

Mt. Pleasant Zoning Board of Appeals
Minutes of Regular Meeting
April 23, 2014

Chairman Fokens called the meeting to order at 7:02 p.m.

I. Roll Call: Staff called roll.

Members Present: Berkshire, Fokens, Lents, Orlik, White.

Absent: Ferden, Raisanen

Staff: Kench, Murphy

II. Approval of Agenda:

Motion by Lents, support by Orlik, to approve agenda. Motion approved.

III. Approval of Minutes from the February 26, 2014 regular meeting:

Motion by Lents, support by White, to approve the minutes from the February 26, 2014 regular meeting as written. Motion approved.

IV. Communications:

Staff reported that there were no communications to share at this time.

V. Public Comments:

Chairman Fokens opened the floor for public comments.

There being no one who wished to address the Board, the Public Comments session was closed.

VI. Public Hearings:

Chairman Fokens explained board proceedings, noting that a quorum was present.

A. ZBA-01-2014 - 1707 W Pickard.

Staff introduced case ZBA-01-2014 submitted by Garrett Seybert on behalf of PS Equities for the property located at 1707 W. Pickard. Staff noted that this case was postponed last month due to a lack of quorum.

Staff reported that the applicant would like to construct duplex dwellings on two separate city lots and is seeking relief from section 154.051 (C) of the zoning ordinance which requires the lot size to be 10% larger than the minimum lot size allowed in the particular zoning district. In this case, staff noted the lot size is required to be 8,800 square feet and each lot has land area of 8,712 square feet. In addition, the applicant is seeking relief from the screening buffer which is required between the parking area and adjoining residential properties and a variance to increase the amount of impervious surface permitted on the site from 40% to 56%.

Staff reported that the property is zoned R-3 Residential, with R-3 zoning to the east, south and west and the Regional Center property to the north. The future land use map shows the property designated as Urban Residential. Staff noted that duplexes are an allowed use in the R-3 zoning district and are regulated under Special Use Permits.

Staff shared a visual showing the uses in the surrounding neighborhood, noting that there is a mix of owner occupied single family residences and some duplexes. The property backs up to an area that is primarily single family homes.

Staff noted that the proposed duplexes meet all setback requirements and noted that the proposal includes razing the existing home and building two new buildings for a total of four dwelling units with attached garages.

Staff shared photos of the site, the surrounding area, and also shared elevation drawings submitted by the applicant for the proposed duplexes. In addition, staff shared photos of the existing home, noting the interior of the home is in need of many updates.

Staff ended his report by reviewing the criteria necessary for granting variances.

Garrett Seybert, applicant, and Pete Lorenz from Lorenz Surveying, addressed the Board.

Mr. Seybert noted that the sites lack only 8" from having the required land area and explained that an attempt had been made to purchase a sliver of land from the adjoining properties; however, that was unsuccessful.

Mr. Seybert noted that this is a very busy street and with the Regional Center property located across the street, he feels the duplexes would provide a good transition between the areas. He further noted that they would like to target Senior Housing and therefore, they have designed one level, low maintenance units, rather than two story units that may take a smaller footprint. In addition, he commented that because this is a busy street, they have designed the parking in such a way that although it creates more impervious surface, it should allow drivers to turn around and pull out onto Pickard rather than back out.

Mr. Lorenz asked about the Ordinance language that requires a landscape buffer when there is parking area for more than three vehicles, noting that for each duplex, there will only be two outside parking spots, with one being inside. Staff noted that although this may be the case, each duplex needs to be considered as one unit and would have four outside parking spaces with two inside.

Commissioner Berkshire asked whether the applicant had considered doing a four-plex. Staff noted that the current zoning would not allow that, and that type of request would require a rezoning.

Commissioner Berkshire questioned the parking area. Mr. Lorenz noted there should be ample room for those parked outside to back out and then turn around prior to pulling forward. Mr. Seybert acknowledged that this would be more difficult for cars that were parked in the garage if the other spaces were all full. He noted; however, that they do not feel there will be a lot of three-car families in any of the units. He reiterated that their

target clientele would be seniors; however, they are not sure they can market the units as such.

Commissioner Orlik asked if they planned on putting any screening along the back. Mr. Seybert said there was none planned but they were open to considering it.

Commissioner Berkshire asked staff about the Option B plan that was distributed before the meeting. Staff noted that this is something that the applicant could consider; however, they are really looking at the duplex options.

Chairman Fokens opened the Public Hearing.

Sharon Hall, 1708 Mary Ann, spoke about the request, expressing concern over the potential number of people that could be housed there. In addition, she expressed concern that each dwelling unit could also have dogs and wondered if there would be any guidelines. She noted that she would like to see some type of screening to separate her property, which sits directly behind the vacant lot, from the site.

