

**ROSS TOWNSHIP  
PLANNING COMMISSION  
MINUTES  
May 18, 2020**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the regular meeting of the Ross Township Planning Commission to order at 6:00 p.m. The Planning Commission meeting was conducted through electronic remote access due to Executive Order.

ROLL CALL

Present: Chairperson Lauderdale  
Mike Bekes  
Mark Markillie  
Michael Moore  
Pam Sager  
Sherri Snyder  
Mike Sulka

Absent: None

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

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **April 27, 2020** regular Planning Commission meeting minutes. Bekes 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 (Gilbert)

The next matter to come before the Planning Commission was consideration of the request by James and Barbara Gilbert for special land use permit/site plan review for the proposed construction of a residential accessory building that fails to meet the lot coverage requirements. The subject property is located at ~~8663 North 40<sup>th</sup> Street~~ **2802 Burlington Drive** and is within the R-1 District.

Chairperson Lauderdale opened the public hearing.

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

- The applicant is proposing the construction of a 32 ft x 36 ft (1152 sq ft) accessory building in the rear yard of the waterfront lot.
- The existing 30 ft x 60 ft (1800 sq ft) accessory building located in the rear yard is proposed to remain.
- The proposed accessory building complies with applicable setback, building height, locational (rear yard), and total lot coverage requirements, but exceeds the rear yard lot coverage requirement.
- Pursuant to Article 15, lot coverage may not exceed 10% of the rear yard; a 12% rear yard lot coverage is proposed.
- Pursuant to Section 18.4 D., the proposed accessory building is allowable as a special land use.

Dr. James Gilbert was present on behalf of the application. He stated that the accessory building is proposed to provide additional storage space on the site. Namely, the building will be designed to allow storage of a boat that will not fit in the existing accessory building.

In response to Commission questions, Dr. Gilbert clarified that the proposed building will not be provided heat or plumbing; only cold storage is proposed; the overhead door will face the waterfront; and, the proposed building location will not require the removal of trees or significant grading.

No further 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. The following was noted:

- The proposed accessory building that exceeds the maximum rear yard lot coverage requirement 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 proposal meets the standards of Section 18.4 D.; the proposed building location will require minimal disturbance to the grade of the site and no removal of trees; no utility connections to the accessory building are proposed; the proposed accessory building will not cause traffic congestion or modify existing access/parking arrangements; the proposed accessory building will be compatible in character and design with other residential properties in the area; the proposed accessory building location will not create any negative sight lines with adjacent properties, the MSU-owned vacant lot opposite the site being specifically noted; and, the finding of compatibility is further supported by the proposed setbacks, existing vegetation, and surrounding land use.

It was noted that the site plan presented was acceptable (per Section 18.4 D.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 representations made by the applicant at the meeting.

Sulka 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. Bekes seconded the motion. The motion carried unanimously.

## 2. Public Hearing – Zoning Ordinance Amendments

### Section 18.2 – Signs & Outdoor Advertising Signs

Chairperson Lauderdale opened the public hearing. He gave an overview of the proposed amendments, noting that the Planning Commission has had extensive discussions on the draft text, with acceptance of Draft #2 (dated 1.27.20) in May, 2020 for public hearing.

Sager questioned how Section 18.2 D. – Prohibited Signs addresses ‘rotating signs’. Harvey noted that ‘rotating signs’ was no longer specifically listed as a prohibited sign in that the definition of ‘animated signs’ in Section 2.2 specifically ‘includes rotating signs’. It was agreed that the listing of ‘animated signs’ as a prohibited sign adequately serves to prohibit ‘rotating signs’. No change to the text was proposed.

Sager then directed attention to the proposed title of Subsection H. – Changeable Copy Signs. She noted that Subsection H. serves to allow both a manual changeable copy sign as well as several of the electronic display signs defined in

Section 2.2, yet the title of the subsection references only ‘changeable copy sign’. Sager expressed concern that the title of the subsection is confusing/misleading. It was agreed that the title of Subsection H. should be amended to read ‘Changeable Copy Signs and Certain Electronic Display Signs’.

