

Aye 9 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

Chairperson Brnabic stated for the record after each motion that the motion had passed unanimously. She wished the applicants good luck and congratulations.

Break from 10:00 p.m to 10:10 p.m.

2017-0525 Recommendation of an Ordinance to amend various sections of Chapter 138, Zoning of the Code of Ordinances of the City of Rochester Hills, and to prescribe a penalty for the violations thereof, and a review and discussion of Chapter 134, Signs, Planning Staff

(Reference Memo prepared by Kristen Kapelanski, dated December 15, 2017 and draft Ordinance Amendments had been placed on file and by reference became part of the record thereof.)

Ms. Kapelanski highlighted the changes from the last meeting based on the Planning Commission's feedback. Onsite signage was proposed for Rezoning and Conditional Use requests. The Commission had requested that the signage should be required on each road frontage of a double fronted lot, which was added. Places of worship, libraries and museums would be changed from permitted to Conditional Uses in single-family districts and required to be on right-of-ways of 120 feet or greater. There was also a requirement added for a landscape Buffer D, which was 25 feet wide or eight feet with a screen wall, with ancillary plantings of shrubs and various trees. Regarding allowing an employee at a State licensed residential facility, staff had a chance to talk with the City Attorney. He had provided a memo which recommended that the amendment be removed from the others, advising that State licensed residential facilities, as defined by the State, were not considered home occupations. Home occupations were defined in the Zoning Ordinance separately. State licensed residential facilities were called out as a separate use, and were required to be permitted per State legislation. The section for temporary outdoor display of sales and goods was also removed for further study. There were a lot of comments from the Commissioners, and staff wanted more time to go over it in more depth with the City's planning consultant. The height of residential fences had been reduced from eight to six feet. Regarding the reference to proposed right-of-way, it remained in place, but staff would continue to look at setbacks from the centerline and would also continue to study that with the consultants. There was only one change to the Sign Ordinance, and the electronic message timing was changed from ten to 30 seconds.

Chairperson Brnabic opened the Public hearing at 10:26 p.m. Seeing no one come forward, she closed the Public Hearing.

MOTION by Hooper, seconded by Kaltsounis, the Rochester Hills Planning Commission hereby recommends to City Council approval of an ordinance to add Section 138-10.108 and amend sections 138-1.203, 138-4.300, 138-4.415, 138-4.433, 138-5.101, 138-6.303, 138-8.603, 138-10.102, 138-10.104, 138-10.108, 138-11.102, and 138-13.101 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to require posting of notification signs on sites proposed for rezoning or conditional land use approval; to change regulations to places of worship, libraries and museums; to modify requirements relating to yard setbacks in residential and commercial improvement zoning districts; to modify sign regulations applicable in the Flex Business Overlay districts; to modify floor area and setback limitations applicable to detached accessory structures; to require a permit for fences over 3 feet in height or more than 16 feet in length; to modify off-street parking setback; to modify the definition of "fence" and modify the definition of "yard"; to, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations.

After seconding the motion, Mr. Kaltsounis thanked staff for the quick response to the items raised at the last meeting.

Mr. Anzek said that he did not want to belabor the debate, but he still had a problem with 1,000 s.f. accessory structures for up to an acre lot. He considered neighborhoods like Christian Hills or Spring Hill. There were a few residents that collected cars and wanted to build giant garages. He noted that 1,000 s.f. was a 25 x 40-foot building, which was as big as a four-car garage.

Chairperson Brnabic explained that the ZBA had asked for it to be brought forward. It had been an issue, and there were people that had a garage but were unable to add a shed, which they felt was unfair. Some people had combined several lots into one, and they had a garage, but they were not allowed to put up a shed because of the 720 s.f. maximum.

Mr. Anzek thought that lot coverage would handle a lot of that. He had concerns that some huge buildings would go up in some of the neighborhoods. Chairperson Brnabic said that the Building Inspectors told the ZBA members that they did not see a fraction of the requests received, and the Inspectors were happy it was being brought forward as a

possible Ordinance change. Mr. Anzek said that it just concerned him, and he would not like to see it backfire with unintended consequences.

Chairperson Brnabic reminded that no one could build a structure that was bigger than the house on the property. Someone might do one large structure, but she felt that it would lend itself more to homeowners having a garage and the ability to also have an extra accessory structure like a shed.

Mr. Anzek said that for publicly owned buildings and utility buildings, there was a statement about having duplication with utilities and municipal buildings and uses. He remembered when it was added for County and State-owned school buildings and so on. He did not think those were included in utilities and municipal buildings and uses. It surfaced because years ago, the School Board was looking into allowing cell towers on some of their sites, and at that time, the cell tower section of the Ordinance only dealt with municipal properties. In working with Mr. Staran, they decided to make it all public. That was why it was in there, but the amendment would take it out and state municipal and utilities. He suggested consolidating state utilities and public buildings and uses in the Table of Permitted Uses.

A motion was made by Hooper, seconded by Kaltsounis, that this matter be Recommended for Approval to the City Council Regular Meeting. The motion carried by the following vote:

Aye 9 - Anzek, Brnabic, Dettloff, Hooper, Kaltsounis, Morita, Reece, Schroeder and Schultz

Chairperson Brnabic stated for the record that the motion had passed unanimously.

NEW BUSINESS

2007-0190 Request for Approval of the Final Site Condominium Plan - The Commons South, a twelve-unit, single-family site condominium development on 3.98 acres, located on the north side of Shortridge, east of Livernois, Zoned R-4, One Family Residential, Vaqar Siddiqui, Applicant

(Reference: Staff Report prepared by Kristen Kapelanski, dated December 15, 2017 and site plans and elevations had been placed on file and by reference became part of the record thereof.)

Present for the applicant were Vaqar Siddiqui, 3530 Forest Hill, Bloomfield Hills, MI 48302 and Bob Lindh, Urban Land Consultants, 8800 23 Mile Rd., Shelby Township, MI 48316.