximately 7:00 p.m.
2. Approval of agenda
3. Approval of minutes
 - A. June 23, 2014
4. Public remarks
5. Communications
6. Public Hearings
 - A. Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size
2. Unfinished Business
3. Other Business
4. Township Board, Planning Commission officer, committee chair, and staff comment or reports
5. New Applications
 - A. Special Use Permit #14-86301 (Courtesy Ford), request for a minor amendment to construct a 3,000 square foot addition at 1830 Grand River Avenue
6. Site Plans received
 - A. Site Plan Review #14-87-02 (Courtesy Ford), request to amend an approved site plan to construct a 3,000 square foot addition at 1830 Grand River Avenue
7. Site Plans approved
 - A. Site Plan Review #14-09 (Meridian Township), request to construct a new fire station on Okemos Road south of Central Park Drive.

Planning Commission Agenda

July 14, 2014

Page 2

8. Public Remarks
9. Adjournment

Post Script: James Salehi

The Planning Commission's Bylaws state agenda items shall not be introduced for discussion or public hearing that is opened after 10:00 p.m. The chair may approve exceptions when this rule would cause substantial backlog in Commission business (Rule 5.14 Limit on Introduction of Agenda Items).

Persons wishing to appeal a decision of the Planning Commission to the Township Board in the granting of a Special Use Permit must do so within ten (10) days of the decision of the Planning Commission (Sub-section 86-189 of the Zoning Ordinance)

**TENTATIVE
PLANNING COMMISSION AGENDA**

**July 28, 2014
Regular Meeting 7:00 p.m.**

Regular Meeting

1. Public Hearings

2. Unfinished Business
 - A. Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size

 - B. Zoning Amendment #13040 (Planning Commission), amend multiple sections of the zoning ordinance to add Adult Day Care Centers

3. Other Business
 - A. Proposal to review the Planning Commission Bylaws

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
June 23, 2014**

DRAFT

**5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.**

PRESENT: Commissioners Deits, Hildebrandt, Honicky (7:01 P.M.), Ianni, Jackson, Salehi, Scott-Craig, Van Coevering
ABSENT: Commissioner Cordill
STAFF: Principal Planner Oranchak

1. Call meeting to order

Chair Jackson called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Hildebrandt moved to approve the agenda. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 7-0.

3. Approval of Minutes

Commissioner Ianni moved to approve the Regular Meeting Minutes of June 9, 2014. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 8-0.

4. Public Remarks

Chair Jackson opened the floor for public remarks.

Leonard Provencher, 5924 Buena Parkway, Haslett, spoke in support of Rezoning #14060, as it is harmonious with the surrounding property.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke to consensus reached on changes in the Planning Commission bylaws which have not yet been adopted by the Commission. He continued his assertion that Areas 4 and 5 of the Urban Services Management Area (USMA) have not had problems with failed septic systems and therefore do not have related public health and safety issues. Mr. Bowlby voiced the need for concessions on the part of both the Township Board and the Planning Commission in order for the USMA to move forward. He addressed the issue of who are proper recipients of official notices for site plan reviews, focusing on the interpretation of "adjacent" and suggesting the need for its definition to be included in Section 86.

Vance Kincaid, 4530 Nakoma Drive, Okemos, alleged the site plan review process for the new central fire station was flawed. He spoke to lack of trust in government by township residents.

David Pierson, 1035 S. Washington Avenue, Lansing, attorney for Boomer Group, LLC, offered history for the office use designation for the subject parcel of Rezoning #14060, located on the northeast corner of Jolly Oak Road and Water Lily Way.

Susan Simkin, 2032 Central Park Drive, Okemos, spoke to the evolvement of the Township's Master Plan, indicating it is in "chaos." She believed there is a need for good paying jobs in the community for young people with children in order to have solid Township growth. In order to be effective, Ms. Simkin stated there is a need for township officials to look at the bus rapid transit (BRT) concept in terms of the way zoning is considered. She offered her opinion on the length of the BRT corridor, making a correlation with sewer extension.

Chair Jackson closed public remarks.

