

CITY OF NORTHVILLE  
Planning Commission  
August 16, 2016  
Northville City Hall – Council Chambers

**1. CALL TO ORDER:**

Chair Wendt called the meeting to order at 7:30 p.m.

**2. ROLL CALL:**

Present: Carol Maise  
Mark Russell  
Anne Smith  
Jeff Snyder  
Jay Wendt

Absent: Steve Kirk (excused)  
Dave Mielock (excused)  
Christopher Miller (excused)  
Matthew Mowers (excused)

Also present: Ken Roth, Mayor  
James Allen, Mayor Pro Tem  
Patrick Sullivan, City Manager  
James Gallogly, Public Works Director  
Sally Elmiger, Planning Consultant  
4 residents

**3. APPROVAL OF AGENDA:**

**Motion by Russell, support Smith, to approve the agenda as published.  
Motion carried unanimously.**

**4. MINUTES OF PREVIOUS MEETING: July 19, 2016**

**Motion by Russell, support Maise, to approve the July 19, 2016 minutes as published. Motion carried unanimously.**

**5. AUDIENCE COMMENTS: None.**

**6. REPORTS:**

- A. CITY ADMINISTRATION: None.**
- B. CITY COUNCIL: None.**
- C. PLANNING COMMISSION: None.**
- D. OTHER COMMUNITY/GOVERNMENTAL LIAISONS: None.**

**7. LOT SPLIT: 300 WING CT.**

Planning Consultant Elmiger gave the background for the proposed lot split at 300 Wing Ct, R-1B First Density Residential District. The proposal met area and width requirements. It also met setback requirements except for the rear setback on the existing home. This was an existing nonconformity and the lot split would not increase the nonconformity.

The new lot would contain a barn, which was an accessory structure. The ordinance stated that there could not be an accessory structure on a lot without a principal building. Either the barn would need to be removed or a financial guarantee securing its removal in the future would need to be posted. Another option was to include in the deed a condition that the barn be removed by a certain date unless a home was built within that time period.

The applicant was proposing to construct a T-turnaround to access both lots. The turnaround would be dedicated as a public right of way so everyone on Wing Court would be able to use it. There would also be easements for snow storage. The City could require financial security for construction of the T-turnaround before recording the lot splits.

The lot split itself would not require tree removal, but there were a number of trees on the site that were covered by the tree protection ordinance. Therefore if any tree removal were to happen before construction of a home, a financial guarantee for mitigation would be required.

Louis Ronayne, Ronayne Associates, 310 W. Dunlap, Northville, MI, was present on behalf of this application. Mr. Ronayne gave some history to this lot split proposal, saying that he had worked with the owners on this lot split for some time. Originally they had looked at splitting the lot to result in 3 parcels, but had decided to ask for 2 parcels only. The lot split did meet dimensional requirements. They would conform to other City recommendations. The owners had also talked with the two abutting neighbors on Wing Ct. and did not receive any negative feedback.

Commissioner Smith expressed concern that Parcel B's front setback faced north but the rear setback did not face south. The front yard setback was just a small corner, with the side yard setback being opposite the rear yard.

Planning Consultant Elmiger explained that in general, the zoning convention was that the rear yard was opposite the front yard. The front yard was defined by the side that abutted the public right of way.

Commissioner Smith said the way the lot was defined in terms of front and rear yards took advantage of a very small dimension for the front yard.

Mayor Pro Tem Allen said that you could look at parcel B as a continuation of Parcel A, with the rear yards continuing from one parcel to the next along the western property line. This was exactly opposite of the street.

Planning Consultant Elmiger said that since the front yard was relatively at an angle, the ordinance did say that *in the case of a corner lot, the rear lot line may be opposite either front lot line, but there shall only be one (1) rear lot line*. She felt that this would allow for the rear lot line to be on the west, rather than the south end. This configuration would provide plenty of space to build a home.

