



Planning Commission

Larry Fox, Chairperson Summer L. McMullen, Trustee
Michael Mitchell, Vice-Chairperson Sue Grissim, Commissioner
Tom Murphy, Secretary Jim Mayer, Commissioner
Matthew Eckman, Commissioner

Planning Commission Meeting - WORK SESSION ONLY Agenda
Hartland Township Hall
Thursday, March 13, 2025
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Approval of Meeting Minutes
 - a. Planning Commission Regular Meeting Minutes of January 23, 2025
6. Call to Public
7. Work Session
 - a. Accessory Dwelling Unit
8. Call to Public
9. Planner's Report
10. Committee Reports
11. Adjournment

HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** REGULAR MEETING MINUTES

FEBRUARY 27, 2025– 7:00 PM

1. **Call to Order:** Chair Fox called the Work Session meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**
Present – Commissioners Eckman, Fox, Grissim, Mayer, McMullen, Mitchell, & Murphy
Absent – None
4. **Approval of the Meeting Agenda:**
A Motion to approve the February 27, 2025, Planning Commission Meeting Agenda was made by Commissioner Mitchell and seconded by Commissioner Eckman. Motion carried unanimously.
5. **Approval of Meeting Minutes:**
 - a. Planning Commission Regular Meeting Minutes of January 23, 2025.
A Motion to approve the Planning Commission Regular Meeting Minutes of January 23, 2025, was made by Commissioner Grissim and seconded by Commissioner Mayer. Motion carried unanimously.
6. **Call to the Public:**
None
7. **Old and New Business**
 - a. Site Plan/PD Application #25-003 – Highland Reserve Planned Development (PD) Amendment to the approved Preliminary PD Site Plan (SP/PD #23-008) and Amendment to the Highland Reserve Planned Development Agreement Final PD (SP/PD #24-006)

Director Langer stated the following:
 - Gave an overview of the location of the project.
 - Previously approved on July 23, 2024, as a single-family residential development with 35 rentals, 66 owner-occupied units for a total of 101 units.
 - Developers changed engineering firms and also had to make some changes to the stormwater detention basin per the Livingston County Drain Commission.
 - Eliminated cul-de-sac, the number of units changed to 31 rentals and 71 owner-occupied units for a new total of 102 units and made the area for some of the rental units narrower.
 - Michigan Department of Transportation (MDOT) also stated improvements were needed for the Cundy Road/Hartland Glen/M-59 intersection, or they could install a temporary cul-de-sac and a temporary gated emergency access until those improvements can be worked out for Cundy Road.
 - These changes required an amendment to the Site Plan, where a decision can be made by the Planning Commission, and an amendment to the Planned Development, where a

recommendation is made by the Planning Commission and a final decision is made by the Township Board.

The Applicant, Mike West with Green Development Ventures, introduced himself and stated the following:

- Began the construction plan phase of the project but had issues with their previous engineer.
- New engineering firm interaction with the Livingston County Drain Commission revealed the stormwater detention was under designed; the previous plan had a little over one acre dedicated to stormwater detention, the current plan is just under two acres, a .85 acre increase which is a lot for stormwater and required a significant redesign.
- Made some changes to the standard 40-foot-wide home product, offering a narrower 28-foot-wide option.
- While working with MDOT, the improvements to the Cundy Road/Hartland Glen Drive/M-59 access issue was raised. MDOT gave them the suggestion of the temporary cul-de-sac and temporary emergency gate until an agreement can be reached with the other developers regarding that access. They intend to build the road, but this will get them started.

Chair Fox referred to the staff memorandum dated February 20, 2025, and suggested the Planning Commission focus on the proposed changes as all of the other elements will remain the same.

Proposed Changes

- Abernethy Street connection to Hartland Glen Lane is now proposed as a temporary emergency vehicle access with an emergency gate, Knox Box, and temporary cul-de-sac turnaround.

Commissioner McMullen asked if there is a time frame for this temporary situation. Director Langer stated he does not have a time frame as there are multiple factors: permits will be required from MDOT to make improvements to that intersection and there are multiple parties involved. It seems that there is a willingness to work this out. How that agreement is reached is up to them. It involves a right turn lane on M-59 potentially all of the way from Nader Plaza. The Applicant stated they are already in discussions with the other property owners, generally agree improvements are needed and that there should be a cost sharing for those improvements. He is confident that they will reach an agreement.

