

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
May 22, 2017**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regularly scheduled meeting of the Ross Township Planning Commission to order at 7:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Jim Lauderdale, Chairperson
Victor Ezbenko
Russell Fry
Greg Pierce
Jeff Price
Jon Scott
Sherri Snyder

Absent: None

Also present: Bert Gale, AGS – Township Zoning Administrator
Kelly Largent, AGS – Township Zoning Administrator
Rebecca Harvey – Township Planning Consultant
Rob Thall – Township Attorney

APPROVAL OF AGENDA

The agenda was reviewed and approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission then proceeded with consideration of the **April 24, 2017** Planning Commission meeting minutes. Fry moved to approve the minutes as presented. Price seconded the motion. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment on non-agenda items was offered.

NEW BUSINESS

1. Public Hearing – SLU/SPR for Residential Accessory Building (Siegler)

The next matter to come before the Commission was consideration of the request by Don and Colette Siegler for special land use permit/site plan review for the proposed construction of a 28 ft x 48 ft residential accessory building on a vacant lot. The subject property is located 1636 Midland Drive and is within the R-1 District.

Chairperson Lauderdale opened the public hearing.

Gale referenced the application material and parcel maps for the request and provided an overview of the proposal. He noted that the accessory building is proposed to be located on a vacant lot and pursuant to Section 18.4 E., Zoning Ordinance is subject to the special land use permit process. Gale further noted that the proposal complies with all applicable dimensional standards.

In response to questions, Gale noted that the applicant also owns 1572 Midland Drive on which is situated the principal dwelling. He further confirmed the subject site as a nonconforming lot due to lot width and lot size and noted the application of the reduced setback requirements established by Section 22.9, Zoning Ordinance.

Don Siegler was present on behalf of the application. He stated that the accessory building is proposed to provide an area for the personal storage of collector cars and a small workshop. In response to questions, he confirmed that the garage and workshop area are for personal use and not associated with business activity.

No further public comment was offered on the matter and the public comment portion of the public hearing was closed.

Attorney Thall advised that the Planning Commission could consider conditioning approval of the special land use permit on keeping the lot occupied by the dwelling (1572 Midland Drive) tied to the subject vacant lot (1636 Midland Drive) and treating them as a 'zoning lot' of sorts. The Commission noted that such a condition would prevent the construction of a principal building on the site in the future. The impact of the absence of a principal building on the site was also questioned.

The Commission proceeded with a review of the application pursuant to Section 18.4 D. – residential accessory buildings/structures. It was confirmed that the proposed building will meet setback, height and lot coverage requirements. The following was also noted:

- the proposed accessory building is allowable as a special land use;

- the proposed accessory building is located in excess of 5 ft from all lot lines;
- the proposed accessory building is proposed to be used for residential storage and activity;
- a variance is not requested/required for the proposed accessory building; and
- adequate application material has been presented to allow for site plan review pursuant to Article 21.

In consideration of the Special Land Use Criteria set forth in Section 19.3, the Board concluded the following: the proposed accessory building is consistent in size/design/use of buildings allowed within the R-1 District; the proposal meets all applicable dimensional requirements; the subject site is not a waterfront lot; the proposed building location will require minimal site disturbance and have limited impact on the natural environment; the proposed building will not adversely affect public services or facilities serving the area; adequate parking will be provided on the site; the proposed building will not be detrimental to adjacent properties or the public health, safety or general welfare of the general neighborhood given the proposed use and building size/design and the comparable land use/building patterns on properties in the surrounding area.

It was noted that the site plan presented was acceptable (per Section 21.4) and that the proposal meets the Site Plan Review Criteria set forth in Section 21.6 B.

It was reiterated that the above findings were based on the application documents presented and the representations made by the applicant at the meeting.

Pierce then moved to grant Special Land Use Permit/Site Plan Approval for the proposed accessory building on the subject vacant lot in consideration of the proposed building size/design and use of the building, and based upon the review findings of Section 18.4 D. – residential accessory buildings/structures, Section 19.3 – Special Land Use Criteria, and Section 21.6 – Site Plan Review Criteria. Price seconded the motion. The motion carried unanimously.

2. Public Hearings – Zoning Ordinance Text Amendments

Article 21, Section 21.4 – Site Plan Review (Contents of Application)

Chairperson Lauderdale opened the public hearing. He gave an overview of the proposed amendments, noting that the proposed revisions/additions to Section 21.4 are intended to address the provision of information on a site plan relative to the management of storm water runoff. He added that the proposed amendments are considered to be a first step in the Township’s support of watershed protection.

No public comment was offered on the matter. Chairperson Lauderdale stated that no written correspondence had been received regarding the proposed amendments. He then closed the public comment portion of the public hearing.

Fry then moved to recommend approval by the Township Board of the proposed amendments to the Ross Township Zoning Ordinance as set forth in the May 22, 2017 Public Hearing Notice. Price seconded the motion. The motion carried unanimously.

Article 21, Section 21.6 B. – Criteria for Site Plan Review

Chairperson Lauderdale opened the public hearing. He gave an overview of the proposed amendments, noting that the proposed revisions/additions to Section 21.6 B. are intended to provide clear criteria in the review of site plans regarding erosion control and the discharge of storm water. He added that the proposed amendments are considered to be a first step in the Township's support of watershed protection.

No public comment was offered on the matter. Chairperson Lauderdale stated that no written correspondence had been received regarding the proposed amendments. He then closed the public comment portion of the public hearing.

Fry then moved to recommend approval by the Township Board of the proposed amendments to the Ross Township Zoning Ordinance as set forth in the May 22, 2017 Public Hearing Notice. Snyder seconded the motion. The motion carried unanimously.