Commissioner Smith said that the proposed configuration allowed for a much bigger building envelope, which translated into a bigger home, more cars, more bedrooms, etc.

Planning Consultant Elmiger said the Building Official would be looking at this when the actual home was proposed. She didn't believe that this survey was going to cast in stone where the rear lot line was.

Commissioner Russell asked Public Works Director Gallogly about the 25 foot rear setback going straight down the west side of both properties. The way the 25-foot setback was configured, it seemed to him the rear lot line should be on the south side. Because of the way the lot was split, he didn't believe the 25-foot setback along the west property line could remain on Parcel B. He concurred with Commissioner Smith's concerns. If the side yards were true side yards as shown on the survey, the front yard should be on the eastern length of the property.

Planning Consultant Elmiger acknowledged the comments thus far. The Building Official would determine where the front yard should be when the house was being built. In any case the proposed lot split was legitimate. There was nothing in the ordinance that said the setbacks had to be shown. Carlisle/Wortman had asked for the setbacks just to confirm that the lot was buildable.

Commissioner Maise said that her experience was that once the Building Official determined what was the front, the opposite lot line became the back. Planning Consultant Elmiger said the ordinance did not require this.

Commissioner Russell said it made sense to continue the same 25-foot setback for neighboring lots on the rear lot line, in this case on the west.

Planning Consultant Elmiger said that if the Building Official made a determination that didn't agree with the applicant, the applicant could seek a determination from the BZA.

Commissioner Maise asked if there would be a no parking sign in the hammerhead, so that a fire truck could always gain access. Access would depend on how the driveway was designed going into the new parcel.

Commissioner Smith spoke to the narrowness of Wing Court. A regular driveway needed to be a minimum of 18 feet, and this public street was just 18 feet wide. It did not meet minimum requirements for street width. She was concerned about adding any traffic to this street.

Planning Consultant Elmiger read the Fire Marshall's review: *Question, what's different from previous submittal? This one is acceptable to Fire Department with dedicated public right of way and easements at each end.*

Mr. Ronayne said this was a quaint, unique street, with garages across the street from homes, etc. The design of the hammerhead was acceptable to the Fire Marshall, which gave a way for fire trucks to turn around instead of backing out.

Commissioner Russell said this was an example of "making it work." The two property owners, working with the Fire Marshall, had to make it happen. The building plan would have to be reviewed in more detail, but the plan as presented did meet lot split requirements.

Commissioner Smith said she had driven the street this evening. There were Tonka trucks and bicycles in the street. This lot split could result in two 4-bedroom homes, with multiple cars per home, adding significantly to the density of the street.

Mr. Ronayne said the existing house would remain. Only one new home would be constructed. The lot split met ordinance requirements. They had positive feedback from all department heads. One more house would not have a strong impact.

Commissioner Smith read from the proposed restriction language submitted by the applicants: *No structure or improvement of any kind shall be erected or maintained on either of the two new lots . . .* This sounded to her like new homes on both lots was a possibility.

Mr. Ronayne assured the Planning Commission that the existing home would remain. The applicants would like to post a bond so that the barn could remain on Parcel B. Both abutting neighbors had no problem with this lot split.

Chair Wendt asked if the two parcels were sold. Mr. Ronayne said they were sold.

Commissioner Snyder asked Public Director Gallogly about the need for an easement around the turnaround. Public Director Gallogly explained that the hammerhead would be a dedicated public right of way and the City would be required to plow it. There needed to be a place for the trucks to push the snow to the west, and there needed to be an easement to allow for that.

Chair Wendt recognized Robert Pelon, 246 Wing Court, Northville. Mr. Pelon said his understanding was the lot was big enough to split into 3 parcels. He supported the current request, which was for 2 parcels only. The street was extremely narrow, and their homes were within 7 feet of the street. He had lived there for 10 years. He felt this application represented a best-case scenario and he supported it.