Commissioner Murphy reiterated they will build Abernathy Street but add a temporary gate. The Applicant confirmed stating once the issue is resolved they would simply remove the gate. Director Langer commented this development has a rolled curb so one would use the rolled curb to turn around if needed but when the gate is removed, it will look as if it were originally planned.

Commissioner Murphy asked if the sidewalk that will be interrupted would be regained. The Applicant stated yes.

Commissioner Murphy stated the Fire Department would have to approve this change. The Applicant concurred stating it will be built to their standards and as it is a private road, they will keep it plowed for them. The Fire Department may not have to use it as a turnaround as they would have the Knox Box key, it is more for the residents.

Commissioner Mayer asked various questions about MDOT permitting and timing indicating he would very much like that connection to happen. Chair Fox stated the initial solution was a

permanent Abernathy cul-de-sac, this is a compromise. The Applicant stated the need for the turn lane exists now, not because of the Highland Reserve development. Chair Fox stated no one wants the gate. It will come down as soon as possible but if one needs a guarantee, the guaranteed option would be a permanent cul-de-sac.

Isam Yaldo, owner of Hartland Glen Golf Course, stated he would donate the remaining two acres for the cul-de-sac if needs be, but more homes are coming; the improvements must be agreed upon and made by the whole group. He continued with information about the proposed development to the east and their issues with MDOT,

The Planning Commission agreed to the change.

- Three (3) development phases are shown for the project, the same number of phases as shown on the Preliminary Site Plan, however the phase lines have been modified.

The Planning Commission agreed to the change.

- Additional land was required to meet the stormwater management requirements of the Livingston County Drain Commission office. The land area devoted to stormwater management has increased from 1.04 acres to 1.91 acres.

Commissioner Grissim requested they use a standard detention seed mix to restore the edge and asked if there could be an installation guarantee for a certain coverage. Many times, the seed does not take well, and she did not see any language about it in their landscaping maintenance verbiage. The Applicant agreed.

The Planning Commission agreed to the change.

- Previously approved Kirkwall Court has been eliminated and the area along the west side of Totegan Street (formerly Ardmore Avenue) has been converted to site condominium units.

The Planning Commission agreed to the change.

- The building envelopes for the rental portion of the development along Abernathy Street have been changed to include a mix of standard 40-foot-wide home products and narrower 28-foot-wide home product. A Sample Portfolio of Homes is attached (for the rental portion of the project).

Commissioner Grissim asked that on the modified narrower home options that some decorative lighting detail be added to the front entrance. Chair Fox suggested some kind of a window for safety purposes. The Applicant stated he would make a note and share that information.

The Planning Commission discussed some suggestions for the narrow designs of the rental homes.

The Planning Commission agreed to the change.

- Minimum side separation between the rental homes has increased from 10 feet (previously approved) to 15 feet. A sample sketch is provided showing the 15-foot separation.

The Planning Commission agreed to the change.

- The total number of rental homes has decreased by 4 units, from 35 units previously approved, to 31 rental units proposed.

The Planning Commission agreed to the change.

- The total number of site condominium units has increased by 5 units, from 66 units previously approved to 71 units proposed.

The Planning Commission agreed to the change.

- The total number of residential units throughout the development has increased by 1 unit, from 101 units previously approved, to 102 units proposed (rental plus site condominium units)

The Planning Commission agreed to the change.

- Total open space has increased by approximately 0.6 acres (15.72 acres previously approved; 16.32 acres proposed).

The Planning Commission agreed to the change.

- Some of the street names have been changed.

The Planning Commission agreed to the change.

- Modifications made to the lighting plan (streetlights) to coordinate with the revised site layout.

The Planning Commission agreed to the change.

- Modifications made to the landscape plan to coordinate with the revised site layout.

Chair Fox stated there are no changes to the landscaping along M-59. The Applicant confirmed stating there is an elevation difference from M-59 to the backyards of the rentals, but no changes are proposed.

The Planning Commission agreed to the change.

