

ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
September 23, 2019

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Acting Chairperson Bekes called the regular meeting of the Ross Township Planning Commission to order at 7:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Acting Chairperson Michael Bekes
Michael Moore
Pam Sager
Sherri Snyder
Mike Sulka

Absent: Chairperson Jim Lauderdale
Mark Markillie

Also Present: Kelly Largent, AGS — Township Zoning Administrator
Rebecca Harvey — Township Planning Consultant
Rob Thall — Township Attorney

APPROVAL OF AGENDA

Moore moved to approve the agenda as presented. Sager seconded the motion. The motion carried unanimously.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the August 26, 2019 regular Planning Commission meeting minutes. Snyder moved to approve the minutes as presented. Moore seconded the motion. The motion carried unanimously.
NEW BUSINESS

1. Public Hearing — SLU/SPR for Residential Accessory Building (Snyder)

The next matter to come before the Planning Commission was consideration of the request by Shane Snyder for special land use permit/site plan review for the proposed construction of a residential accessory building that fails to meet the building height and lot coverage requirements. The subject property is located at 14116 East C Avenue and is within the R-R District.

Acting Chairperson Bekes opened the public hearing.

Largent provided an overview of the request; noting the following:

- The applicant is proposing the construction of a 3200 sq ft accessory building where portions of the building will have an eave height of 16 ft.
- The proposed accessory building will also result in lot coverage that is 5.68% of the rear yard area.
- The proposed accessory building will exceed the 14 ft maximum eave height standard and the 5% rear yard lot coverage standard applicable to residential accessory buildings/structures.
- The proposal complies with applicable locational and setback requirements.
- Pursuant to Section 18.4 D., the proposed accessory building is allowable as a special land use.
- The August application material has been updated to include a new application, an updated zoning review, and building elevations.

Shane Snyder was present on behalf of the application. He explained that the accessory building is proposed to replace the existing barn on the property that burned down. He stated that the proposed accessory building is needed for personal boat storage. Snyder noted that the additional sidewall height is necessary to accommodate the size of the boats but that a staggered building height is proposed for better aesthetics.

In response to Planning Commission questions, Snyder noted that the building is for personal boat storage (5 boats), not commercial storage, and will not be used as a residence.

Largent confirmed that the proposed construction will comply with the overall lot coverage requirement.

Sulka noted that the proposed building will be similar to the previous barn and questioned why a deviation is needed. Township Attorney Thall explained that the previous barn existed as a nonconforming building and that a 'replacement' building is subject to the current standards of the Ordinance.

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

The Commission proceeded with a review of the application pursuant to Section 18.4 D. — Residential Accessory Buildings/Structures. It was noted that the proposed building will meet applicable locational and front/side/rear setback requirements but fails to comply with the building height and lot coverage standards. 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 for accessory residential use;
- 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 Commission concluded the following: the proposed accessory building will be compatible in size and height with other residential buildings in the area; the building is proposed to be located similarly to the previous barn so will require minimal disturbance to the site; the proposed accessory building will not constitute a change in use of the property so will not alter public service demands, traffic impacts or parking needs; the proposed building height and rear yard lot coverage will not create any negative impacts on adjacent properties; the proposed building will not be visible from the abutting roadway so will not impact the general neighborhood; the proposed use will be residential storage; the finding of compatibility is further supported by the recognition that the proposed accessory building is a replacement building and will not constitute a change in use or the landscape; and, the proposal meets the standards of Section 18.4 D.

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.

Acting Chairperson Bekes then moved to grant Special Land Use Permit/Site Plan Approval for the proposed accessory building on the subject site 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, noting that the site plan presented is acceptable, with the information required by Section 21.4 A., C., E. and I. waived per Section 21.4 T. Moore seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS I

. Master Plan Update

Harvey stated that she is nearing completion of the requested revisions to the Plan. She noted, however, that she is having trouble locating an electronic version of the Plan and so

work to date has been accomplished outside of the existing document. Sulka inquired as to how the updates to the document would be presented. Harvey stated that it was envisioned that the proposed revisions would be shown on the existing document in bold or red (with removed text to be shown in 'strikethrough') in the first draft.

