

**ADA TOWNSHIP PLANNING COMMISSION
MINUTES OF THE MAY 15, 2014 MEETING**

A meeting of the Ada Township Planning Commission was held on Thursday, May 15, 2014 at 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 Chairperson Korth at 7:00 p.m.

II. ROLL CALL

Members present: Easter, Korth, Leisman, Lowry, Jacobs

Members absent: Butterfield, Lunn

Staff present: Planning Director Ferro.

III. APPROVAL OF AGENDA

Ferro distributed a revised agenda, with the addition of a PUD amendment request from Falcon Printing, requesting revision of the conditions of approval pertaining to home construction on Unit 19 of the Montreux PUD. Korth requested a motion to approve the revised agenda. It was moved by Easter, supported by Jacobs, to approve the agenda as revised.

Motion passed unanimously.

IV. APPROVAL OF MINUTES OF APRIL 17, 2014 MEETING

Easter stated that the draft minutes do not reflect Korth as being present.

Motion by Easter, supported by Jacobs, to approve the minutes with the correction of Korth being noted as present.

Motion passed unanimously.

V. PUBLIC HEARINGS

Request for Special Use Permit to allow a 2,400 square foot accessory building, more than the allowed 1,800 square feet permitted by right in the AGP zoning district, Jeff and Amy Stevens, 9557 2 Mile Road, Parcel No. 41-15-12-400-008

Michael Stevens, Stevens Associates Builders, stated he is the contractor who has been hired by the applicant, Jeff and Amy Stevens to build their new home on this same property. He stated he believes the request satisfies the standards for special use approval.

Stevens stated the owners would like to construct a 40-foot x 60-foot post and beam barn on the property, approximately 56 feet away from their home, as indicated on the site plan. He stated the barn is of the highest quality post-and-beam material, with a poured foundation and concrete floor, and board and batten siding. It will be harmonious with the home design that is being built concurrently. Stevens stated he believes it is certainly harmonious with the surrounding area and properties surrounding their homestead.

Ferro stated the reason this is before the Commission is the footprint size exceeds the maximum 1,800 square feet that is permitted by right for the subject property. He stated the zoning rules authorize the planning commission to approve size larger than 1,800 square foot limit by special use permit, if it determines that it satisfies the four general standards that the applicant mentioned, and that it also satisfies the standard in the ordinance that states the size, height, and character of the building will be compatible

with the character of the surrounding area. He stated it is a large parcel on the north side of 2 Mile Road, east of McCabe Avenue near the eastern township boundary, in a very rural area. Ferro noted there is a home under construction already on the site.

Korth opened the public hearing. There was no public comment, and the hearing was closed.

Korth stated this appears to be a fairly simple request, as there have been a number of these in the last couple of years, and later in the agenda we will be looking at revising this zoning rule. He stated his belief is it is compatible with the area, is an asset, and would request someone to move on this.

Motion by Leisman, supported by Lowry, to approve the Request for Special Use Permit to allow the proposed 2,400 square foot accessory building.

Motion approved unanimously.

Amendment to Accessory Building Regulations to revise minimum setback standards, maximum height limits and maximum combined ground floor area limits for accessory building in residential districts

Ferro stated he would give an overview, and then since this was advertised for a hearing, Chairman Korth can open the hearing. Ferro also noted that the applicant for the New Business item is present, and the Commission might consider adjusting the agenda after the public hearing is held.

Ferro stated the current accessory building standards underwent a major revision in 1999. Ferro stated that prior to 1999, there was a minimum side setback of 20 feet in the rural zoning districts, and a 10 foot minimum side setback in the R-2, R-3 and R-4 zoning districts. Ferro noted that the R-2 and R-3 districts are the single family districts located along the Ada Drive corridor. Ferro stated that in all districts, there was a minimum rear yard setback of 5 feet, and a maximum side wall height of 16 feet. Ferro stated there were no limits on the square footage of accessory buildings prior to 1999.

Ferro stated the 1999 amendments introduced setback requirements that vary based on building size, with larger setbacks required for larger buildings. In addition, limits on the aggregate square footage of all accessory buildings on a lot were enacted, which also vary based on lot size. He stated that maximum side wall height limits were revised, to also vary based also on lot size.