Commissioner Mitchell offered the following Motion:

Move to approve Site Plan/PD Application #25-003, a request to amend the approved Preliminary PD Site Plan for Highland Reserve Planned Development, approved under SP/PD #23-008, as outlined in the staff memorandum dated February 20, 2025.

Approval is subject to the following conditions:

1. **The applicant shall adequately address the outstanding items noted in the Planning Department’s memorandum, dated February 20, 2025, on the Construction Plan Set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.**

2. **Prior to the issuance of a land use permit for the project, the applicant shall secure all applicable permits and approvals from the Michigan Department of Transportation.**
3. **All prior conditions and requirements specified under SP/PD #23-008 and SD/PD #24-006 shall remain valid.**
4. **The Amendment to the Highland Reserve Planned Development Agreement shall be in a recordable format and shall comply with the requirements of the Township Attorney.**
5. **Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements, and all other government agencies, as applicable.**
6. **The temporary cul-de-sac turnaround and emergency vehicle access with emergency gate on Abernethy Street, shall be removed when the improvements required by the Michigan Department of Transportation (MDOT) are completed on Highland Road at the Cundy Road/Highland Road intersection and are accepted by MDOT.**
7. **The temporary cul-de-sac turnaround and emergency vehicle access with emergency gate on Abernethy Street shall be acceptable to the Hartland Deerfield Fire Authority.**

Seconded by Commissioner Eckman. Commissioner Eckman offered a friendly amendment to add Commissioner Grissim’s request for a guarantee for seeding success around the stormwater detention basin as Condition Number 8. The Maker and Seconder agreed.

8. **Seed mix shall be adequately installed around the stormwater detention pond.**

Motion carried unanimously.

Commissioner Grissim offered the following Motion:

Move to recommend approval of the proposed amendment to the Highland Reserve Planned Development Agreement, a request to amend the Highland Reserve Planned Development Agreement, to address the revisions to the approved Preliminary PD Site Plan, based on the following findings:

1. **The Planning Commission has determined the proposed amendment summarizes the proposed revisions to the approved site plan, which includes minor revisions to the development layout, changes to the total number of residential units, changes to the number of rental units and site condominium units, and an increase of the minimum side separation between rental homes.**
2. **The Planning Commission has determined that the proposed amendment is consistent with the intent of the plans and documents approved under SP/PD #23-008 (Preliminary PD) and SP/PD #24-006 (Final PD).**
3. **The proposed Amendment document shall be revised to address comments provided by the Township Attorney, as applicable.**

Seconded by Commissioner Murphy.

Motion carried unanimously.

8. Call to the Public:

None

9. Planner Report:

Chair Fox mentioned this situation is why Hartland Township approvals are conditioned upon the other agencies' approvals. If the change were minimal, it would not need to be returned to the Planning Commission and Township Board, but these changes required an amendment.

10. Committee Reports:

None

11. Adjournment:

A Motion to adjourn was made by Commissioner Grissim and seconded by Commissioner Eckman. Motion carried unanimously. The meeting was adjourned at approximately 7:45 PM.

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Accessory Dwelling Unit

Date: March 5, 2025

Recommended Action

Move to Initiate Ordinance Amendment regarding Accessory Dwelling Units.

Discussion

This memorandum is intended to outline the topic of Accessory Dwelling Units (ADU) as a potential Zoning Amendment.

In February of 2024, the Livingston County Planning Commission sent out an email to provide some preliminary background information on ADU's. This email was passed along to the Planning Commission and the Planning Commission expressed some interest in drafting regulations that would permit ADU's. In March of 2024, the Planning Commission directed the Ordinance Review Committee to proceed with a draft ordinance. A copy of the draft ordinance from the Ordinance Review Committee is attached.

As background, an ADU would essentially be a second dwelling unit on a parcel. In general, single family residential zoning districts only permit one (1) dwelling unit, per parcel. Although permitting a second dwelling unit on the property may seem similar to a duplex or two (2) dwelling unit structure, in theory the ADU is thought of more as an accessory structure (or part of) in comparison to the principal structure. Whereas a duplex or two (2) dwelling unit structure, the dwelling units are very similar in size and appearance. Although legally, it may be very difficult to distinguish an ADU from a duplex, in practice, the principal structure is typically much larger than the ADU.