5. Communications (None)

6. Public hearings

A. Special Use Permit #14071 (G. S. Fedewa Builders), request to construct a 10-unit multiple family townhouse complex at 1730 Chamberlain

Chair Jackson opened the public hearing at 7:22 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Principal Planner Oranchak summarized the special use permit (SUP) request as outlined in staff memorandum dated June 5, 2014.
- Applicant
Gerry Fedewa, G.S. Fedewa Builders, 5570 Okemos Road, East Lansing, indicated the proposed project will be his fourth multi-family development in Meridian Township, pointing to the rental success of a similar project, Brattin Woods, on Okemos Road. He believed this an advantageous location near a bus line. Mr. Fedewa displayed overhead views of the proposed plan and units.
- Planning Commission discussion:
Commissioner Deits inquired as to the appropriateness of conditioning approval of the SUP on the Chamberlain Drive easement.

Principal Planner Oranchak responded the applicant has the option to ask for access from Marsh Road.

Commissioner Deits noted if the project was required to have access from Marsh Road, there would need to be a substantial site plan revisions, with possible changes to the setbacks.

Principal Planner Oranchak replied the special use permit does not have to be approved until there is assurance as to which access will be used, either Chamberlain Drive or Marsh Road.

Commissioner Deits spoke to the elevation of the property at the back of the building to the north property line sloping down approximately two (2) feet. He inquired where that water would travel to.

Ms. Oranchak responded the development will be designed so that water from that area will flow to the detention pond.

Commissioner Deits inquired if there is an additional ten feet near the north setback which could be utilized in some fashion.

Principal Planner Oranchak responded 50 feet is the required setback when the adjacent property is zoned in a single family residential zoning category,

Commissioner Salehi expressed concern if there would be sufficient available parking for ten units. He inquired if visitors would have the ability to park on Chamberlain Drive.

Principal Planner Oranchak replied that since Chamberlain Drive is not a public street, any parking arrangements would need to be worked out through the easement. She noted each unit has a concrete pad in front of it which can be used for guest parking.

Commissioner Salehi noted the staff report commented on township policy in multiple family projects for future parking to equal 25% of the total required spaces (i.e., five (5) spaces). He inquired if there would be room for an additional ten parking spaces, which would provide one additional space for each unit.

Principal Planner Oranchak indicated the applicant currently needs a variance from the required five (5) additional future spaces, as the current site plan shows their location in the required landscape buffer between Chamberlain Drive and the access drive. She stated two (2) parking spaces per unit is a typical multiple-family parking standard, noting that multiple-family developments generate fewer cars than single family.

Commissioner Salehi asked the applicant if he considered providing one parking space per unit and then provide ten (10) spots for "group" parking.

Mr. Fedewa replied they followed the standard of two (2) spaces inside the garage with two (2) additional spaces outside the garage. He noted if a resident is planning a party, there is sufficient parking available at nearby Marshall Park and Lake Lansing Park.

Commissioner Ianni believed this project would attract young professionals with school aged children, a demographic which was mentioned during public comment as necessary for Township growth.

Commissioner Honicky inquired if the applicant had created any rules for renters regarding the storing of boats, specifically for the concrete slab in front of the garage or the visitor/guest parking lot.

Mr. Fedewa responded his rental agreement clearly specifies a prohibition on parking boats and RVs.

Commissioner Scott-Craig expressed appreciation for the sidewalks indicated on the drawings.

Mr. Fedewa added he plans to leave the total brush and leaf barrier currently in the back which would give both renters and residents in back that privacy.

Commissioner Scott-Craig spoke to the limited flexibility the Zoning Board of Appeals (ZBA) has when an applicant makes a variance request that is "self-created." He asked if Mr. Fedewa has considered other possibilities.

Mr. Fedewa responded he is flexible and will work with the Planning Commission to tweak the footprint to accommodate the requirements for the vegetation strip which would affect the westerly two units.

Commissioner Scott-Craig noted the detention pond is a large area and inquired if it could be reconfigured to accommodate the needed additional five (5) parking spaces.

Mr. Fedewa responded he believed it could be reconfigured to avoid the requested variance for additional parking spaces.

Commissioner Scott-Craig observed during his visit that there are water issues in the back corner of the property (north of the end of the retention pond area on the other side of the driveway), where a wooden power pole was standing in significant water.

