

REGULAR MEETING: City of Pontiac Planning Commission Special Meeting Minutes on October 29, 2013; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

CHAIRPERSON THOMAS CALLED MEETING TO ORDER AT 6:30 P.M.

MOMENT OF MEDITATION:

ROLL CALL: PRESENT: Payne, Hollis, Glass, Fegley, Cadd, Thomas

EXCUSED: Hudson

ABSENT: None.

Mr. Sabo reported a quorum is present.

COMMUNICATIONS: None.

MINUTES FOR REVIEW: None.

PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-13-81 LOT SPLIT REQUEST - 209 and 213 South Shirley Street

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. SABO.

Overhead photographs were shown.

Request: Lot split request to create two new buildable residential lots along Shirley Street. The request by the applicant is to split the existing lot and to propose construction of two new single family houses on smaller lots. The proposed parcels are bounded on all sides by R-1 One-Family Dwelling District. Nearest commercial property is at the intersection of Auburn Avenue and South Shirley.

Planning Analysis: In accordance with the City of Pontiac Subdivision Ordinance, a lot split request must meet the minimum Zoning Ordinance standards. In this case, the propose lot split does not meet the minimum requirements for bulk and area in the R-1 zone district.

Specifically, the proposed lots do not meet the minimum lot width requirement or the minimum lot area requirements.

However, the applicant has been informed and they intend to seek a dimensional variance from the Zoning Board of Appeals for lot width and lot area. If approved by the ZBA, the proposed lots would become "otherwise legally created" and would meet the provisions of Section 6.5069(c) Application to lots of Record. The proposed lots would then become buildable.

Note: The applicant recently obtained dimensional variances for other similarly sized lots in this residential area in order to meet the provisions of Section 6.506.

The proposed lots appear to respect the dimensions of the original subdivision plats from the 1920' and 30's. For this reason, the Planning Division recommends conditional approval of the proposed lot split request.

Recommendation: To approve the proposed lot split request for PF-13-81, 209 and 213 South Shirley (address TBD), Community Network Services/West Construction, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width and minimum lot area.
2. Provide and record all necessary public utility and public access easements.
3. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

Petitioner Joseph Owens, 790 Oak, Representative Community Housing Network had no additional comments.

Comm. Hollis inquired if the lot split would have to go before the ZBA. Mr. Sabo indicated yes and the ordinance allows for certain plated lot not to appear before the ZBA.

Comm. Payne inquired of the number of bedrooms. Petitioner indicated 2-3-4 bedrooms. The apartments can be rented for 15 years and then converted to home ownership. The cost would be approximately \$66,000 to 84,000.

Chairperson Thomas inquired of the title of the Petitioner. Petitioner indicated he is the project manager for Community Housing Network and he has a contract with West Construction.

Deputy Mayor Glass inquired of the conception of the lot sizes. Petitioner indicated given the size of the lot and the setback needed. The 3-bedrooms will be on a 42 foot lot and 4 bedroom will be on a 50 foot lot.

Comm. Cadd inquired of Community Housing Network's business. Petitioner indicated it is not affiliated with HUD or Section 8; it is similar to a venture project.

Comm. Payne inquired of the timeline for completion. Petitioner indicated it will be completed at different times in March through August. Fully completed by September 2014.

COMM. HOLLIS MADE A MOTION to approve the proposed lot split request for PF-13-81, 209 and 213 South Shirley (address TBD), Community Network Services/West Construction **AND COMM. FEGLEY SUPPORTED**, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width and minimum lot area.
2. Provide and record all necessary public utility and public access easements.
3. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

CHAIRPERSON THOMAS: Roll call, please.

VOTE: AYES: Hollis, Fegley, Cadd, Glass, Payne, Thomas
 NAYS: None.
 ABSTAIN: None.

Vote 6-0-0 for approval of the Lot Split (PF-13-81)

5.2 PF-13-82 LOT SPLIT REQUEST - 225, 259 and 263 South Shirley Street

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. SABO.

Overhead photographs were shown.

Request: Lot split request to create three new buildable residential lots along South Shirley Street. The request by the applicant is to split the four existing contiguous lots (37 feet) and propose three new lots and construction of three new single-family residential houses on slightly larger lots. The proposed parcels are bounded on all sides by R-1 One Family Dwelling District. Nearest commercial property is at the intersection of Auburn Avenue and South Shirley.

