

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, August 28, 2019 – 7:30 PM
Van Buren Township Hall
46425 Tyler Road**

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1: Approval of minutes from the regular meeting of July 24, 2019.

CORRESPONDENCE:

PUBLIC HEARING:

ITEM #1: ZONING ORDINANCE TEXT AMENDMENT

TITLE: PROPOSED AMENDMENT TO MODIFY REQUIRED SETBACKS FOR SINGLE FAMILY RESIDENTIAL DWELLINGS ON NON-CONFORMING LOTS WITH LAKE FRONTAGE.

ACTION ITEMS:

- A. Planning Commission Opens Public Hearing
- B. Public Comment.
- C. Planning Commission Closes Public Hearing.

NEW BUSINESS:

ITEM #1: ZONING ORDINANCE TEXT AMENDMENT

TITLE: PROPOSED AMENDMENT TO MODIFY REQUIRED SETBACKS FOR SINGLE FAMILY RESIDENTIAL DWELLINGS ON NON-CONFORMING LOTS WITH LAKE FRONTAGE.

ACTION ITEMS:

- A. Presentation by Township Staff.
- B. Planning Commission Discussion.
- C. Planning Commission considers recommendation to the Township Board.

GENERAL DISCUSSION:

ADJOURNMENT:

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
July 24, 2019
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:31 p.m.

ROLL CALL:

Present: Franzoi, Jahr, Boynton, Kelley, Atchinson, Budd and Thompson.

Excused: None.

Staff: Director Best, Planning Intern Renaud and Secretary Harman.

Planning Representatives: McKenna Associate, Vidya Krishnan.

Audience: Twenty-five (5).

APPROVAL OF AGENDA:

Motion Atchinson, Franozi second to approve the agenda of July 24, 2019 as presented. Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Boynton second to approve the regular meeting minutes of July 10, 2019 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 ZONING ORDINANCE TEXT AMENDMENT.

TITLE: PROPOSED AMENDMENT TO ADD PROVISIONS ALLOWING FOR SENIOR HOUSING DEVELOPMENTS IN THE TOWNSHIP AND SPECIFIC REGULATIONS GOVERNING THEM UNDER A NEW SECTION 15.143.

Motion Boynton, Atchinson second to open the public hearing. Motion Carried.

Vidya Krishnan of McKenna Associates presented her senior housing ordinance amendment letter dated 7-18-19, the draft section 15.143 and amendments to the current Zoning Ordinance. Mrs. Krishnan made changes based on the Planning Commissions feedback at the June 26, 2019 meeting. The draft language was revised to "senior" rather than "elderly", the term used in the current Zoning Ordinance.

Resident is interested in having appropriate senior housing available in the Township to accommodate the older population, having access to shopping and amenities at a reasonable price. The population of residents aged 60 and older in the Township is escalating.

No comments from the Commission.

Motion Boynton, Atchinson second to close the public hearing. Motion Carried.

NEW BUSINESS:

ITEM # 1 ZONING ORDINANCE TEXT AMENDMENT.

TITLE: PROPOSED AMENDMENT TO ADD PROVISIONS ALLOWING FOR SENIOR HOUSING DEVELOPMENTS IN THE TOWNSHIP AND SPECIFIC REGULATIONS GOVERNING THEM UNDER A NEW SECTION 15.143.

Vidya Krishnan of McKenna Associates noted the amendment to the ordinance would help to ensure the Township receives all senior care that can be offered.

Commissioners agreed the amendment is a good starting point for amending the Zoning Ordinance.

Motion Boynton, Franzoi second to recommend to the Township Board the proposed amendment to add provisions allowing for senior housing developments in the township and specific regulations governing them under a new section 5.143, to include the newest version submitted and referencing the McKenna Associates letter dated 7-18-19.

Roll Call:

Yeas: Atchinson, Budd, Kelley, Boynton, Jahr, Franzoi and Thompson.

Nays: None.

Absent: None.

Motion Carried. (Letter attached)

ITEM # 2 DISCUSSION ON LAKEFRONT LOT SETBACKS

TITLE: DISCUSS POTENTIAL ZONING TEXT AMENDMENT WITH REGARD TO SETBACKS FOR SINGLE FAMILY DWELLING ON NON-CONFORMING LOTS WITH LAKE FRONTAGE.

Vidya Krishnan of McKenna Associates presented her review letter dated 7-18-19 addressing lakefront lot setbacks. Township staff presented information and an analysis regarding lakefront lots two meetings ago. The potential zoning text amendment is to address smaller non-conforming lakefront lots allowing for construction of a reasonable size dwelling while providing adequate room in the side yards for maintenance and access in the event of an emergency. McKenna Associates recommends adding footnote (x) to sections 3.106 R-1A, R-2A, R-1B and R-1C Single-Family Residential Districts and 4.102 Schedule of Regulations.