Mr. Fedewa responded he will work to resolve that issue during development of the site.

Commissioner Scott-Craig encouraged the applicant to eliminate any applications for variance in an effort to smoothly move the process forward.

Commissioner Van Coevering inquired regarding the five (5) criteria listed in Section 86-756(7)(b) which must be met in order for the Director of Community Planning and Development to waive curb and gutter requirements.

Principal Planner Oranchak replied three (3) of the criteria are listed in the staff memorandum and the other two deal with the number of parking spaces and approval of the detention pond by the Township Engineering Department.

Commissioner Deits requested clarification on the issues with respect to the buffer on the south side in the front of the building

Principal Planner Oranchak pointed out the property line on an overhead map and indicated there should be a 20 foot buffer just north along the property line.

Commissioner Deits believed all the requested variances would not be needed if the applicant would remove two (2) of the units or, in the alternative, eliminate one unit and turn the other unit 45 degrees which would open up a large area on the east side of the property for parking.

Principal Planner Oranchak added the curve in Chamberlain Drive impacts design options.

Commissioner Deits acknowledged appreciation for the applicant attempting to turn a vacant lot into productive property while being cognizant of the need to balance the Township's design standards against the desire to utilize the property.

Principal Planner Oranchak indicated she has had discussions with the applicant that if a significant redesign is needed, it could be presented to the Planning Commission at its next meeting with a decision at the meeting following that.

Commissioner Hildebrandt believed the overflow parking issue at certain times needs to be addressed on site and encouraged the applicant to have ample bicycle parking given its proximity to Lake Lansing.

Commissioner Salehi inquired if it was possible to move the two sets of units closer together to allow for the proper vegetation strip.

Mr. Fedewa believed some of the units could be downsized at the west end to allow for a proper vegetation strip. He indicated one constraint for the two unit building is that it must have a 100 foot setback from Marsh Road so cannot be moved, adding the units are located as far north as possible. At this point, he stated he needs to rework the various units' footprints and bring back a revised plan which would not include "self-created" variance requests. He added the eight (8) unit-building cannot be moved to the east as it will cause vehicular conflict with the adjacent units.

Commissioner Salehi requested the Planning Commission would like to be apprised if an answer regarding parking on Chamberlain Drive is obtained.

Mr. Fedewa responded the title companies do not have a definitive answer as to the owner(s) of Chamberlain Drive, indicating the Michigan Department of Treasury may be the owner.

Chair Jackson inquired if the space in front of the garages could satisfy the requirement for the additional 25% required for future parking spaces.

Principal Planner Oranchak responded they would not, as the additional future parking spaces need to be away from the main parking for each unit.

Chair Jackson closed the public hearing at 8:04 P.M.

7. Unfinished Business

- A. Rezoning #14060 (Boomer Group, LLC), request to rezone approximately 3.55 acres located on the NE corner of Jolly Oak Road and Water Lily Way from PO (Professional and Office to C-2 (Commercial) with a voluntary offer of a condition to develop the site for a hotel

Commissioner Hildebrandt moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #14060 to rezone approximately 3.55 acres located on the north of Jolly Oak Road, east of Water Lily Way and south of Farrins Parkway from PO (Professional and Office) to C-2 (Commercial) with the voluntary offer of a condition limiting development on the site to an all-suites hotel with no more than 135 rooms, subject to the standards applying to hotels in the C-2 district and all requirements of Chapter 86 of the Code of Ordinances for special use permit, site plan review, or variance, if any.

Seconded by Commissioner Ianni.

Planning Commission and applicant discussion:

- Hotel as a good use on the subject site
- Preference that a time limit of two (2) years to break ground be placed in the resolution
- Three (3) years is a more appropriate timeframe
- Time limit provides for an opportunity to revisit the site in the event this specific project does not come to fruition
- Time limit protects the Township from potential future changes if something happens with the surrounding area and this is no longer the right project
- Applicant has offered a condition on this rezoning of development of a maximum 135 unit all suites hotel
- If this project is not built and the time limit transpires, the rezoning would revert back to its original PO zoning designation
- Concern if conditions in the surrounding area change and there is no time limit, the rezoning designation stands

Commissioner Deits offered the following friendly amendment:

- **Add an additional WHEREAS clause to read: WHEREAS, while the Future Land Use Map (FLUM) shows office use of this parcel, the excess of comparable office space in the Township, as documented in the current Township Master Plan, renders it appropriate to designate an alternative compatible use.**

The friendly amendment was accepted by the maker and seconder of the main motion.