Planning Analysis: In accordance with the City of Pontiac Subdivision Ordinance, a lot split request must meet the minimum Zoning Ordinance standards. In this case, the propose lot split does not meet the minimum requirements for bulk and area in the R-1 zone district.

Specifically, the proposed lots do not meet the minimum lot width requirement or the minimum lot area requirements.

Presently, the applicant has been informed and they intend to seek a dimensional variance from the Zoning Board of Appeals for lot width, but in this case do not require a variance for lot area. If approved by the ZBA, the proposed lots would become "otherwise legally created" and would meet the provisions of Section 6.5069(c) Application to lots of Record. The proposed lots would then become buildable.

Note: The applicant recently obtained dimensional variances for other similarly sized lots in this residential area in order to meet the provisions of Section 6.506.

The proposed lots appear to respect the dimensions of the original subdivision plats from the 1920' and 30's. For this reason, the Planning Division recommends conditional approval of the proposed lot split request.

Recommendation: To approve the proposed lot split request for PF-13-82, 225, 259 and 263 South Shirley (address TBD), Community Network Services/West Construction, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width only.
2. Provide and record all necessary public utility and public access easements.
3. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

Petitioner Joseph Owens had no additional comments.

Comm. Hollis inquired if the smaller lots would have backyards. Petitioner indicated yes, they will have a larger backyard.

Comm. Fegley confirmed they would be taking 4 lots and dividing them into 3 lots. Petitioner agreed.

Deputy Mayor Glass inquired of the comparison to the previous homes discussed earlier. Petitioner indicated they are all similar sizes.

Chairperson Thomas inquired of the exterior of the proposed homes. Petitioner indicated vinyl siding, energy star efficient, shutters, porches with railings. The interior would have an open floor plan, 1-2 baths, master bedroom carpet with bath with double sinks, laundry room, no basement. There will be 10 different styles of Colonials, live and work opportunities, work training for residents.

Comm. Hollis inquired of qualifications for rental/ownership. Petitioner indicated median area income roughly \$34,000 yearly and the officer is Piper Realty on Auburn Avenue.

COMM. FEGLEY MADE A MOTION to approve the proposed lot split request for PF-13-82, 255, 259 and 263 South Shirley (address TBD), Community Network Services/West Construction **AND COMM. PAYNE SUPPORTED**, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width and minimum lot area.
2. Provide and record all necessary public utility and public access easements.
3. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

CHAIRPERSON THOMAS: Roll call, please.

VOTE: AYES: Fegley, Payne, Glass, Hollis, Cadd, Thomas
 NAYS: None.
 ABSTAIN: None.

Vote 6-0-0 for approval of the Lot Split (PF-13-82)

5.3 PF-13-83 LOT SPLIT REQUEST - 195, 199 Wall Street

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. BOWDELL.

Overhead photographs were shown.

Request: Lot split request to create two new buildable residential lots along Wall Street. The request by the applicant is to split the existing three lots into two larger parcels for the purpose of constructing two new single-family residential houses. The proposed parcels are bound on all sides by R-1 One Family Dwelling District.

Planning Analysis: For the purpose of constructing single-family residential buildings, the applicant is required to comply with Section 2.404 - Site Design Standards and Residential Building Design Standards. These standards detail requirements for material, roof pitch and garage proportion.

The proposed lot split would create two non-conforming parcels that would not meet the minimum required width and square footage of lots in the R-1, One Family Dwelling District. Although these lot splits do not conform to the lot requirements of Section 2.304 of the Zoning Ordinance, the current lots are also too small, per Section 6.506 of the Zoning Ordinance, to erect a single family home.

Sections 6.506 of the Zoning Ordinance allows the construction of a single-family home on a originally platted (or otherwise legally created) lot, should that lot in question be at least 40 feet wide and provide a lot area of no less than 4,800 square feet. The proposed lots that would be created by this proposal would meet this provision of the ordinance, except there is no way to legally create the lots without first obtaining a variance.

It appears that the proposed lot split (should a variance be granted for lot width and area) would meet the intent of the Zoning Ordinance for constructing a single-family home in an R-1, One Family Dwelling District.

Recommendation: To approve the proposed lot split request for PF-13-83, Wall Street to split three lots into two lots: Community Housing Network Services/West Construction, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width and minimum lot area.
2. Provide and record all necessary public utility and public access easements.
3. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

Petitioner Joseph Owens had no additional comments.