Staff noted that the units would be single-family units with no more than two unrelated persons in each unit. He also acknowledged that the city does allow pets.

Mr. Seybert addressed Mrs. Hall's concerns, acknowledging that although there could be four four-person families in each unit for a total of 16 people, he does not anticipate that will happen. He also noted that their lease agreements are fairly strict on pets, and although they do allow pets, they generally restrict the number to one. He noted that they would consider a screening fence if that is a hurdle.

James Hall, 1708 Mary Ann, noted that the home that is currently on the site is in bad shape. He noted he has no issue with the homes going in - would prefer single-family homes over duplexes, and would also prefer a fence rather than trees for screening purposes. Mr. Hall asked for clarification on the variances being sought.

Staff noted that they are looking for a variance for lot area; lot coverage; and, a reduction in the required width of a buffer for the parking in the front.

There being no one else who wished to speak, the public hearing was closed.

Correspondence: Staff shared correspondence from Frank Williams, 1201 Robert, who had no objections to the request.

Board Discussion:

Commissioner Lents commented that the request needs to meet the six criteria to be granted a variance and she noted that she is struggling to find any uniqueness to this lot. She further noted that the owners could build two single family homes on the lots and would not need a variance.

Chairman Fokens referred to a couple of recent similar cases that were denied.

Commissioner Orlik commented that he doesn't have a problem with one duplex and is fine with the impervious surface request to allow ample turn around area to prevent

people from backing out onto Pickard. He commented, however, that he feels allowing two duplexes would be pushing the limits.

Staff noted that Option B refers to a design more to Commissioner Orlik's comments and noted the board may want to look at that scenario. He noted that there would still be a need for a variance for impervious surface and buffer, but with Option B, the lots would meet the land area requirements.

Commissioner Lents commented that the request would still need to meet the criteria.

Commissioner Orlik suggested the applicant walk through the Single Family/Duplex option.

Mr. Seybert shared Option B, noting that the lot line would be adjusted to allow enough land area for the duplex and would still have the required lot frontage for the single family home.

Mr. Seybert stated that if they go with this option, they will not be razing the existing home, but would be refurbishing it. Mr. Seybert noted they are OK with the plan however does not feel that the single family home on a busy highway is as marketable, also noting that the future land use for this area is designated as Urban Residential. He further noted that he feels the site is somewhat unique based on its location across from the Regional Center and on a busy highway.

Commissioner Orlik asked if the applicant was looking to sell the single family property based on his comment that the single family home would not be as marketable.

Mr. Seybert noted that he was not necessarily talking about selling the property, but that even for rental purposes, a one-bedroom home is generally not as marketable. The existing home only has one bedroom and he again noted that with the Option B plan, they would be refurbishing that home rather than building new.

Commissioner Lents asked if the lots would become two separate tax ID numbers. Staff indicated they would.

Mr. Seybert noted that the landscape plan for Option B would be similar to what was proposed for Option A and reiterated that they could provide screening to the south with either trees or a fence.

Commissioner Lents stated she could understand why it could be difficult to market; however noted that the area is primarily an owner-occupied area. Commissioner Lents again noted that she would like to hear other Board members views on the uniqueness of the property, noting she is having a hard time saying there is anything unique or special about this particular property.

Commissioner Orlik commented that the area is a combination of single family and duplexes and Option B continues the nature of the surrounding area. In addition, the proposal will be a significant improvement to the area and looking at the sites as a pairing makes sense to him.

Motion by Orlik, support by Berkshire to approve Option B for a duplex on Parcel 2 and the redevelopment of the single family home on Parcel 1, with a variance to reduce the required impervious surface and to reduce the buffer required for the duplex parking, provided the applicant installs screening to separate the properties from adjoining properties on the east and west sides and places a cohesive fence across the back of the properties.

Commissioner Lents noted that at some future date, the applicant may consider selling the properties separately and the Board has the option for screening to be installed now on the common property line and suggested they treat the properties as individual parcels for purposes of screening.

Discussion ensued on types of screening.

At this time, the applicant approached the Board, and asked that his case be postponed.

Motion by Orlik, support by Berkshire to postpone case ZBA-01-2014 at the applicant's request until such time as the applicant brings back a revised site plan.

Motion approved.

IX. Old Business:

A. None

X. New Business

None

XI. Other Business

A. May Meeting - Staff noted that there have been no new cases submitted at this time; however the deadline is still a week out.

XII. Adjournment

Motion by Berkshire, support by Lents to adjourn.

Motion approved.

Meeting adjourned 8:00 p.m.

bam