Continued Planning Commission and applicant discussion:

- All-suites hotel would generate approximately one-half of the peak hour trip generation compared to PO
- Preference to use the language as noted in the staff report dated June 19, 2014
- Objection by the maker of the amendment that an amendment should not be supported based on an analogy

Commissioner Deits offered the following friendly amendment:

- **Amend the seventh WHEREAS clause by inserting the word “fewer” before “peak hour”**

The friendly amendment was accepted by the maker of the main motion.

The maker offered the following friendly amendment:

- **Add an additional RESOLVE clause to read: BE IT FURTHER RESOLVED the Planning Commission recommends a time limit of three (3) years for groundbreaking to begin after final approval.**

The friendly amendment was accepted by the seconder.

VOICE VOTE: Motion carried 8-0.

8. Other Business

- A. Rezoning # 14020 (Okemos Road, LLC/Hagan), request to rezone 3698 Okemos Road from RR (Rural Residential) to PO (Professional and Office)
Principal Planner Oranchak updated the rezoning request as outlined in staff memorandum dated June 19, 2014.

Planning Commission and staff discussion:

- Requests made at the last Planning Commission meeting to ascertain the amount of PO on south Okemos Road as well as the multi-family vacancy rate
- The Township does not maintain information on vacancy rates
- Identified difference between office park developments and single building PO development
- Comparison of the 2000 and 2010 census information compiled by the sustainability grant group shows a nominal increase between those years in multiple-family vacancy rates
- Two parcels make up the child day care site
- Church has an institutional zoning designation
- Lack of need for more professional office in the area
- Township Board requested the Planning Commission consider which residential use was most appropriate for the subject parcel
- Planning Commissioner belief that RC is the most appropriate zoning designation based upon the adjacent uses to the north

Commissioner Ianni moved to rezone this parcel to RC to make it more productive and in keeping with the surrounding uses to the north. Seconded by Commissioner Van Coevering.

Planning Commission and staff discussion:

- Board request for the Planning Commission to look at other zoning designations than PO
- Planning Commissioner belief this body looked at other zoning designations and the conclusion is represented in the memorandum dated June 19, 2014

VOICE VOTE: Motion failed 3-5 (Deits, Hildebrandt, Salehi, Scott-Craig, Van Coevering).

Commissioner Salehi moved to advise the Township Board the Planning Commission continues to recommend PO (Professional and Office) zoning for 3698 Okemos Road for the following reasons:

- **The Planning Commission considered existing Future Land Use Map (FLUM) designations and zoning from Jolly Road north to the railroad tracks and a similar distance east to west paying specific attention to seven properties north of Tamarack Drive and Bickford assisted living facility.**
- **The Planning Commission concludes residential use of any kind is inappropriate at 3698 Okemos Road due to traffic and associated noise. The mid-block location precludes indirect access to the high trafficked Okemos Road, a designated Principal Arterial with a speed limit of 45 miles per hour. Adjacent multiple family developments to the north and east access Okemos Road via Fox Hollow Drive.**
- **The small size of 3698 Okemos Road, approximately one acre, does not make it suitable for a non-residential use permitted by special use permit in a residential district like the child care center and church to the south and the Bickford assisted living facility to the north since the minimum lot area requirement for such uses is two acres.**
- **Buffering residential zoning from higher intensity commercial uses with office uses is consistent with the Master Plan's transitional land use policy and is exemplified by the separation of Hiawatha Lakes subdivision from the commercial areas of the Jolly and Okemos intersection by PO zoning and an Office designation on the FLUM.**
- **Unlike the subject site, the seven properties to the north of Tamarack Drive and Bickford assisted living facility about a single-family residential subdivision. The Planning Commission sees no reason to revise the FLUM designation or zoning at this time. In the future the sites could be consolidated to facilitate one or more non-residential uses permitted by special use permit in a residential district such as the Bickford assisted living facility. The seven properties total approximately four acres in size, exceeding the minimum area requirement of two acres.**
- **If 3698 Okemos Road is rezoned to PO (Professional and Office), the Planning Commission intends to change the FLUM designation for the subject site and the adjacent child care center from Residential 5.0 to 8.0 dwelling units per acre to Office.**

Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 6-2 (Honicky, Ianni).

