

**ROSS TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
January 27, 2025**

CALL TO ORDER/PLEDGE

Chairwoman Sager called the meeting of the Ross Township Planning Commission to order at 6:00 PM at the Ross Township Hall. All rose to recite the Pledge of Allegiance.

ROLL CALL

Present: Chairwoman Pamela Sager
Mark Markillie
Michael Moore
Steve Maslen
Sherri Snyder
Jeff Price

Absent: Michael Bekes

Also Present: Bert Gale – AGS – Township Zoning Administrator
Nick Keck, AGS – Township Zoning Administrator
Robert Thall – Township Attorney

APPROVAL OF AGENDA

Moore motioned to approve the agenda as written, and Snyder supported. The motion was unanimously approved.

APPROVAL OF PRIOR MEETING MINUTES

The Commission proceeded with consideration of the **September 23, 2024** Planning Commission meeting minutes. Snyder motioned to approve the minutes as written and Moore supported. The motion was unanimously approved.

NEW BUSINESS

Coming before the Planning Commission is a site plan review and consideration of the request by Gull Lake View Golf Club for approval to construct a new pump house used for irrigation at 7417 N 38th St. (Property #3904-20-420-016). The property is located in the High Density Residential District (R-3). The new pump house will replace an existing pump house located nearby. The size of the new pump house will be 10'x12'.

Chairwoman Sager opened the discussion.

Bert Gale explained to the group that because it is a change to the golf club's original site plan, it required approval under the special land use provisions contained in Article 8.3. Attorney Thall noted that they looked into whether or not this approval could be handled on an administrative review basis and found it couldn't because it is a new building structure.

Bert Gale of AGS performed a review of the submission by Gull Lake Golf Club in conformance with Article 21.4 of the Ross Township Zoning Ordinance. All conditions were met or not applicable in this case with the exception of item U requiring soil characteristics for the site be provided. It was determined by the PC that in this case the soil characteristics on the site plan could be waived.

Alex Scott representing the club spoke about the proposed pump house explaining that the original building, built in the '60s or '70s, was falling apart and one of the (4") wells has failed. In the proposed plan they will build a new structure and two new 6" to 8" wells. The failed well will be abandoned and the remaining existing well will be used a backup. Chairwoman Sager asked if the wells were approved and Bert Gale noted they were approved by HCS (Kalamazoo County Health and Community Service).

A motion was made by Moore to accept the application as complete and Price seconded the motion. The motion was approved unanimously. After determination by the Planning Commission that the application met the criteria pursuant to Section 21.6.B, a motion was made by Moore, that the application be approved. Price seconded the motion which passed unanimously.

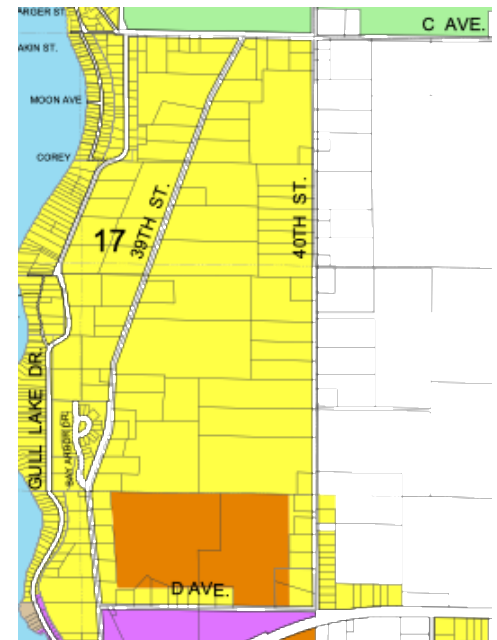
Chairwoman Sager invited the club to work with AGS on this project. Bert Gale noted that because of the building size it did not require a building permit but only a zoning permit.

There was no additional comment relating to this issue. Chairwoman Sager closed the discussion.

The second item of business is to begin discussion relating to properties on 40th St being returned to their original zoning of Rural Residential (R-R) from Low Density Residential (R-1).

Chairperson Sager opened the discussion.

Bert Gale stated that all of the properties on the west side of 40th St (south of C Ave) and a few on the east side and along M-89 are currently zoned R-1. The remaining east side properties are zoned R-R. PC member Moore who lives on 40th St explained that he bought his property in 1984 because it was zoned R-R and it allows him to have large animals (horses which he has). He went on to state that in 1989, he found out the property had been rezoned R-1 which does not allow for large animals as a permitted or special land use. Bert Gale noted that Article 5.5 sets the requirements for large animals in R-R and the area of concern was changed on June 27, 1986. Moore noted that he never received a notice letter changing the zoning but when he inquired at the township offices, he was told that only a notice was put in the paper. Attorney Thall said that could have been the case as it was a larger area unlike one where a single or a few properties were changed.



Thall added that he suggested that all Planning Commission members visit the area and see the lot sizes and uses. He also suggested to review the GIS land map as it provides lot sizes. Snyder suggested that possibly the lots on the east side remain R-1 as they are smaller, residential and generally do not meet the minimum size for large animals (5 acres).

Attorney Thall stated that a change to the zoning may create some non-conformance issues with the properties. For example, the lot coverage for R-1 versus R-R are different. He also explained that a zoning change would require a public hearing and noted that if this were to take place, Moore would have to recuse himself from voting. Moore understood. Snyder asked if the board should be notified of this issue and Moore and Sager said they were aware of the issue.

This item will be carried over for further discussion in the next meeting and current discussion closed.

The third item of business is discussion led by Attorney Thall related to Patios, Landscaping as it relates to Natural Grade. Since 2013 the Zoning Board of Appeals has allowed landscaping to be used to adjust grade. An issue arose where a property owner who had a “deck” (raised patio) was told they were in non-compliance and corrected the condition by using landscaping to raise the grade around the patio so that both were level. This ZBA ruling that patios must be on “natural grade” is being appealed by the homeowner. Reference ZBA meeting of December 18, 2024.

Chairwoman Sager opened the discussion.

Bert Gale noted that this ruling applies to patios built in the setback areas. Gale said he had always used Article 16.3D as the guiding ordinance for patios, raised decks, porches and steps. He also said that when he reviews dwelling construction, he said he relates heights to the natural grade and not final grade.

Attorney Thall will prepare a summary of the ordinances relating to this issue and it will be further discussed in the next PC meeting to determine if changes to the zoning ordinances need to be made.

Jack Gesmundo, from AVB a local contractor, stated that typically there was leeway granted with on grade steps or patios (structures) associated with construction and that some grading may be required to accommodate these items.

There was no further comment. As such, Chairwoman Sager closed the discussion.

OLD BUSINESS

Chairwoman Sager stated there was no old business to conduct at this meeting.

REPORT FROM TOWNSHIP BOARD

No report from the Township Board.

REPORT FROM ZONING BOARD OF APPEALS

No report from the Zoning Board of Appeals.

MEMBERS, CONSULTANTS, ADVISORS

No comments in this section.

ADJOURNMENT

There being no further business to come before the Commission, Moore motioned to adjourn the meeting and Price supported it. The motion was unanimously approved and the meeting adjourned.

Respectfully Submitted,
Stephen Maslen
Planning Commission Member
Acting Recording Secretary