No questions by the commissioners.

COMM. HOLLIS MADE A MOTION to approve the proposed lot split request for PF-13-83, Wall Street to split three lots into two lots: Community Housing Network Services/West Construction, **AND COMM. FEGLEY SUPPORTED**, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width and minimum lot area.
2. Provide and record all necessary public utility and public access easements.
3. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

CHAIRPERSON THOMAS: Roll call, please.

VOTE: AYES: Hollis, Fegley, Glass, Cadd, Payne, Thomas
 NAYS: None.
 ABSTAIN: None.

Vote 6-0-0 for approval of the Lot Split (PF-13-83)

5.4 PF-13-84 LOT SPLIT REQUEST - 271, 275, 279 South Shirley Street

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. BOWDELL.

Overhead photographs were shown.

Request: Lot split request to create two new buildable residential lots along Shirley Street. The request by the applicant is to split the existing three lots into two larger parcels for the purpose of constructing two new single-family residential houses. The proposed parcels are bound on all sides by R-1 One Family Dwelling District.

Planning Analysis: For the purpose of constructing single-family residential buildings, the applicant is required to comply with Section 2.404 - Site Design Standards and

Residential Building Design Standards. These standards detail requirements for material, roof pitch and garage proportion.

The proposed lot split would create three non-conforming parcels in which all three proposed parcels would not meet the minimum lot width; and "parcel C" would not meet the minimum lot area for lots in the R-1, One Family Dwelling District. Although these lot splits do not conform to the lot requirements of Section 2.304 of the Zoning Ordinance, the current lots are also too small, per Section 6.506 of the Zoning Ordinance, to erect a single family home.

Sections 6.506 of the Zoning Ordinance allows the construction of a single-family home on a originally platted (or otherwise legally created) lot, should that lot in question be at least 40 feet wide and provide a lot area of no less than 4,800 square feet. The proposed lots that would be created by this proposal would meet this provision of the ordinance, except there is no way to legally create the lots without first obtaining a variance. The proposed "parcel C" is too small for any type of use/development and would be useless unless part of a larger parcel. The applicant stated that a neighbor's driveway is currently built on that proposed parcel, which is the reason for the small parcel size. Should this lot split request be granted, it should stipulate that "parcel C" be combined with either "parcel A" or a neighboring parcel.

It appears that this revised lot split (should a variance be granted for lot width) would meet the intent of the Zoning Ordinance for constructing a single-family home in an R-1, One Family Dwelling District.

Recommendation: To approve the proposed lot split request for PF-13-84, Shirley Street; Community Housing Network Services/West Construction, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width and minimum lot area.
2. "Parcel C" be combined with "Parcel A" or a neighbor's parcel to better conform to the Section 2.304 of the Pontiac Zoning Ordinance.
3. Provide and record all necessary public utility and public access easements.
4. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

Petitioner Joseph Owens had no additional comments.

No questions by the commissioners.

COMM. FEGLEY MADE A MOTION to approve the proposed lot split request for PF-13-84, Shirley Street; Community Housing Network Services/West Construction, **AND COMM. HOLLIS SUPPORTED**, subject to the following conditions:

1. Compliance with Section 2.304 Dimensional Design Standards; or obtain a variance from the Zoning Board of Appeals for minimum lot width and minimum lot area.
2. "Parcel C" be combined with "Parcel A" or a neighbor's parcel to better conform to the Section 2.304 of the Pontiac Zoning Ordinance.
3. Provide and record all necessary public utility and public access easements.
4. Compliance with Building Code, Fire Code and City of Pontiac Business Licensing requirements.

CHAIRPERSON THOMAS: Roll call, please.

VOTE: AYES: Fegley, Hollis, Payne, Cadd, Glass, Thomas
 NAYS: None.
 ABSTAIN: None.

Vote 6-0-0 for approval of the Lot Split (PF-13-84)

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

OTHER ITEMS: Deputy Mayor Glass encouraged everyone to visit the Hayes-Jones Recreation Center. The grand opening was last Saturday.

Comm. Payne announced the CSI broke ground recently and it's a complex for senior citizens.

PUBLIC COMMENT: None.

ADJOURNMENT: 7:17 p.m.