9. **Township Board, Planning Commission officer, committee chair, and staff comment or reports**
Commissioner Honicky inquired as to the origin of the Township's mission statement.

Commissioner Scott-Craig spoke to the success of the Celebrate Downtown Okemos event held on June 14th.

Commissioner Deits read the project update report produced by Associate Planner Menser.

10. New applications (None)

11. Site plans received

A. Site Plan Review #14-09 (Meridian Township), request to construct a new fire station on Okemos Road south of Central Park Drive.

12. Site plans approved (None)

13. Public remarks

Chair Jackson opened public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, requested clarification be provided on the retention pond outlet depicted for Special Use Permit #14071 as the plans appear to have water dumping out at grade next to the pathway. He also expressed concern with its size.

Chair Jackson closed public remarks.

14. Adjournment

Chair Jackson adjourned the regular meeting at 8:46 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

DATE: July 10, 2014

TO: Planning Commission

FROM: 
Gail Oranchak, AICP
Principal Planner

RE: Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size

At its April 10, 2014 meeting, the Planning Commission initiated a zoning amendment to allow one additional residence on RR (Rural Residential) zoned parcels at least 50 acres in area with one existing residence. At the time, the request was made and a draft ordinance amendment prepared by Phillip G. Adkison. Mr. Adkison is the attorney representing David and Joan Johnson who reside at 6503 Park Lake Road and wish to take advantage of such an ordinance. Based on comments made at the meeting, attorney Adkison subsequently submitted the attached revised draft to amend the special use permit section of the RR (Rural Residential) district on April 15, 2014.

The Township attorney has reviewed the most recent draft and raised concerns with staff regarding the special use permit designation and proposed conditions. Specifically, conditions may imply approval is being granted for a future land division, planned unit development (PUD) or public road construction. The Township's Land Division Ordinance, based on requirements laid out in the Michigan Land Division Act, establishes the procedure and standards for dividing a parcel of land, including when a public road is required. The procedure for review of PUD's are found in the zoning ordinance, subject to final approval by the Township Board.

The Township attorney recommends simplifying the amendment by listing it as a use permitted by right and limiting the conditions to RR zoning, minimum size, and compliance with all other applicable standards of the RR zoning district. In accordance with the Township attorney's recommendation, the following replacement amendment is provided:

Section 86-368 (b) Uses permitted by right.

- (1) Single-family dwellings, provided that, EXCEPT FOR RR ZONED PARCELS EQUAL TO OR GREATER THAN 50 ACRES IN AREA, there shall not be more than one dwelling upon each lot and that such dwelling is either constructed on the site or manufactured off the site, which shall meet each of the following standards.
- (2) – (16) No change.
- (17) ONE ADDITIONAL SINGLE-FAMILY RESIDENTIAL DWELLING AND ASSOCIATED ACCESSORY STRUCTURES MAY BE CONSTRUCTED ON A PARCEL OCCUPIED BY NOT MORE THAN ONE SINGLE-FAMILY RESIDENTIAL DWELLING UNIT AND ASSOCIATED ACCESSORY STRUCTURES PROVIDED, THE SUBJECT PARCEL IS ZONED RR (RURAL

ZA #14040 (Planning Commission)
Planning Commission (7/10/14)
Page 2

RESIDENTIAL), IS EQUAL TO OR GREATER THAN 50 ACRES IN AREA, AND OTHER APPLICABLE ZONING DISTRICT REQUIREMENTS ARE MET.

While the request is specific to the Johnson's circumstances, the proposed zoning amendment would apply to any RR zoned parcel of land in the Township meeting the criteria of 50 or more acres and an existing residence. Staff has provided the attached map showing, at this time, three sites fit this description, one of them being the Johnson's located along the Township's northern boundary with Bath Township.