Ferro stated the current standards use a size cutoff of 240 square feet, below which a 3 foot side setback is permitted in the Village Residential district, and a 10-foot side setback is permitted in the R-2 and R-3 districts. Ferro stated that above 240 square feet, the setback requirement increases to 20 feet in all districts, and to 50 feet in all districts for building above 1,200 square feet. He stated that this is a particularly burdensome requirement, especially in the Village Residential district. He noted that a 240 square foot building is the size of a one-stall garage, which is very uncommon in new construction. Ferro stated that the impact of the 20 foot setback requirement was to make it nearly impossible to build a typical 2-stall garage in the Village. He stated that in the R-3 district, with typical lot width of 90, the result of the 20 foot setback requirement is to force accessory buildings to the middle of the rear yard, with relatively unusable yard areas on either side of the building. Ferro stated that allowing a 2-stall garage to have a setback of 10 feet would permit the building to be closer to one side of the lot, leaving a larger usable rear yard area on one side of the building.

Ferro stated the proposed revision introduces a new building size range category of 240 square feet to 525 square feet, with a 3 foot setback allowed in the Village Residential district, and 10 feet in the R-2 and R-3 districts. Ferro stated that for buildings between 525 and 1,200 square feet, there would be no change in the setback requirements.

Ferro stated the proposed change in accessory building height limits would allow a higher side wall height of 20 feet for two-story accessory buildings that are a walkout design, where an upper level is at grade on one side, and a lower level is at grade on the lower side of the slope.

Ferro stated one other proposed change is increasing the maximum footprint size permitted by right on lots of 3 acres or more from 1,800 square feet to 4,000 square feet.

Ferro referenced aerial photos of selected neighborhoods in the Village Residential, R-2 and R-3 districts showing typical conditions that already exist in those districts.

Ferro stated commission members should keep in mind there is a lot of housing stock that was built prior to 1999 before the current rules took effect, when we had much shallower setback requirements for accessory buildings because they didn't vary based on size.

Ferro also referenced data concerning accessory building special use permits approved between 1999 and 2011. He stated most of the requests have been for lots of more than three acres. He stated if the size threshold for the special use requirement had been 4,000 square feet instead of 1,800 square feet, it would have reduced the number of past proposals that needed a special use permit approval by over half.

Korth opened the public hearing, and with no public comment he closed the public hearing.

Korth asked if the board wanted to spend a little bit of time on this, and if so, maybe we can stop talking about this now to allow the last applicant to state his request.

Leisman stated we've had this for a couple of months, and we don't want to discuss it for very long. He stated that in 1999 both the Planning Commission and Ferro spent a lot of time developing the new standards, and they were very good amendments. He stated he appreciates the fact that the setback requirements are not proposed to be changed in the rural parts of the Township. He stated he believes that the refinements to the rules proposed make sense.

Motion by Jacobs, supported by Easter, to approve the amendment to the accessory building standards, to revise minimum setback standards, maximum height limits and maximum combined ground floor area limits for accessory buildings in residential districts as presented.

Motion passed unanimously.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

Request for Revision to Approved PUD Plan, Montreux PUD, to revise conditions of approval pertaining to building height on Unit 19, Falcon Custom Homes

Nathan Abbott, Falcon Custom Homes, stated when the Montreux PUD was approved, there were seven restrictions placed on Lot 19, which is a visual focal point as you go north on Pettis from Knapp. He stated it is the closest lot to the entrance and it does have a high elevation. He stated he believes the Planning Commission was looking at that particular lot as to how a home was going to be placed on the lot, how it was going to be designed, and it could very well be the behemoth that's hanging over the hill. Abbott stated there are some subdivisions within the Township where you can see these huge three-story homes right as you come in. He stated he believes the Planning Commission did not want that to happen on a beautiful road such as Pettis.

He stated the home he is proposing is in keeping with what the Planning Commission had originally looked at, with the exception of the requirement that the roof pitch not exceed 8-12. He stated he also would like clarification of the restriction which states the chimney height shall be minimized and not obtrusively high, which is arbitrary. He stated he would like to propose that the chimney height match the current code requirements that set the vertical height and horizontal distance from the roof based on the chimney and the pitch of the roof. Abbot noted that there is nothing in the minutes that indicate any discussion of the 8-12 pitch. He stated this can be a beautiful home that will be within the height limit that was placed on the original approval, which is 5 feet less than the normal zoning requirement.

