



One-Family Residential Detached Condominium Final Plan Recommendation	
REQUEST	Recommendation for Approval of a One-Family Residential Detached Condominium Final Plan (aka Site Condo Plan)
APPLICANT	Hamlin Associates 5877 Livernois Rd., Suite 103 Troy, MI 48098
AGENT	Joel Garrett
LOCATION	Mackwood Road, west of Dequindre
FILE NO.	11-011
PARCEL NO.	15-25-202-040
ZONING	R-4, One-Family Residential
STAFF	Ed Anzek, AICP, Director

## Summary

The applicant appeared before the Planning Commission on March 6, 2012 and received a Recommendation of the Preliminary Site Condo Plan. City Council subsequently approved the Preliminary Site Condo Plan and a Sidewalk Waiver on April 2, 2012.

The subject parcel is located in the Mac Kary Subdivision, which was platted in 1951. The applicant wishes to develop two site condo units, located on Mackwood between John R and Dequindre. The use of the Site Condominium process afforded by state law is intended to re-divide parcels that are part of a Plat. The applicant is also the developer of the Avon Lakes Subdivisions immediately to the south, which were approved in four phases, the final in 2003. As the new law requires, property owners abutting the subject parcel were sent notices about the meeting.

The subject site is located in an R-4, One Family Residential zoning district. One-family detached dwellings are permitted by right in the R-4 district per the City's Zoning Ordinance and the One-Family Detached Site Condo Ordinance. The parcel is surrounded by R-4 zoning, and developed with homes. Access for both units would be from Mackwood Rd.

Due to the depth of the parcel, the Applicant for the site condo is proposing to create a Limited Common Element in the rear of the parcel to comply with the Subdivisions Ordinance for platting. Please see more information under "Limited Common Element."

**Specific action requested for consideration by the Planning Commission is a recommendation to the City Council for Approval of the Final Preliminary Plan.**

### **Limited Common Element**

The Subdivision Control Ordinance requires that excessive lot depth in relation to width shall be avoided and a depth-to-width ratio of not more than 3:1 is desirable. Since the lot is deeper than that, the applicants will use the back (north) portion of the lot as a Limited Common Element, which cannot be built upon. A copy of the Homeowner's Association Master Deed (amended to include these units in the overall Avon Lakes Homeowner's Association) establishing this Common Element has been submitted and approved by John Staran, City Attorney. Approximately .037 acre of limited common element is proposed and a notation is shown on the Plan that will require this Limited Common Element to be held under common ownership by the owners of the 2 units.

### **Wetland Use Permit/Natural Features Setback Modifications**

There are no wetlands or watercourses onsite that would require a Natural Features setback.

### **Planning**

The Planning and Economic Development Department recommends that the City's Planning Commission recommends approval of the Final Site Condominium Plan subject to conditions.

### **DPS/Engineering**

The City's DPS/Engineering Services department has reviewed the proposed project and recommends approval.

**As part of the technical review for this project, all applicable City departments have reviewed the plans and supplemental documentation. All review comments are contained within the enclosed information. Since the reviewers have recommended approval or had no comments relative to the submittal, and since the Final Plan has no changes from the Preliminary Plan, Staff recommends approval of the following motion relative to City File No. 11-011.**

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Reference: Final Preliminary Plan dated received by the Planning Department 3/1/13: Sheet P-1, Topographic Survey and Sheet P-2, Preliminary Site Plan, prepared by Professional Engineering Associates.

Attachments: *Planning Commission Minutes dated March 6, 2012*

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**MOTION** by \_\_\_\_\_, seconded by \_\_\_\_\_, in the matter of City File No. 11-011 (Avon Lakes Condominium), the Planning Commission recommends that City Council **grants Approval** of the **Final Site Condominium Plan**, based on plans dated received by the Planning Department on March 1, 2013, with the following findings and subject to the following conditions.

Findings:

1. Upon compliance with the following conditions, the Final Plan meets all applicable requirements of the Zoning Ordinance and One-Family Residential Detached Condominiums Ordinance.
2. Adequate utilities are available to properly service the proposed development.
3. The Final Plan represents a reasonable lot layout and orientation that is harmonious with the surrounding developments.
4. The development should have no substantially harmful effects on the environment.
5. The proposed use will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.
6. The Final Plan is in conformance with the Preliminary Plan approved by City Council on April 2, 2012.

Conditions:

1. Provision of \$200 per unit for street trees, payment made prior to obtaining a Land Improvement Permit.
2. That the applicant receives all engineering-related permits, including a Soil Erosion and a Sedimentation Control Permit.