ANN ARBOR CHARTER TOWNSHIP BOARD OF TRUSTEES RESOLUTION AND ORDINANCE APPROVING REZONING OF PROPERTY FROM R-C TO R-1 4283 FORD ROAD (I-09-12-300-016)

APRIL 18, 2016 ZC-01-16

Resolution adopted at a regular meeting of the Board of Trustees of the Charter Township of Ann Arbor, ("Board of Trustees") Washtenaw County, Michigan, held at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan on April 18, 2016.

PRESENT: John Allison, Rena Basch, Della DiPietro, Ken Kohrs, and Michael Moran

ABSENT: Randy Perry and Claudia Sedmak

Motion by Trustee: Allison; supported by Trustee: Kohrs.

RECITALS

- A. On February 2, 2016, Joan A. Merritt ("Applicant") submitted a petition known as ZC-01-16 ("Petition") for amendment to the zoning of a parcel of land located in Ann Arbor Charter Township consisting of 5.42 acres commonly known as 4283 Ford Road, Tax Parcel ID I-09-12-300-016, and described on the November 19, 2015 survey submitted by the Applicant ("Property").
 - B. Joan A. Merritt has represented that she is the owner of the Property ("Owner").
- C. The Petition requests rezoning of the Property from R-C (minimum 5 acre lots) to R-1 (minimum 3 acre lots) ("Rezoning").
- D. The survey submitted with the Application indicates that the purpose of the rezoning is to allow transfer of a 1 acre portion of the Property to the adjacent landowner (tax parcel I.D. No. 09-12-300-009) ("Neighboring Parcel"), which is presently zoned R-1. The Neighboring Parcel will then be 6.42 acres, large enough for splitting into two lots. The Property being rezoned will then be 4.42 acres and could not be further divided under the R-1 zoning.
- E. On April 4, 2016 the Planning Commission held a public hearing on the Petition for Rezoning of the Property at which time members of the public had an opportunity to express their opinions related to the Rezoning.
- F. After the public hearing, the Planning Commission heard comments and reviewed the reports from the Township consultants, including the written report from the Township Planner dated February 23, 2016.

G. Pursuant to the Petition for Rezoning ZC-01-16, and after reviewing the materials submitted, the reports of Township consultants and after hearing comments of the public at the public hearings held on April 4, 2016, the Planning Commission made findings and recommended to the Township Board of Trustees that the Property be rezoned from R-C to R-1.

RESOLUTION

NOW THEREFORE, the Township Board resolves and ordains:

Based on the foregoing Recitals, which are incorporated by reference, the Petition and other submissions by the Applicant, the comments of the public, reports and recommendation of the Township Planning Commission, Township Consultants and others, and information and recommendations pertaining to the Rezoning, the Township Board of Trustees adopts the following findings and resolutions, and ordains as follows:

- 1. <u>FINDINGS</u>. Based on the Petition submitted to rezone the Property from RC to R-1 and pursuant to Section 74-310 of the Township Zoning Code, the Township Board of Trustees adopts the findings of the Planning Commission and ordains as follows:
 - 1.1. The Rezoning to R-1 is consistent with the current density plan under the Township Master Plan, and thus the change in density to the R-1 zoning is consistent with the Master Plan.
 - 1.2. The Property is not likely to require additional public services after rezoning as it is likely to continue to be used as one single family residence.
 - 1.3. The Rezoning is not expected to be detrimental to the condition of value of adjacent properties as the anticipated use of the Property after rezoning will continue to be one single family residence, and the Neighboring Parcel could only be divided into one additional building site.
 - 1.4. The Rezoning will not create an adverse precedent related to density because the Property is located in an area planned for the proposed density of minimum lot size of 2 to 5 acres.
- 2. <u>RESOLUTION OF REZONING</u>. Based on the foregoing findings, and the Planning Commission recommendation, the Board of Trustees approves and ordains that the Property be rezoned from R-C to R-1.

AYES: John Allison, Rena Basch, Della DiPietro, Ken Kohrs, and Michael Moran

NAYES: None

ABSTAIN: N/A

Resolution Declared Adopted.

Michael Moran Ann Arbor Charter Township Supervisor

I certify that the foregoing is a true and complete copy of a resolution adopted by the Ann Arbor Charter Township Board of Trustees, County of Washtenaw, State of Michigan, at a regular meeting held on April 18, 2016, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Rena Basch, Township Clerk

Dated: April 19, 2016

Public Hearing: April 4, 2016

Planning Commission Recommendation: April 4, 2016

Board Action April 18, 2016 Publication April 21, 2016 Effective April 28, 2016