

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
August 28, 2019  
MINUTES**

Chairperson Thompson called the meeting to order at 7:30 p.m.

**ROLL CALL:**

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

**Excused:** Atchinson.

**Staff:** Director Best, Executive Assistant Renaud and Secretary Harman.

**Planning Representatives:** McKenna Associate, Vidya Krishnan.

**Audience:** Two (2).

**APPROVAL OF AGENDA:**

**Motion Boynton, Jahr second to approve the agenda of August 28, 2019 as presented. Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Kelley, Boynton second to approve the regular meeting minutes of July 24, 2019 as presented. Motion Carried.**

**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.**

**Motion Boynton, Kelley second to open the public hearing. Motion Carried.**

Vidya Krishnan of McKenna Associates presented her review letter dated 7-18-19 recommending a Zoning Ordinance text amendment. The Planning Commission was presented information and analysis regarding lakefront lot widths and setbacks to discuss and review at their 7-24-19 meeting. The Board of Zoning Appeals (BZA) had asked staff to look into the concentration of narrow lots on the lakefront and determine whether setback requirements should be addressed for the non-conforming lots. The recommended amendment: 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.

Resident inquired whether the text amendment applies to existing non-conforming lots only or if it includes future developments with lot splits. Vidya Krishnan of McKenna Associates explained the text amendment only applies to existing non-conforming lakefront lots. New lots that are part of a lot split are not allowed to be non-conforming and must meet the standard setback requirements in the Zoning Ordinance.

No questions or comments from the Commission.

**Motion Franzoi, Kelley second to close the public hearing. Motion Carried.**

**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.**

No further comments from the Commission or the audience.

**Motion Boynton, Franzoi second to recommend to the Township Board the Zoning Ordinance text amendment to modify the required setbacks for single-family residential dwellings on non-conforming lots with lake frontage, subject to the McKenna Associates review letter dated 7-18-19.**

**Roll Call:**

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

**Nays: None.**

**Absent: Atchinson.**

**Motion Carried. (Letter attached)**

**GENERAL DISCUSSION: None.**

**ADJOURNMENT:**

**Motion Boynton, Kelley second to adjourn at 7:40 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary



# 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.

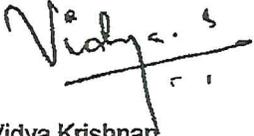
HEADQUARTERS  
235 East Main Street  
Suite 105  
Northville, Michigan 48167

O 248.596.0920  
F 248.596.0930  
MCKA.COM

Communities for real life.

Respectfully submitted,

**McKENNA**

A handwritten signature in black ink, appearing to read "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