Attachments

1. April 14, 2014 Planning Commission minutes
2. Revised amendment from Phillip G. Adkison dated April 15, 2014
3. Aerial Photograph of 6503 Park Lake Road
4. Map of parcels meeting amendment criteria

- Planning Commissioner belief that placing the USB as far west as possible facilitates special scrutiny when discussing properties east of the USB at the appropriate time
- Suggestion to proceed with other areas of the Mater Plan and then return to the USB at the end of the process
- Suggestion to include all undeveloped land in Meridian Township on the map and then apply the ten TCRPC criteria to the specific parcel(s)
- Reminder that there needs to be preservation of the rural character in the eastern third of the Township
- Planning Commissioner belief the boundary line deals with controlling development in the Township
- Planning Commissioner preference for a compromise position v. no boundary
- Staff to provide a map revision based on comments and consensus reached at tonight's meeting
- Inquiry of the Board if the Georgetown Payback District should be delineated on the FLUM when it comes back to the Planning Commission
- A resolution provided by staff at the next meeting which allows voting on each area would need to be refined and presented to the Planning Commission for approval at a subsequent meeting
- Planning Commissioner concern that if an area is on the map, it must affirmatively be removed from the map; if an area is not on the map, it must affirmatively be added to the map
- Planning Commissioner concern that tie votes will allow the map to stand
- Map has not been amended by the Board to add the Georgetown Payback District
- Georgetown Payback District was specifically left off the map as it is not definitive
- Georgetown Payback District is totally independent of the USB and not part of the consideration
- Georgetown Payback District is under legal contractual considerations to determine if the area will have services
- Exemption of the Georgetown Payback District from the USMA
- Adoption of TCRPC standards indicates agreement the USB will be used to direct development
- Staff to provide a map and resolution at the next Planning Commission meeting based on consensus voiced during this discussion
- Planning Commissioner preference to vote area by area and send results to the Board

8. Other Business

- 
- A. Zoning amendment request to allow more than one residence on a parcel 50 acres or more in size
Principal Planner Oranchak summarized the request to initiate a zoning amendment allowing two residences on a parcel 50 acres or more in size.

Planning Commission, staff and applicant's representative discussion:

- Concern with the road needing to be addressed prior to constructing a second dwelling
- Land division ordinance requires every lot of subdivided land to have the proper amount of frontage on a public street
- Another option would be to create a planned unit development (PUD)
- Concern the proposed zoning amendment mechanism would allow for spot zoning
- Planning Commissioner belief there is a different way to deal with this issue
- Specific issue is multiple residences on one parcel which is not currently allowed by Township ordinance unless it is a PUD
- Township's zoning "objective" is to have one (1) house on one (1) parcel
- Current minimum width requirement for a public road is 60 feet

- Current parcel has 15 feet of road frontage in Meridian Township and is an existing non-conforming parcel
- Planning Commissioner inquiry if the land could be subdivided, request a variance for decreased frontage and then share the existing driveway
- Land division ordinance is not part of zoning and would not provide for a variance from that particular section of the ordinance
- Possibility of proposing a PUD to address this situation and then request a variance for the lot width
- Access to Park Lake Road is problematic in all scenarios
- Condominium PUD would require common ground shared by the parties involved
- Applicant is proposing a special land use process which would separate the structures, size of the separation would be the same as if the new structure had been located within a condominium project, subdivision or land division and is identical to the process used for land division, subdivision or condominium
- Planning Commission can place a “family” occupancy restriction
- Planning Commission can place a requirement that if the property is sold to non-family, one building must be torn down or the road must be constructed
- Impact of the proposed use is minimal compared to other uses currently allowed as a special land use in this district
- Parcels 50 acres or more exist in the Township which currently are undeveloped
- Most undeveloped parcels in the Township which are 50 acres or more are publicly owned
- Rationale for not addressing this issue by SUP is because the zoning ordinance does not allow it
- Parcel being landlocked is a self-limiting situation and makes it more appropriate for a SUP
- Rationale for tailoring this amendment specifically to 50 acres or more
- Limiting the proposed zoning change to 50 acres or more, in part, due to the low impact on the community of larger rural residential parcels
- One residence per lot is a fundamental basis for residential zoning in the Township’s zoning ordinance
- Inquiry if staff should explore the option of a SUP to address this issue on the subject parcel
- Staff comment more than one residence on a lot is a non-conforming use and an SUP would not be approved for a non-conforming use
- Land locked status of the parcel is not part of the proposed ordinance, but the land locked property prevents land division
- Delineation of steps needed in a process to achieve the end result
- Suggestion by the applicant’s representative to take a parallel path of investigation into the SUP option while moving forward with the zoning amendment
- Applicant’s intent to provide a site plan such that in the event the property is developed, it would not be necessary to tear down one or both of the houses to achieve orderly development
- Need for the applicant to propose a specific zoning amendment
- Encouragement to the applicant to explore the possibility of a SUP on the subject property
- Consideration of the Township’s length to depth requirement for parcels of land
- Length of the road (1,500 feet) is the issue with its construction