Planning Commission discussion ensued regarding avenues available through which to locate an electronic copy of the Plan. Harvey noted that once she has the electronic version it will not be difficult to proceed with transferring the updates to the document. It was agreed that if the electronic version could be located in the near future, Harvey would work to have the updates completed and the first draft ready for presentation to the Planning Commission in October.

2. Sign Standards

Acting Chairperson Bekes referenced the draft sign regulations prepared by Harvey in 2018 per the request of the Planning Commission. He provided a summary of the proposed amendments, noting that 1) the existing sign metrics had not been altered; 2) the sign regulations did not appear to be more restrictive but were more descriptive than the existing standards; 3) the content-based sign provisions have been removed; and 4) the proposed standards close the gaps that exist in the existing standards.

Lengthy Planning Commission discussion of the draft text ensued, wherein the following was noted:

- The District Regulations chart does not set forth the sign standards for the C-1 and C2 Districts, but only references another section of the Ordinance. Is this confusing? Largent opined that the chart was not confusing and would assist them in their work with applicants; she recommended the chart remain as written.
- The Temporary Sign provisions indicate that a sign 'may not be placed in a prohibited area'. Why not state what the standards are in the provision? Harvey advised that the 'prohibited area' refers to applicable locational and setback requirements, some of which are set forth in Subsection C. General Sign Regulations and some of which will differ by zoning district. It was agreed that the temporary sign standard has been drafted to avoid a repetition of all standards that would apply within each district and is preferred.
- Should the 'temporary sign' standards include regulations for sign material? Harvey noted that definitive sign material standards could actually serve to prohibit other acceptable materials that may not be listed. It was agreed that the provision remain as written.

It was then agreed that continued review and discussion of the draft sign regulations would be scheduled for October.

3. Chickens in Residential Districts/Plats

Sulka advised that the matter had been raised to the Township Board by residents concerned that the Zoning Ordinance allows the keeping of horses on rural properties, but not the keeping of chickens.

Largent reported that the questions directed to AGS are largely for the keeping of chickens on waterfront lots.

Commission members questioned if the Township Board had a direction they were requesting the Planning Commission to pursue. Sulka stated that no direction had been suggested.

Moore then moved to remove the matter from the Planning Commission agenda unless consideration is requested by the Township Board or an application for a text amendment is received. Acting Chairperson Bekes seconded the motion. The motion carried

unanimousl

Snyder added that it should be noted that the Township is not 'anti-agriculture' but rather there does not seem to be an immediate 'push' to address the matter.

4. GAAMPS

Acting Chairperson Bekes referenced the topic article received from Chairperson Dale.

Lauderdale.

Township Attorney Thall and Harvey provided an overview on the elements of zoning for agricultural use and recent changes to the GAAMPS. It was noted that there is probably a

need for the Ordinance to be reviewed again for compliance with current law on this topic. In response to a question by Sulka, Attorney Thall provided a cost estimate of \$1000 to

complete the required review.

It was agreed that Sulka, as Township Board liaison to the Planning Commission, would request Township Board approval of additional funding to complete the study

5. SOLAR ENERGY

Acting Chairperson Bekes reminded that this matter had been put on hold but that information previously referenced by Harvey had been requested.

Harvey advised that she will provide the requested information (recent articles on 'planning/zoning for solar energy' and sample solar ordinances) for inclusion in the October meeting packet.

REPORT FROM TOWNSHIP BOARD

Sulka reported that the Township Board approved the requested lot split associated with the August, 2019 ZBA decision at a special meeting of the Board on August 28, 2019.

Sulka further noted the Township Board approved updates to the Recreational Marijuana Opt-Out Ordinance to reflect the language used in the State law and that the Board continues to discuss police protection in the Township.

REPORT FROM ZONING BOARD OF APPEALS

Acting Chairperson Bekes Board of Appeals did not meet

APPEALS

noted that the Zoning in September, 2019.

PUBLIC COMMENT

No public comment was offered.

Snyder requested that public comment offered during the meeting be directed to the Public Comment portion of the meeting to allow for efficient Planning Commission deliberation on agenda items.

MEMBERS, CONSULTANTS, ADVISORS

No member/staff comments were offered.

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 8:40 p.m.

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