

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION MINUTES
MARCH 24, 2010 AT 7:30 P.M.**

The meeting was called to order by Chairperson Thompson at 7:30 p.m. Present: Koscielny, Johnson, Boynton, McKenna, Kelley, Budd and Thompson. Staff present: Director Swallow and Secretary Queener. McKenna Associates representative present: Sally Hodges. There were 20 people in the audience.

APPROVAL OF AGENDA:

Motion McKenna, Budd second to approve the agenda as presented.

Motion carried.

MINUTES:

Motion Boynton, Koscielny second to approve the minutes of March 10, 2010 as presented.

Motion carried.

PUBLIC HEARING:

ITEM #1 CASE # 10-002 PCA

TITLE: THE APPLICANT, MICHAEL CARR, IS REQUESTING A MODIFICATION TO CONSTRUCT A DETACHED ACCESSORY BUILDING WITH AN AREA THAT EXCEEDS THE MAXIMUM PERMITTED GROUND COVERAGE BY 372 SQUARE FEET AND MAXIMUM HEIGHT BY 10 INCHES AS REGULATED BY SECTION 4.14 OF THE TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.

LOCATION: PARCEL TAX ID NUMBER V125-83-121-01-0010-000 ALSO KNOWN AS 49700 MARTZ ROAD. THIS PROPERTY IS LOCATED ON THE NORTH SIDE OF MARTZ ROAD, BETWEEN RAWSONVILLE ROAD AND HOEFT ROAD.

Motion Boynton, McKenna second to open the public hearing.

Motion carried.

Michael Carr of 49700 Martz Road requested approval to construct a 30 ft. x 40 ft., 1,200 square foot garage. The proposed building would have a shingled roof and vinyl siding to match the existing house and is intended to store equipment and vehicles. Mr. Carr stated the building would be 15 feet from the side property line and 250 feet from Martz Road.

Director Swallow stated Mr. Carr owns a .92 acre parcel, which would allow 828 square foot detached accessory building. The proposed building would exceed the permitted ground coverage for detached accessory buildings for this parcel by 372 square feet. The applicant is also requesting an increase in the building height to accommodate taller garage doors. The proposed building height is 14 feet 10 inches, which exceeds the maximum height for detached accessory buildings with a 4/12 roof pitch by 10 inches.

The location and character of the proposed accessory structure will not have an adverse impact upon any existing dwelling units on adjacent lots. The parcel is 100 ft. x 400 ft. that allows the proposed structure to be set approximately 250 feet from Martz Road. The surrounding parcels are similar in size and dimensions and the property backs to a 5-acre parcel that is in residential use. Despite these characteristics the applicant could comply with the standards of the zoning ordinance. The need for the requested modification is self-created because the applicant could request a smaller detached accessory building.

Staff is not aware of any potential nuisances greater than which is usually compatible with the permitted uses in the area. The proposed structure will reduce potential nuisances by containing vehicles and household items in an enclosed building. The proposed garage will be behind the principal building. There will be two large vehicular doors which will face the principal building. The proposed garage will be visible from the neighboring homes to the east and west. There are large, mature trees on the parcels to the east and west that will partially screen the proposed garage from view.

A majority of the properties in the neighborhood have detached accessory buildings in the rear yard. Those detached buildings are predominantly oversized garages. There are existing, mature trees on the property that helps screen the garage from the near by residents and additional landscaping would not be necessary.

Commissioner McKenna inquired if any neighboring residents contacted the Township opposing the garage.

Director Swallow stated no one has contacted him.

Commissioner Koscielny asked about the height of the proposed garage.

Mr. Carr stated it would be about one foot higher than the existing house.

Commissioner Budd stated she and Commissioner McKenna drove by Mr. Carr's residence and noted the neighbors have larger structures than what is proposed. She believes the existing trees would screen the building from the neighbors.

Commissioner Johnson inquired about flooding on Mr. Carr's property and how the proposed building compares with proposed amendments to the accessory building ordinance.

Mr. Carr stated he has never had an issue with flooding.

Director Swallow stated the proposed building would be allowed with the proposed amendments to the existing accessory structure ordinance.

**Motion McKenna, Kelley second to close the public hearing.
Motion carried.**

UNFINISHED BUSINESS:

ITEM #1 CASE # 10-001 RZ

TITLE: THE APPLICANT, VISTEON CORPORATION, IS REQUESTING TO REZONE A PORTION OF PARCEL NUMBER V125-83-045-99-0020-705, APPROXIMATELY 18.3 ACRES, FROM AGRICULTURAL AND ESTATE (AG) TO OFFICE TECHNOLOGY (OT).

LOCATION: THIS PROPERTY IS LOCATED ON THE WEST SIDE OF HANNAN ROAD, BETWEEN ECORSE ROAD AND TYLER ROAD.

THE APPLICANT HAS REQUESTED THAT THIS ITEM BE POSTPONED TO ALLOW FOR COLLECTION OF ADDITIONAL INFORMATION.