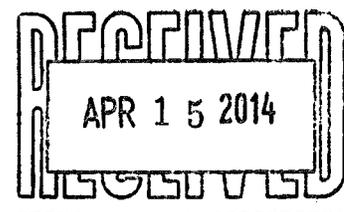
Commissioner Salehi moved to initiate an amendment adding a new section to the Section 86-368 (c) Uses permitted by special use permit to allow a second residential structure on RR zoned properties. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 7-0.

Proposed amendment to Sec. 86-368 RR district: One-family rural residential district, to add a subsection Sec. 86-368 (c) (15) Second Single Family Dwelling as a special land use as follows:

Sec. 86-368 (c)(15) A second single family residential dwelling and accessory structures may be constructed on a single parcel of land in the RR One-family rural residential district subject to the following conditions:

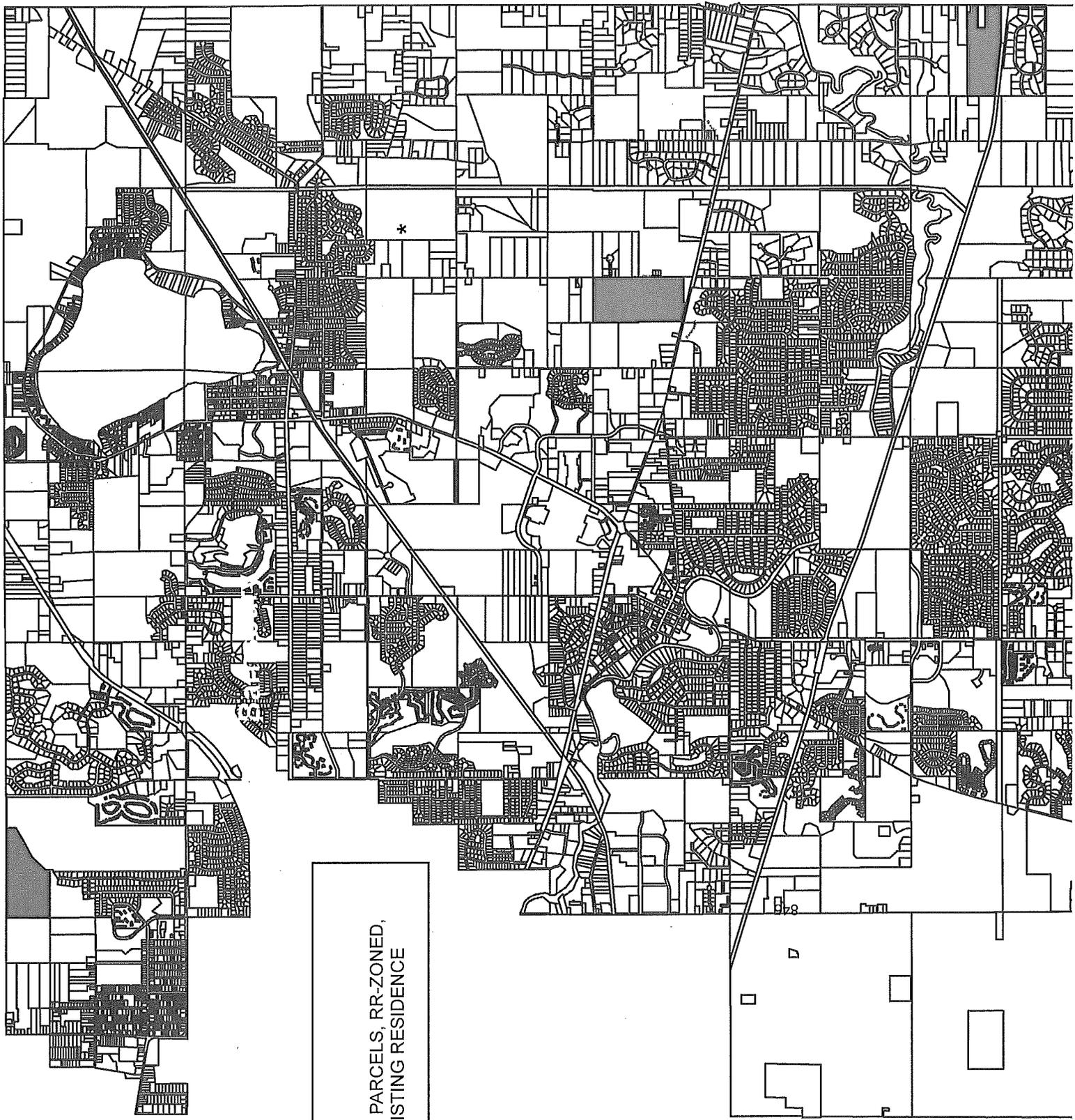
- (A) THE SUBJECT PARCEL SHALL BE NO LESS THAN 50 ACRES.
- (B) THE SUBJECT PARCEL SHALL HAVE LESS THAN 400 FEET OF FRONTAGE ON AN EXISTING PUBLIC ROAD. (CHECK LAND DIVISION FOR APPROPRIATE LANGUAGE)
- (C) THE TOTAL COST, INCLUDING SOFT COSTS, TO CONSTRUCT A NEW ROAD OR EXTEND AN EXISTING REQUIRED ROAD TO PERMIT A LAWFUL LAND DIVISION, OR ESTABLISHMENT OF A SUBDIVISION OR CONDOMINIUM ON THE PARCEL SHALL BE GREATER THAN 20 PERCENT OF THE COST OF CONSTRUCTION OF THE SECOND DWELLING UNIT.
- (D) THE REQUIRED LENGTH OF NEW ROAD OR EXTENSION OF AN EXISTING ROAD NEEDED TO PERMIT CONSTRUCTION OF A SECOND DWELLING AFTER A LAWFUL LAND DIVISION, OR ESTABLISHMENT OF A SUBDIVISION OR CONDOMINIUM ON THE PARCEL SHALL BE NO LESS THAN 1000 FEET.
- a (E) The parcel of land on which the existing single family residential structure and the proposed second single family residential structure is located shall remain in the same ownership.
- b (F) Except as modified by this subsection, the second single family residential dwelling and accessory structures shall comply with the RR district regulations set forth in Sec. 86-366. - Schedule of regulations for residential districts.
- e-(G) A site plan showing the second single family residential dwelling structure and all accessory structures shall be submitted showing the structures located within a building envelope on the parcel in such a manner as to meet all requirements of the zoning ordinance with respect to setback, minimum lot area, minimum lot width, and maximum lot coverage for buildings so that if the parcel is later subject to a land division, subdivision, or condominium that such structures will lawfully fit into a resulting parcel, lot, or unit.
- d (H) The second single family residential dwelling and accessory structures shall be located in such a manner to facilitate the lawful future extension of roads to serve the second single family residential dwelling and accessory structures upon a land division, subdivision, or condominium development of the subject parcel that results in separation of the second single family residential dwelling and accessory structures from the existing single family residential dwelling and accessory structures.
- e l) A restrictive covenant shall be recorded notifying all interested parties that the second single family residential dwelling and accessory structures are subject to the requirements of this section.



Park Lake Road

BATH TOWNSHIP/CLINTON COUNTY





Legend

■ 50-ACRE PARCELS, RR-ZONED,
WITH EXISTING RESIDENCE