Article 20 – Standards Required for Special Land Uses

Chairperson Lauderdale opened the public hearing. He gave an overview of the proposed amendments, noting that the proposed revisions/additions to Article 20 are intended to remove the requirements for 'frontage and access on a primary road' applicable to some special land uses in the Township. He noted that through extensive consideration of the existing standards there was a lack of support for limiting the identified uses by 'frontage on a primary road' and that the site plan review process generally allows for adequate consideration of access-related issues.

No public comment was offered on the matter. Chairperson Lauderdale stated that no written correspondence had been received regarding the proposed amendments. He then closed the public comment portion of the public hearing.

Price then moved to recommend approval by the Township Board of the proposed amendments to the Ross Township Zoning Ordinance as set forth in the May 22, 2017 Public Hearing Notice. Fry seconded the motion. The motion carried unanimously.

Article 16, Section 16.3 C.1. – ‘Zoning Lots’

Chairperson Lauderdale opened the public hearing. He gave an overview of the proposed amendment, noting that the proposed revision to Section 16.3 C. 1. is intended to establish parameters for the separation of established ‘zoning lots’.

Attorney Thall summarized Section 16.3 C.1. and the intent of the existing provision and proposed revision. He stated that the existing text was intended to not allow the division of a ‘zoning lot’ where a resulting lot would not conform with the Zoning Ordinance. He noted further that Section 16.3 C.1. had historically been applied consistent with that intent and that the proposed revision is intended to clarify that intent. General Commission discussion ensued regarding the application of the amended text on various lot split scenarios.

No public comment was offered on the matter. Chairperson Lauderdale stated that no written correspondence had been received regarding the proposed amendment. He then closed the public comment portion of the public hearing.

Fry then moved to recommend approval by the Township Board of the proposed amendment to the Ross Township Zoning Ordinance as set forth in the May 22, 2017 Public Hearing Notice. Price seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

1. Article 20, Item 10 – Campgrounds / Item 21 – Seasonal Campgrounds

Chairperson Lauderdale noted that the Commission had completed a detailed review of draft text and sample standards/definitions in April and requested that Harvey revise the draft text accordingly for further consideration in May.

Harvey referenced the revised draft text dated May 22, 2017 and provided an overview of the proposed amendments. The Planning Commission expressed agreement with the amendments reflected in the draft text, noting that they accurately reflect the previous discussions of the Commission and achieve what was intended.

Pierce then moved to accept the draft text for public hearing. Fry seconded the motion. The motion carried unanimously.

General discussion ensued regarding applicable setbacks established by Article 20, Item 5. It was agreed that it was important to retain sound design standards applicable to campgrounds with the removal of the site size standard. It was further noted that the setback standards should not be viewed in consideration of a specific operation but rather in their application to the type of use.

2. Watershed Protection Strategies

Chairperson Lauderdale referenced Planning Commission discussion of the matter in February and March wherein proposed amendments to Section 21.5 – Final Site Plan Submittal and Review Scheduling Procedures and Section 21.13 – Fees to implement an escrow approach in the site plan review fee structure were considered.

Attorney Thall provided an overview of the escrow fee approach applied by Richland Township and how such an approach could be incorporated into the Site Plan Review section of the Zoning Ordinance.

In review of Article 24 – Administration and Enforcement of Zoning Ordinance, it was discovered that Section 24.7 adequately provides for the use of an escrow fee approach in the review of site plans. Following review of Section 24.7, it was agreed that the proposed revisions to Sections 21.5/21.13 are likely not necessary. Attorney Thall noted, however, that addressing application fees in Article 24 instead of Article 21 may be confusing and that reference to Section 24.7 in Section 21.5 may be a solution.

Following discussion, Attorney Thall stated that he will draft the necessary paperwork for the Township Board to adopt (resolution/policy/fee schedule), as well as suggested amendments to Article 21, for Planning Commission consideration in June.

Scott stated that a land use proposal represents an increase in the Township's tax base and the introduction of economic activity into the community. He advised that the Township should be cautious in introducing heavy front-end costs that may discourage development.

3. Sign Ordinance

Chairperson Lauderdale referenced previous discussions held regarding needed changes to the sign ordinance to address content-neutral sign requirements.

As requested, Harvey had prepared/distributed draft revisions to the existing sign ordinance in May for Planning Commission consideration, reminding that it had been agreed that she would work with Attorney Thall to review/revise the draft text in consideration of MTA's model ordinance upon its release.

Attorney Thall stated that he had performed a cursory review of the draft text and felt it looked good but would perform a more detailed review upon receipt of the model ordinance.

REPORT FROM TOWNSHIP BOARD

Scott reported that the Township Board remains focused on the road issue. He noted that special meetings have been held and productive discussions continue. Scott also noted that the Township Board is currently considering applications to fill the upcoming vacant seats of Township Supervisor and Township Trustee. Attorney Thall provided a general overview of the appointment process and required timeline for appointments.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale stated that the Zoning Board of Appeals met in May and considered and granted approval to variance requests from the rear (street) setback and lot coverage requirements.

MEMBERS, CONSULTANTS, ADVISORS

Scott thanked the Commission for the opportunity to serve as a Planning Commission member during his tenure on the Township Board. He stated that he has found the Commission to be professional, productive and focused on problem solving . . . and that through his time as a member he has learned a lot on how to be effective. Scott noted that he has thoroughly enjoyed the time that he has served.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:55 p.m.

Respectfully Submitted,
Rebecca Harvey, AICP, PCP
Township Planning Consultant