

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION MINUTES
MAY 12, 2010**

The meeting was called to order by Chairperson Thompson at 7:30 p.m. Present: Koscielny, Johnson, Boynton, McKenna, Budd and Thompson. Absent excused: Kelley. Staff present: Director Swallow and Secretary Queener. McKenna Associates representative present: Sally Hodges. There were 7 people in the audience.

**Motion Boynton, Koscielny second to approve the agenda as presented.
Motion carried.**

**Motion McKenna, Boynton second to approve the minutes of April 14, 2010 as presented.
Motion carried.**

UNFINISHED BUSINESS

**ITEM #1 AMENDMENTS TO ACCESSORY STRUCTURES AND USES
 ZONING ORDINANCE SECTION 4.14**

Director Swallow explained the changes that were made after discussion at the last Planning Commission meeting (April 14, 2010).

1. In Section 4.14 B.1.d., in the Table for Detached Accessory Buildings, there was text added to clarify the permitted square footage of detached buildings on lots smaller than 18,000 square feet. This change also notes that the provisions of Section 4.14 B.4.b. shall apply to smaller lots.
2. Under Section 4.14 B.1. Footnotes: 1., Maximum Height, the maximum height for detached accessory buildings was changed based on discussions at the last meeting.
 - a. 4/12-6/12 Roof Pitch to 14 feet
 - b. 6.01/12 -8/12 Roof Pitch to 16 feet
 - c. > 8/12 Roof Pitch to 17 feet.
3. In Section 4.14 B.3., Specific Requirements for Attached Accessory Structures and Buildings, text was added to clarify that this section would apply "except to the extent such requirements are inconsistent with Section 4.14 B.1."

Some comparisons of maximum building height standards were done with nearby communities including Canton Township, Ypsilanti Township and Shelby Township. Canton Township limits the accessory buildings to the height of the principal building, Ypsilanti Township uses 14 feet and the Shelby Township standard is 15 feet. Therefore, the proposed heights in the current draft of the ordinance are comparable to nearby communities.

Commissioner Koscielny had concerns with the limitation of height in the Agriculture Zoning.

Sally Hodges stated Agriculture Zoning will still be permitted 20 feet in height for a building. With the advice of the Township Attorney, parameters were also set in place for permitting modifications.

Commissioner Budd stated she had concerns with limiting the height to 14 feet, which would only allow for 10 foot doors. The Township would like residents to store RV's and large vehicles in a building, but RV's with air conditions will not fit in a 10 foot door. To comply with the Township Zoning Ordinance you would have to get a modification and pay the fee, which is a burden on the property owner.

Sally Hodges stated the larger parcels could be split in the future and the larger buildings located on the parcel could create non-conforming concerns.

Commissioner Boynton suggested the cost of a modification request be decreased from \$400.00 to \$200.00. We cannot request residents to put vehicles in a building and then make them pay \$400.00.

Commissioner Thompson stated the Commissioners do not want to be a burden to residents that are zoned residential in more rural areas of the Township.

Hodges stated the Commissioners can request that the Board of Trustees considering lowering the cost for a modification.

Commissioner Budd asked the Commissioners if they would recommend to the Board to lower the fee and what would they suggest.

Director Swallow stated the cost includes publication, staff time for the mailings and the Planning Commission meetings. The Commissioners could recommend to the Board of Trustees to decrease the cost to submit for a modification. To accommodate modification requests, the Commissioners may also want to change the maximum height modification to be 4 feet instead of 2 feet.

Commissioner McKenna inquired about the subdivisions with associations and how this would affect them.

Director Swallow stated some of the subdivisions have architectural control committees but the Township cannot enforce those rules, only the Township's ordinances.

Mr. Delaney inquired about the Agriculture Zoning.

Swallow stated it is called Agriculture and Estates, so it is partly a residential zoning district. Even in the Agricultural Zone, you would have to conform to the Township ordinance.

Dave Frankling residing at 44269 Harmony Lane, felt that the definition for building height is inadequate. He also inquired about the use of the term eaves in the definition. Frankling feels that this part of the ordinance needs clarification. He feels the Township is interpreting the ordinance wrong in regards to height.

Swallow stated the definition of height is $\frac{1}{2}$ the distance from the eaves to the peak of the roof. He said that he would look into the issues with the height definition.

Commissioner Thompson stated the revisions for the ordinance have been in front of the Planning Commission a number of times and she feels it is time to make a recommendation.

Ms. Wardwell resides at 49089 Ashbury asked for clarification about the maximum modification for height.

The Commission agreed on leaving the height at 14 feet and allowing a modification of up to 4 feet.

Mr. Frankling called a point of order, stating the public should be allowed to comment on the modification increase. Frankling was not in favor of the increase for smaller lots in subdivisions.

Director Swallow stated one of the criteria for granting a height modification is at least one acre of land.

Motion Boynton, Koscielny second to recommend to the Board of Trustees approval of the Amendments to the Accessory Structures and Uses Zoning Ordinance Section 4.14, and to include an increase in the height allowance with modification approval up to 4 feet.

Roll call:

Yeas: Johnson, McKenna, Boynton, Koscielny and Thompson.

Nays: Budd.

Absent: Kelley.

Motion carried.

Motion McKenna, Johnson second to request the Board of Trustees to decrease the cost of accessory structure modifications from \$400.00 to \$200.00.

Motion carried.

Sharon Peter residing at 13795 Christina Lane inquired about the sub-committee for unfinished subdivisions and inquired about the unfinished homes and poured basements in Cobblestone Ridge. Mrs. Peters thanked the staff in the Building Department for explaining the process and for being helpful.

Director Swallow stated he has looked at some issues in the unfinished subdivisions, and the Township has adopted a new grass and weeds ordinance to take care of some of the issues. The Planning Commission is also considering a vacant structures ordinance. The blight ordinance may also need some revision because it does not cover issues such as mounds of dirt. Swallow also stated he has directed the Building Official to send demolition orders for the open basements in Cobblestone Ridge.

Motion Budd, Boynton second to adjourn at 8:30 p.m.

Motion carried.

Respectfully submitted,

Patricia Queener
Recording Secretary