Mr. Pelon mentioned that he would like to have a posted speed limit of 15 mph. He noted that he often plowed the snow for the entire street.

Commissioner Maise said she thought the option of allowing the barn to be removed after a certain time, unless a home was built within that time period, was a good one. Planning Consultant Elmiger said this had been done previously, with the condition recorded on the deed. Currently the barn was a legal nonconforming structure.

In response to a question from Commissioner Russell, Planning Consultant Elmiger said that the public right of way at the T-turnaround and the easement for maintenance and snow removal were two different things. In response to a question from Chair Wendt, Public Works Director Gallogly said he would like to have 10 feet beyond the right of way for an easement.

Commissioner Maise asked if the lot split was approved with the design shown this evening, and the applicants came in with a different design, would they still have the flexibility to amend the design of the hammerhead?

Commissioner Russell agreed the design was awkward. There needed to be a good “marriage” between the two properties. The hammerhead as shown would dictate access to the new parcel.

Commissioner Russell wanted to ensure there was some flexibility in design if the lot split were approved. Commissioner Maise agreed. Mayor Pro Tem Allen said that looking at the hammerhead on the plan seemed stark, but when the driveway on Parcel B was connected, what you would see was a driveway.

Chair Wendt recognized Ryan McKindles, 600 Horton St., Northville MI. Mr. McKindles said he was the purchaser of Parcel B. He shared Commissioner Russell’s concern; they would like to have some flexibility regarding the design to move the turnaround a little bit to the south.

Mr. Ronayne explained the justification for putting the hammerhead where it was on the plan, saying that this location gave the space needed for emergency vehicle turnaround. Commissioner Snyder said that while the hammerhead could not be moved one direction, it could be extended.

Commissioner Russell said the important thing was for the design of the hammerhead to be recorded to the satisfaction of the Building Official and the Fire Marshall.

Planning Consultant Elmiger read from City Code Section 78-167(b): *Access. No parcel shall be created unless accessibility is provided by either a public road or a private road . . .* She noted that roads needed to be constructed in accordance with city engineering standards, and these standards would trump aesthetics in road design.

City Manager Sullivan asked for clarification regarding the discussion about the T-turnaround. Commissioner Russell said the survey showed an engineered solution that met ordinance requirements. However, if he lived there, he would try to change that design.

Chair Wendt indicated he was ready for a motion.

**MOTION by Russell, support Snyder, to approve the lot split at 300 Wing Court, subject to the following condition:**

- **That the applicant adheres to the recommendations stated in the August 9, 2016 Carlisle/Wortman review letter, with the added stipulation that the applicant will satisfy the maintenance easement requirements as stated by the City Engineer, establishing the easement a minimum of 10 feet beyond the right of way.**
- **The applicant post a security bond to attach to the barn for its removal. The barn can remain as an accessory structure on Parcel B as long as the applicant receives a certificate of occupancy within 3 years of the date of this lot split approval.**
- **The applicant post a financial guarantee that the T-turnaround be constructed before the certificate of occupancy is granted.**

Chair Wendt asked for a roll call vote:

<b>Maise</b>	<b>yes</b>
<b>Smith</b>	<b>yes</b>
<b>Wendt</b>	<b>yes</b>
<b>Snyder</b>	<b>yes</b>
<b>Russell</b>	<b>yes</b>

Therefore the **motion carried unanimously.**

## **8. DISCUSSION:**

### RESIDENTIAL DRIVEWAYS

Planning Consultant Elmiger gave the background for this item, explaining that the Planning Commission had held two public hearings on the proposed changes to the Zoning Ordinance regarding residential driveways. At the last public hearing comments were received that some people felt there really wasn't a problem and the changes were proposing a solution to a problem that didn't exist. Others felt that there was a problem, primarily with the new larger homes. The item was tabled for further discussion.