Hartland Township Zoning Regulations do permit something similar to an ADU in the CA (Conservation Agricultural) zoning district. However, it is limited to farming purposes. The property must be a farm, and the second dwelling unit must be related to that farming operation. This is outlined in Section 3.1.1.D.v. and it reads "duplex or two dwelling for farm family only, in conjunction with a farm operation."

Since this was previously discussed in a work session background information is not being sent in this memorandum.

Attachments:

1. Draft ADU Ordinance

TOWNSHIP OF HARTLAND
AMENDMENT TO PERMIT ACCESSORY DWELLING UNITS
IN SINGLE FAMILY DISTRICTS

PROPOSED AMENDMENT

Section 2. Definitions

76. DWELLING, MULTIPLE FAMILY: A structure or building used or designed as a dwelling for three (3) or more families or functional families for residential purposes living independently of one another. Multiple family dwellings may include the following:

- A. Apartment: An apartment is an attached dwelling unit with party wall, contained in a building with other apartment units, which are commonly accessed from a common stair landing or walkway. Apartments are typically rented by the occupants. Apartment buildings often may have a central heating system or central utility connections. Apartments typically do not have their own yard space. Apartments are also commonly known as garden apartments or flats.
- B. Efficiency Unit: An efficiency unit is a type of multiple-family or apartment unit consisting primarily with one (1) principal room and the other items to be a dwelling unit.

78. DWELLING, SINGLE-FAMILY: A detached building or structure designed for or occupied exclusively by one (1) family, or functional family, for residential purposes.

79. DWELLING, TWO-FAMILY: Any structure, or part thereof, that is used for residential purposes and is designed for or occupied by two (2) dwelling units, such as a duplex, and is used for residential purpose living independently of each other.

80. DWELLING UNIT: Any structure, building, or part thereof, that is used for residential purposes and is either a completely separate structure or is separated from any other portion of the structure; and has its own independent sleeping place or bedroom; a bathroom; and cooking facilities, a kitchen, or capable of being used as a kitchen. The dwelling unit may be used by a family, a functional family, or an individual.

87. FAMILY: means either of the following:

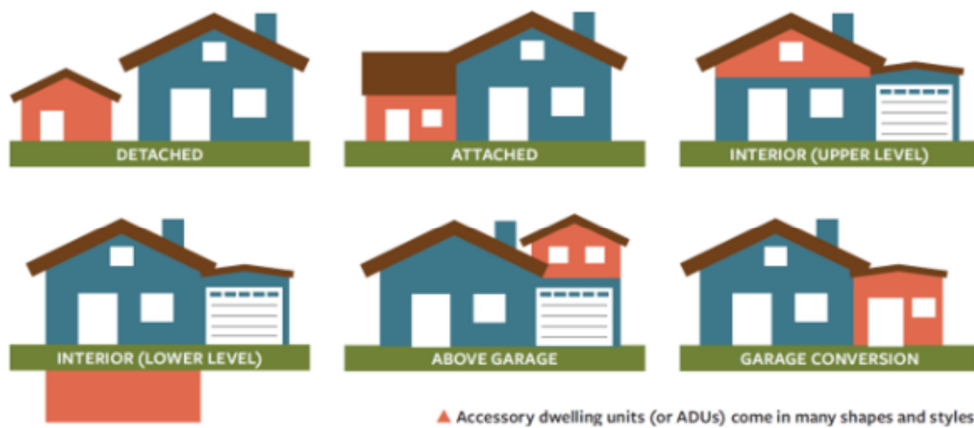
A. A domestic family, that is, one or more persons living together and related by the bonds of consanguinity, marriage, or adoption, together with servants of the principal occupants and not more than one additional unrelated person, with all of such individuals being domiciled together as a single, domestic, housekeeping unit in a dwelling.

B. The functional equivalent of the domestic family, that is, persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional equivalent of the domestic family must be cooking and otherwise operating as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, organization or group where the common living arrangement and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration. There shall be a rebuttable presumption

enforceable by the Zoning Administrator in the first instance that the number of persons who may reside as a functional equivalent family shall be limited to six (6).