Sally Hodges representing McKenna Associates stated she brought an updated aerial photo that shows the current layout of the Visteon property. After the public hearing she did some research and noted that prior to Visteon coming to Van Buren Township and the Grace Lake Area, a Master Plan amendment was developed with input of the nearby residents. The Master Plan process took about one year.

The Grace Lake area is located south of Ecorse Road between I-275 on the west and Hannan Road on the east. In response to the residents concerns about creating isolated single family residences, surrounded by non-residential uses, sequencing standards were implemented. The Standards were proposed to avoid land use conflicts during the extended period that may be required to achieve the Master Plan for the Grace Lake area. Development may need to be delayed to avoid introducing incompatible uses, or until the effects of the potential incompatibilities of “leap-frog” relationships, vehicular traffic and circulation effects, development impacts, visual impacts, and other effects can be eliminated or effectively mitigated.

In review of rezoning and development proposals the Township should consider the following standards:

1. Residential lots shall not be isolated by office technology uses or zoning. Office technology use shall not “warp around” a single residential lot or isolate a single residential lot from other residential uses.
2. Because the area is in transition, an office technology use or zone may “back” to a residential use during the interim, provided screening is installed to reduce negative impacts on residential use and zone. Screening shall comply with the requirements of the OT district.
3. Rezoning for office technology uses shall be linked as closely as possible to the timing of development and land use change. Premature rezoning without a specific development proposal and site plan shall be avoided to minimize land use conflicts, property value decline, and maintenance and safety problems.
4. Office technology sites shall have sufficient width and area to facilitate development that satisfies the ordinance intent as well as specific standards for parking, circulation, delivery needs and landscaping, and without producing isolated islands of existing

conditions which would not be economically viable for development. A minimum parcel width of 340 feet and a minimum area of 8 acres is generally required to meet present day development and ordinance standards.

5. Driveway access to office technology uses shall be encouraged to be only from an internal road system, not from Hannan Road or Tyler Road. The purpose of this shall be to limit points of vehicular access from office technology development and minimize the impacts of the resultant traffic on single family residential uses which may be adjacent or across Hannan Road.
6. Any rezoning and development approved shall be compatible with the plan as a whole, and able to stand and function on its own, without harm to the quality of the office technology sector, or the continuation of residential land uses where the single family owners wish it to continue.
7. Development proposals and rezoning requests which involve a change from residential to office technology or mixed use must encompass total parcels and not divide residential lots. This is necessary to ensure that sufficient land area remains on the thoroughfare frontage to permit the eventual rezoning and conversion to uses consistent with the plan.
8. Landscaping shall be used with office technology, mixed use and commercial development to enhance the image of the plan area, to minimize noise, air and visual pollution, improve building appearance and screen and improve the appearance of parking and service areas. In particular, landscape screening, buffering and setbacks shall be provided along the Hannan Road frontage to buffer office technology uses on the west side from existing and master planned single family residential uses on the east side of Hannan Road. Along Ecorse Road, landscape improvements shall be consistent with and enhance the Ecorse Road/Haggerty Road Corridor Plan.
9. The site shall be developed and designed to accommodate future connections, linkages and common elements with adjacent sites so as to create a campus style environment, consistent with the intent of the OT District.

Ernie Tozer resides at 9200 Hannan Road, inquired about the timing of the proposed rezoning, the required site plan, the width of the lots and screening.

Sandy Crosswell resides at 8880 Hannan Road, stated she was against the rezoning.

Jim Militello representing Visteon stated he was not prepared at the previous meeting and they have made changes to the proposed rezoning, which include eliminating the request for two of the lots that will not meet the requirements.

**ITEM # 2 AMENDMENTS TO ACCESSORY STRUCTURES AND USES
ZONING ORDINANCE SECTION 4.14**

Director Swallow stated the Township Attorney had concerns with the section regarding requests for modifications, and whether the Planning Commission or the Board of Zoning Appeals should review these requests.

Hodges stated it is common practice in zoning ordinances that modifications are presented to the Planning Commission, not the Board of Zoning Appeals.

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Swallow stated that the Commissioners could recommend the amended ordinance and prior to submitting it to the Board of Trustees the attorney's concerns could be addressed. However, the Board will likely want an unqualified recommendation from the Planning Commission.

Commissioner Budd stated the ordinance should be postponed until all is resolved with the Township attorney.

David Franklin resides at 44269 Harmony Lane, stated he just was informed the ordinance was being amended and feels he should have been notified. He had concerns with some of the wording related to; unless otherwise permitted by this ordinance, the allowable height, the definitions of building and structure, and footnote 1 following the table.

Director Swallow stated they would take his concerns into consideration and have the attorney review the document.

GENERAL DISCUSSION:

Township resident John Delaney stated one phone call to County Commissioner McNamara took care of the problem with the pathway to WalMart and complimented Trustee Ostrowski for contacting the County.

Motion Johnson, Koscielny second to adjourn at 8:45 p.m.

Motion carried.

Respectfully submitted,

Patricia Queener,
Recording Secretary