Sager questioned why four types of ‘electronic display signs’ are defined when only two of them listed are allowed by Section 18.2. Harvey explained that the definition is comprehensive to avoid interpretations that unwanted electronic signs are allowed by omission.

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

Bekes moved to recommend approval of the proposed amendments to Section 2.2 – Definitions and Section 18.2 – Signs & Outdoor Advertising Signs, as revised. Moore seconded the motion. The motion carried unanimously.

## UNFINISHED BUSINESS

### 1. Master Plan Update

Harvey referenced the complete Preliminary Draft of the Master Plan Update distributed electronically to Commission members. She stated that, as requested, she has provided a draft to the Township Office with a request that hard copies be made of the draft plan and forwarded to the Planning Commission.

Harvey stated that there was a handful of data points in Sections 2-4 pending receipt of updates. Sulka offered that the Township Board had conducted a community survey in 2018 on several subjects that may be relevant to the plan, such as roads, solar energy, and marijuana facilities. He agreed to provide Harvey with the results of the survey for inclusion in the plan update.

General discussion ensued wherein there was agreement that a review of the draft plan would be conducted at the June meeting. It was agreed that a general discussion of Sections 6-8 would first be held to determine Commission consensus on the direction . . . and then a section by section review would be held.

### 2. Discussion – Lot Coverage Standard for Nonconforming Lots

Chairperson Lauderdale noted that following the Commission’s review of the Memo – Maximum Lot Coverage Standards prepared by Harvey in April, it was determined that Markillie would forward his calculations in applying the existing sliding scale standards to Commission members to better explain his suggestion. This would allow each member the opportunity to consider the effects of its

application to typical nonconforming waterfront lot sizes in the Township and then discussion of same could continue in May.

Lengthy discussion ensued regarding the initial intent of the relief offered by the sliding scale approach and how Markillie's approach differed from the historic application of the standard.

It was then determined that Markillie, AGS, and Harvey would consult on the matter and be prepared to provide direction to the Commission in June. Specifically, Harvey noted that she would apply both approaches to the sample variances studied earlier by the Commission and, in consultation with Markillie and AGS, offer recommendations for 1) amended text that clarifies use of the existing approach, and 2) amended text that applies the alternate approach raised by Markillie. It was felt this information would allow the Commission to determine which approach best achieves the intent of the sliding scale provision.

### 3. RTFA/GAAMPS

Chairperson Lauderdale noted that Attorney Thall had been requested to prepare the recommended amendment that acknowledges that the RTFA/GAAMPS supersede any Zoning Ordinance provision applicable to commercial agriculture activities for consideration at the May meeting.

Attorney Thall provided an overview of the draft text. In response to Commission questions, Attorney Thall noted that it would be the responsibility of the applicant to provide GAAMPS certification if there is a claim of exemption.

Sulka then moved to accept the proposed amendment to Section 1.3 – Scope prepared by Attorney Thall for a public hearing in June. Bekes seconded the motion. The motion carried unanimously.

### 4. Discussion – Outdoor Wood Furnaces

Chairperson Lauderdale reminded that the Township Board asked the Planning Commission to work on the development of an 'outdoor wood furnace' ordinance for the Township. He referenced the sample ordinances and draft text provided by Harvey and discussed by the Commission in May.

The Commission noted general support of the draft text. A detailed review of the text then ensued wherein the following points of consensus were noted:

- Remove 'wood' from the term; reference as 'Outdoor Furnaces'.
- Subsection 1 – use 200 ft
- Subsection 2 – include reference to Mechanical Code

- Subsection 3 – no change
- Subsection 4 – 1) only use setbacks to limit location; 2) ok; 3) ok

Due to the lateness of the hour, a review of the remainder of the draft text was postponed to the June meeting.

#### REPORT FROM TOWNSHIP BOARD

Sulka reported that the Township Board met in May through electronic remote access and that discussion centered around weeds and the Sherman Lake special assessment district.

#### REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale reported that the Zoning Board of Appeals did not meet in May.

#### PUBLIC COMMENT

No public comment was offered.

#### MEMBERS, CONSULTANTS, ADVISORS

No member or advisor comments were offered.

#### ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:58 p.m.

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