ACCESSORY DWELLING UNIT (ADU): is a second dwelling unit on the same property as the principal dwelling unit and may be either attached or detached, as outlined below:

- A) Attached Accessory Dwelling Units (ADU) shall consist of any separate dwelling unit that is located within an existing single family residential structure, such as within a basement, attic or upper level, above the garage, garage conversion, or attached to the principal dwelling unit.
- B) Detached Accessory Dwelling Units (ADU) shall consist of any separate dwelling unit that is completely detached from the existing single family residential structure.



Source: AARP

PRINCIPAL DWELLING UNIT (PDU): The single-family dwelling that serves as the primary dwelling for a family or functional family and is located on the same parcel as an Accessory Dwelling Unit (ADU).

Section Accessory Dwelling Unit Standards

Accessory Dwelling Units (ADU) are only permitted within single-family residential zoning districts, subject to the following requirements:

1. Accessory Dwelling Units (ADU) shall obtain approval of a Land Use Permit prior to any work commencing. Accessory Dwelling Units shall also have all required permits from other agencies.
2. Accessory Dwelling Units (ADU) shall comply with all setbacks, lot coverage, and building height requirements of the zoning district, in which the Accessory Dwelling Unit (ADU) is located.
3. Detached and attached Accessory Dwelling Units (ADU) shall be permitted in the CA (Conservation Agricultural) zoning district. Only attached Accessory Dwelling Units (ADU) shall be permitted in the RUR (Rural Residential) district, RR (Residential Recreational) district, STR (Settlement Residential) district, RE (Rural Estate District) district, and SR (Suburban Residential) district.
4. No more than one (1) Accessory Dwelling Unit (ADU) shall be permitted on a parcel and Accessory Dwelling Units (ADU) shall only be permitted on property that has an existing single-family

dwelling. Accessory Dwelling Units (ADU) are not permitted on parcels with an existing duplex/apartment, even if they are considered legal non-conforming.

5. The Accessory Dwelling Unit (ADU) shall be designed and constructed of the same quality of materials as the existing principal single family structure. The Accessory Dwelling Unit (ADU) shall also be a similar appearance as the existing single-family dwelling. Any garage that is converted to an accessory dwelling unit shall have the garage door replaced with a compliant wall that complies with this Section. Further, the ADU shall not detract from the appearance of the lot as a place of one (1) residence.
6. Any driveway and parking associated with an Accessory Dwelling Unit (ADU) shall comply with the zoning district requirements for the zoning district the Accessory Dwelling Unit (ADU) is located within.
7. An owner(s) of the property must reside on the property where an Accessory Dwelling Unit (ADU) is located. The owner may reside in either the Principal Dwelling Unit (PDU) or the Accessory Dwelling Unit (ADU), as long as both units are not rented. In the event that both units are being rented, then the Accessory Dwelling Unit (ADU) shall no longer be deemed valid.
8. The Principal Dwelling Unit (PDU) and Accessory Dwelling Unit (ADU) may share common water, septic, electric, and gas facilities, if permitted and in compliance with State and County Codes. Otherwise, they are permitted to have separate facilities.
9. The minimum floor area of the Principal Dwelling Units (PDU) may not decrease below the required minimum floor area in the zoning district, as a result of the separate attached Accessory Dwelling Unit (ADU).
10. Attached Accessory Dwelling Units (ADU) shall not have its access to the accessory dwelling unit on the same building elevation as the Principal Dwelling Units (PDU) primary entrance.
11. Detached Accessory Dwelling Units (ADU) shall be treated in a similar manner to an Accessory Structure in the zoning district in which they are located.
12. Accessory Dwelling Units (ADU) shall have a solid foundation around the perimeter of the entire structure, which also complies with the Michigan Residential Code and approved by the Livingston County Building Department.
13. Accessory Dwelling Units (ADU) shall not be trailers or mobile homes.
14. Accessory Dwelling Units (ADU) shall comply with the following size requirements:

Attached Accessory Dwelling Units: 200 square foot minimum size.

1,000 square foot maximum size.

Detached Accessory Dwelling Units: 200 square foot minimum size.

1,000 square foot maximum size, or 50% of Principal Dwelling Unit, which ever limits the size of the ADU.