

**ROSS TOWNSHIP
PLANNING COMMISSION
MINUTES
May 4, 2022**

CALL TO ORDER/PLEDGE

Chairperson Lauderdale called the special meeting of the Ross Township Planning Commission to order at 5:00 p.m. at the Ross Township Hall.

ROLL CALL

Present: Chairperson Lauderdale
Michael Bekes
Mark Markillie
Steve Maslen
Michael Moore
Pam Sager
Sherri Snyder

Absent: None

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

APPROVAL OF AGENDA

The agenda was approved as presented.

NEW BUSINESS

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

The next matter to come before the Planning Commission was consideration of the request on behalf of the William B. Guzy Trust for special land use permit/site plan review to construct a 7272 sq ft residential accessory building that fails to meet the maximum lot coverage standard. The subject property is located at 4306 East Gull Lake Drive and is within the R-R District.

Chairperson Lauderdale opened the public hearing.

Gale provided an overview of the application, noting the following:

- The subject site consists of a waterfront lot on Gull Lake (4306 East Gull Lake Drive) and a recently purchased parcel opposite the waterfront lot on the east side of East Gull Lake Drive.
- The lot/parcel have been combined into a single parcel (1 tax id number) totaling 1.52 acres in area.
- The waterfront lot is within the R-1 District; the ‘backlot’ is within the R-R District.
- A 7272 sq ft accessory building is proposed to be located on the ‘backlot’ with a proposed lot coverage of 12%; a 5% maximum lot coverage is allowed within the R-R District.
- This calculation was made consistent with Section 16.1 D., which states, *‘The divided portions of a single lot (divided by a public street or private road) shall be treated as separate lots in the application of lot coverage . . . requirements.’*
- Pursuant to Section 18.4 D., an accessory building that does not comply with the lot coverage standard is allowable as a special land use.
- Applicant requests Special Land use Permit/Site Plan Review for the proposed construction of an accessory building that exceeds the maximum lot coverage allowed within the R-R District.

Patrick Lennon, attorney, Charlie Glas of Glas Associates, project contractor, and Bill and Julie Guzy were present on behalf of the application. Lennon thanked the Commission for agreeing to a special meeting to consider the request. He stated that the applicant is a long-time resident of Gull Lake but was able to purchase the ‘backlot’ just last year. Use of the property for indoor pickle-ball courts for family and friends was envisioned.

Lennon explained that the ‘backlot’ was combined with the waterfront lot at the time of purchase, increasing the overall building site to 1.52 acres, but the lot coverage calculation method established by Section 16.1D. requires that only the area of the ‘backlot’ be used in determining lot coverage. Accordingly, the applicant is seeking an increase in the lot coverage allowed on the site using the impact-based criteria of the Special Land Use process.

Lennon stated that the purpose of the lot coverage standard is not necessarily to regulate the size of a building . . . but to regulate the physical experience on the property; to maintain view corridors; and to establish contiguous and meaningful open space on a parcel.

He argued that, though the proposed accessory building exceeds the 5% lot coverage standard, there is consistency with the intent of the lot coverage standard in that: there is only a single building proposed; it will be centrally located on the property; all setback requirements will be met; (sideline) view corridors will be maintained; views from adjacent properties will not be blocked; the removal of trees will not be required; and it will not dwarf the vegetation in the area. Lennon compared the proposal with a proposal that includes many small accessory

buildings that may meet the lot coverage standard but be more impactful in their arrangement.

Lennon also noted that the proposed accessory building is not really considered large for the proposed use. If the pickle-ball courts were to be established as outdoor courts, they would occupy more area and be more visually impactful.

Lennon summarized that the proposal meets the standards of Sections 18.4 D. and 19.3, with the exception of the lot coverage; the property will be open and landscaped, compatible with the natural environment; will be adequately served by on-site utilities; and will be compatible with adjacent land use, noting the location and design of the building, as well as the enclosed nature of the activity, and that no views to Gull Lake will be impacted.

Bekes questioned if the proposed pickle-ball courts would have any commercial element. Guzy stated that the courts are for use by family and friends only . . . there will be no court rental, memberships, or business activity. He further confirmed that there are no locker rooms, only restrooms proposed, and no signage will be established.

It was noted that the site plan provided to the Planning Commission was small and detail was difficult to discern. On a larger site plan, Glas clarified the locations of the proposed well and septic system and the areas of the building proposed for personal residential storage. Planning Commission members agreed they were satisfied with the larger drawings presented and were willing to proceed with the review.

In response to questions, Lennon confirmed that there were currently no buildings on adjacent lots. Chairperson Lauderdale questioned how the claim can be made that the building ‘respects sight lines’ when there are no buildings on adjacent lots. He further expressed concern that such a large building is not really consistent with the purpose statement of the zoning district.

Lennon reminded that the subject site has ‘split zoning’, that is, the waterfront lot is zoned R-1 and the ‘backlot’ is zoned R-R. He observed that the R-1 District allows a greater lot coverage (10%) than the R-R District (5%), and noted that the proposed building would be near compliance if the ‘backlot’ were zoned similar to the waterfront lot.

Chairperson Lauderdale stated that a letter of support from Jamie and Jalyynn Schnur had been received.

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 accessory building is proposed to be located in excess of 5 ft from all lot lines;
- the accessory building is proposed for two pickle-ball courts and personal residential storage;
- 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:

- a. The proposal meets the standards of Section 18.4 D., with the exception of lot coverage;
- b. Regarding impact on the natural environment, the proposed accessory building is large, but the subject property is a spacious non-waterfront site that is an open, flat field and the trees in the area are proposed to be retained;
- c. The proposed accessory building can be adequately served by on-site utilities;
- d. Regarding compatibility with adjacent uses, it was recognized that the proposed building is located in excess of required building setbacks; the proposed lot coverage is largely consistent with the lot coverage standard of the adjacent R-1 zoning; landscaping is proposed to be established from the rear of the building to the roadway; adjacent properties are currently vacant; tennis courts are present in the neighborhood; and, reference was made to the letter of support received from a neighboring property owner.
- e. There is consistency with the intent of the lot coverage standard, noting adequacy of on-site storm water drainage; the retention of the existing trees; the proposed extent of landscaping; and compliance with remaining dimensional requirements.

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.

Chairperson Lauderdale moved to grant Special Land Use Permit/Site Plan Approval for the proposed construction of a 7272 sq ft accessory building, to be used for private indoor pickle-ball courts and personal storage, on the ‘backlot’ of the subject property with a lot coverage of 12%. Approval is granted 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, and conditioned on the following:

1. The pickle-ball courts will be non-commercial in use, as represented in the application letter and the presentation to the Planning Commission.
2. The proposed accessory building is approved as accessory to . . . and located opposite of . . . the principal dwelling on the site.
3. The subject property constitutes a combined lot and shall not be divided.
4. The establishment of landscaping from the rear of the accessory building and extending forward to the abutting roadway, as represented by the applicant. A landscape plan shall be submitted to the Township Zoning Administrator (AGS) for review/approval.

Bekes seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

Chairperson Lauderdale advised that any Unfinished Business will be considered at the regular Planning Commission meeting on May 23, 2022.

REPORT FROM TOWNSHIP BOARD

Chairperson Lauderdale advised that the Township Board Report will be given at the regular Planning Commission meeting on May 23, 2022.

REPORT FROM ZONING BOARD OF APPEALS

Chairperson Lauderdale advised that the Zoning Board of Appeals Report will be given at the regular Planning Commission meeting on May 23, 2022.

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 5:55 p.m.

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