- (X) **Lakefront lot setbacks.** The structures on the parcel shall comply with the required front and rear yard setbacks for the underlying zoning district. Where the lot does not comply with the minimum require lot width, the narrowest side yard shall not be less than five feet or 15 percent of the lot width, whichever is greater, and the sum of the two side yards shall not be less than 30 percent of the lot width.

Commissioners discussed how the text amendment would help planning staff with addressing non-conforming lakefront lots for the minimum lot width and setbacks. Intern Stamper previously

compiled a list of non-conforming lakefront lots. This amendment will allow staff the ability to handle requests instead of sending residents to the BZA.

Motion Kelley, Atchinson second to set the public hearing for Lakefront Lot Setbacks on August 28, 2019. Motion Carried.

GENERAL DISCUSSION:

Director Best informed the Commission that River of Life Church contacted him after the last meeting; they have pulled their application and are no longer pursuing the addition at their current location. They are looking at a new location within the Township, more information to come at a future meeting.

ADJOURNMENT:

Motion Boynton, Budd second to adjourn at 8:01 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **Wednesday, August 28th, 2019, at 7:30 p.m.** in the Board of Trustees Room, 46425 Tyler Road, Charter Township of Van Buren, Wayne County, Michigan to consider the following proposed amendments to the Charter Township of Van Buren's Zoning Ordinance:

1. Proposed amendment that would modify the requirements of the Zoning Ordinance with regard to required setbacks for non-conforming single family residential zoned parcels with lake frontage. The amendment will be to Section 3.106. Single Family Residential Districts dimensional requirements and the addition of a footnote to Section 4.102 Schedule of Regulations.

Please address any written comments to the Van Buren Township Planning Commission at, 46425 Tyler Road, Van Buren Township, MI 48111 or via e-mail at mbest@vanburen-mi.org
Written comments will be accepted until 4:00 p.m. on the hearing date. All materials related to this request are available for public inspection at the Van Buren Township hall prior to the hearing.

Van Buren Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact Van Buren Township hall at 734-699-8913 at least seven (7) days in advance of the meeting if you need assistance.

Published: August 8, 2019

Posted: August 8, 2019



MCKENNA

July 18, 2019

Planning Commission
Charter Township of Van Buren
46425 Tyler Road
Van Buren Township, Michigan 48111

Subject: Lakefront Lot Setbacks

Dear Commissioners:

At the June 26, 2017 Planning Commission meeting, Township Staff presented information and analysis re: lakefront lots. The minimum lot width for any zoning district in the Township is 70 feet. There are some legally nonconforming lots which are narrower than this. Section 5.114 of the Zoning Ordinance requires a minimum 24 foot width across the front and rear elevations of a home, and Section 4.102 requires the side yard setbacks to total at least 25 feet. For lots that are 50 feet wide or narrower, these requirements do not leave a viable building envelope.

The Board of Zoning Appeals had asked staff to look into the concentration of narrow lots in the Township, particularly on the lakefront, and whether the setback requirements should be amended for these lots. Staff presented a couple of options: creating a separate district with smaller setback requirements for these lots or by instituting a sliding scale of setback requirement. In my experience as a planner for another lakeside community, a similar challenge was successfully addressed by creating an overlay district for lakeside lots and subjecting lots with nonconforming widths to a percentage rule which allowed for reasonable setbacks without rendering the lot unbuildable or in the need of a variance.

A review of the Zoning Map indicates that the single family residential zoning around the Lake comprises of R-1B and R-1C parcels. We recommend an amendment as follows:

Section 3.106 R-1A, R-2A, R-1B and R-1C Single-Family Residential Districts, Sub-section (D) Dimensional Regulations, add footnote (X) in parentheses next to minimum setbacks for R-1B and R-1C as follows

(X) Lakefront lot setbacks. The structures on the parcel shall comply with the required front and rear yard setbacks for the underlying zoning district. Where the lot does not comply with the minimum required lot width, the narrowest side yard shall not be less than five feet or 15 percent of the lot width, whichever is greater, and the sum of the two side yards shall not be less than 30 percent of the lot width.

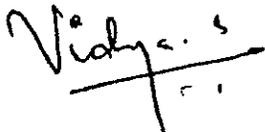
The footnote must also be added to Section 4.102 Schedule of Regulations. The above regulation will allow for the construction of a reasonable size dwelling while providing adequate room in the side yards for maintenance and access in the event of an emergency. On a 50 foot wide lot, the required side yard setbacks would be 15% of 50 = 7.5 feet. A combined side yard of 15 feet would still allow a buildable width of 35 feet. We will be present at the Planning Commission and look forward to discussing and reviewing the proposed amendment with you.

HEADQUARTERS
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MCKA.COM

Communities for real life.

—
Respectfully submitted,

McKENNA

A handwritten signature in black ink that reads "Vidya Krishnan". The signature is written in a cursive style with a horizontal line crossing through the middle of the name.

Vidya Krishnan
Principal Planner

c: Matt Best, Van Buren Township Director of Public Services