To recap, the new ordinance language required driveways to be paved, be a maximum width of 18 feet, be located in front of the garage, and pavement could not exceed 35% of the required front yard. Parking on the lawn or across a public sidewalk was prohibited. It also allowed existing driveways to remain or be repaved/reconstructed in their existing configuration, even if nonconforming, but did not allow any existing non-conformities to be expanded.

Chair Wendt said that as he had expressed at prior meetings, he felt the proposed text amendment was a waste of time and city dollars. Those driveways already constructed would not be impacted, and the ordinance would now only impact 3-4 new properties, mainly north of 8 Mile Road.

Commissioner Snyder said he felt the language regarding circular driveways was valuable.

Commissioner Russell felt the language regarding 35% pavement limitation was valuable.

Planning Consultant Elmiger said that prohibitions against parking in the required front yard and across a sidewalk were already in the ordinance, but the proposed language added further clarity.

Mayor Pro Tem Allen said he personally did not see the point of the ordinance.

Commissioner Russell said that he felt all hardscape should be part of the lot coverage. Mayor Roth said the goal was to stop parking pads from being constructed. In that regard, making all hardscape part of lot coverage was sound.

Mayor Pro Tem Allen said an unintended consequence of the ordinance would be to encourage garages to move to the front of the lot, so that long driveways would not impact the lot coverage.

Commissioner Snyder said his main concern was that front yards could be almost entirely paved, with circular driveways and accessory pads. A simple formula such as including all hardscape in lot coverage might provide a solution.

Commissioner Snyder suggested that the Commission wait until there were more Commissioners present before deciding whether or not to move the proposed zoning text amendment forward.

City Manager Sullivan asked how driveways for duplexes would be defined. Section 26.02.38. – Definitions defined Driveway, Common as *a pavement area which provides vehicular access to two (2) residences*. Should this be changed to two lots?

Planning Consultant Elmiger said the issue with the definitions was that they were the same as the Engineering Design Standards. Both documents did need the same definitions. She would make the recommended change.

City Manager Sullivan noted that one of the goals was to limit residential properties to one driveway, but this was not actually in the proposed ordinance. Planning Consultant Elmiger explained that the

prohibition against pavement exceeding 35% of the required front yard would limit most properties to one driveway. On corner lots, only the front yard where the driveway was to be located could be used in the pavement calculation. A large lot could actually have 2 driveways.

In response to a question from Commissioner Snyder, City Manager Sullivan said he had not heard of any complaints about multiple driveways, etc., except as expressed by the Planning Commission.

Mayor Roth said that while he had not heard any complaints about driveways, he had received complaints about the increased volume of hardscape in tear down and rebuild projects.

Mayor Pro Tem Allen suggested allowing greater lot coverage, but then having the lot coverage include all hardscape.

Commissioner Russell pointed out that an ordinance limiting hardscape would serve the Northville community by better projecting an image of more green space.

Planning Consultant Elmiger said that she had never seen a lot coverage requirement that covered everything. However she had seen lot coverage for buildings, and lot coverage for hardscape. She would look at the analysis she had done in the past regarding lot coverage regulations in nearby communities.

Commissioner Russell emphasized the importance of limiting hardscape. Mayor Roth felt that having a percentage limitation was better than having regulations regarding driveways, etc.

Planning Consultant Elmiger said she would bring back the proposed ordinance with changes for further review.

#### OTHER DISCUSSION:

Planning Consultant Elmiger noted that she had looked at the Novi Master Plan changes. She found nothing inconsistent with what Novi was doing on its boundaries with what the City of Northville was doing on the same boundaries.

Discussion was held regarding the impact of Novi's residential developments on the Northville School system, which served a significant number of Novi residents.

#### **9. ADJOURN**

As there was no further discussion, Chair Wendt asked for a motion to adjourn.

**MOTION by Maise, support Russell, to adjourn the Planning Commission meeting at 8:46 p.m. Motion carried unanimously.**

Respectfully submitted,  
Cheryl McGuire  
Recording Secretary

Approved as published September 21, 2016