Abbott distributed a petition signed by several property owners in Montreux in support of his request. He noted he also had verbal support from the owners of Unit 6, Tom and Sandy Jelinski.

Abbott presented and described the preliminary home plans for Unit 19. He stated the roof pitch varies between 10-12 and 12-12 pitch. He also presented photographs of the view of Unit 19 from Pettis Ave. and of existing homes in the area.

Korth stated that one of the homes in Treebrook, adjacent to Pettis Ave. in one of Abbot's photos, was the reason for the original restrictions on Unit 19.

Abbott stated at the time that Montreux was being considered there was some discussion about some homes in Skyvale, Catamount and Darby Farms, and there were quite a few subdivisions where you see these monstrosities. He stated he also took pictures of homes in Montreux to show some of the various roof pitches in the development. He stated the minimum pitch that is found is 10-12, and that's conservative, it might be a 12-12. Abbott stated he is asking the Planning Commission to consider removal of the restriction of the 8-12 maximum pitch, subject to meeting the 30-foot height limit that was originally approved.

Korth commented to Abbott that he mentioned the home would have a daylight basement, and the rendering submitted shows a walkout.

Abbott stated if anything on the rear it would be a daylight; and if you looked at the topography on the lot, the walkout exposure would face Unit 24, away from Pettis Ave.

Korth stated so it would be a walkout.

Abbott stated it would be, yes, but facing into the community of Montreux.

Korth questioned the shape of the footprint shown on the site plan submitted. Abbott stated it was depicting a worst case scenario, with the home pushed as close as possible to Pettis Ave.

Leisman commented that the 8-12 roof pitch restriction is inconsistent with the rest of the development.

Korth stated at the time the restriction was placed on Unit 19, it was at a late stage in the review process.

Ferro stated he believes the restriction was the result of an on-the-spot negotiation because there was a lot of debate during the review of this project as to whether the three units closest to Pettis Avenue should be open space or not and the units clustered further to the east on the site.

Ferro stated as is evident from the seven conditions, we ended up "picking on" Unit 19 with a lot of restrictions, and an 8-12 pitch doesn't really fit the character of the development.

Korth stated the overall height is more important than the particular roof pitch.

Ferro stated revising the chimney height condition to state that the chimney height shall not exceed the minimum required by building code would be acceptable, although he is not aware of anyone building chimneys any higher than the code requirements.

Abbott stated they are going to try to incorporate trees in there; it will look nicer as you come up the subdivision instead of seeing just grass and a couple of trees. Abbott stated that Falcon also owns several lots in the development that they would like to build on, so the better they can make that look at the entrance the better it's going to feel for the other lots.

Commission members discussed the merits of using a berm as shown on the cross-sections submitted by the applicant.

Ferro stated he pointed out in his memo that the seven conditions on Unit 19 were in the preliminary plan approval that went to the Township Board, and it's subject to a public hearing and he doesn't think we are able to act on this tonight.

Leisman asked if it could be approved using a simpler process as a minor change. Ferro stated he didn't believe there were provisions in the PUD rules that would allow not having a Planning Commission hearing.

Following discussion, it was moved by Leisman, supported by Easter, to postpone action pending the holding of a public hearing at the June meeting, unless Ferro determines that the request can be approved administratively.

Motion passed unanimously.

VIII. STAFF/COMMITTEE/COMMISSION MEMBER REPORTS

Village Plan Implementation Subcommittee

Ferro explained the changes that have been made to the Headley plans since the original first draft in December, and some of the evolution that has taken place involving give and take with the Road Commission.

Korth asked if there was a timeline on when they should take action on this.

Ferro stated for a Master Plan amendment it's going to take some time yet, but from the standpoint of signing off on this as a Capital Improvement project either this year or next spring, it could happen next month, potentially.

Korth stated we can postpone any action for the present time, and it will give the Planning Commission members a chance to look at it.

Leisman stated it looks good.

IX. PUBLIC COMMENT

None.

X. ADJOURNMENT

Motion by Easter, supported by Jacobs, to adjourn the meeting at 8:27 p.m.

Motion passed unanimously.

Respectfully Submitted,

Susan Burton, Township Clerk

SB/dr