

DEXTER TOWNSHIP PLANNING COMMISSION

Resolution for Amendment of a Final Site Plan Approval

(18-PC-191) The Woods of Portage Lake

A resolution to grant approval of an Amendment of a Final Site Plan for a site condominium, submitted by Kevin Watson, on behalf of The Woods of Portage Lake, for property located on the north side of the intersection of Dexter-Townhall and McGregor, 8565-8693 McGregor and 8676-8690 Dexter-Pinckney, Section 12 of Dexter Township (D-04-12-101-001//005).

- 10) WHEREAS, Kevin Watson, (*the Applicant*), on behalf of The Woods of Portage Lake, pursuant to the provisions of the Dexter Township Zoning Ordinance (*Zoning Ordinance*), submitted an application for Amendment of a Final Site Plan (18-PC-191) The Woods of Portage Lake on July 27, 2018; and
- 20) WHEREAS, (14-PC-151) The Woods of Portage Lake, preliminary and final site plan and open space community, was approved, with conditions, by the Planning Commission on January 14, 2014; and
- 30) WHEREAS, (14-PC-155) The Woods of Portage Lake, amended site plan, was approved, with conditions, by the Planning Commission on April 22, 2014; and
- 40) WHEREAS, the Applicant submitted a 3-page site plan and a 1-page survey of Lot 5 of The Woods of Portage Lake on July 27, 2017, with a last revision date of May 14, 2018, prepared and stamped by Greg Ash, a professional surveyor; and
- 50) WHEREAS, the Planning Commission has received a report from Zach Michels (*Dexter Township Director of Planning and Zoning*) dated August 17, 2018; and
- ~~60) WHEREAS, the Planning Commission has received a report from Matthew Parks (*Township Engineer/OHM Engineering Advisors*) dated August XX, 2018; and~~
- 70) WHEREAS, the property is located in a Rural Residential (RR) District; and
- 80) WHEREAS, §17.02 of the Zoning Ordinance establishes that the Open Space Community (OSC) District is an overlay district on top of Rural Residential (RR) Districts; and
- 90) WHEREAS, the property being added to The Woods of Portage Lake is located in a Recreation Conservation (RC) District; and

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- 100) WHEREAS, the applicant desires to amend the site condominium by expanding its boundaries in order to make Lot 5 larger, without affecting any of the approved open space; and
- 110) WHEREAS, the Planning Commission, at its August 28, 2018, meeting, held a duly-noticed public hearing for amendment of a final site plan (18-PC-191) The Woods of Portage Lake and received ~~no~~the following public input: access and lot size; and
- 120) WHEREAS, the proposed major changes or amendment to the approved amended site plan, (14-PC-155) The Woods of Portage Lake, ~~will~~will not adversely affect the initial basis for granting approval, because:
- a) It is a small addition to the applicant's parcel; and
 - b) There is no known negative effect on surrounding parcels and the site condominium; and
- 130) WHEREAS, the proposed major changes or amendment to the approved amended site plan, (14-PC-155) The Woods of Portage Lake, ~~will~~will not adversely affect the overall project in light of the intent and purpose of such development as set forth in Article 6 of the Zoning Ordinance, because:
- a) It is a small area added to the site condominium; and
 - b) The application is supported by the other unit owners in the site condominium; and
- 140) WHEREAS, the proposed major changes or amendment to the approved amended site plan, (14-PC-155) The Woods of Portage Lake, ~~shall~~shall not result in the reduction of open space area because:
- a) The proposed change does not involve any open space areas; and

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150) NOW, THEREFORE, BE IT RESOLVED, the Planning Commission, by a majority vote at a duly-noticed, regular meeting, held this 28th day of August, GRANTS/~~DOES NOT GRANT~~ APPROVAL of an Amendment of a Final Site Plan (18-PC-191) The Woods of Portage Lake, for property located on the north side of the intersection of Dexter-Townhall and McGregor, 8565-8693 McGregor and 8676-8690 Dexter-Pinckney, Section 12 of Dexter Township (D-04-12-101-001//005), subject to the conditions listed below:

a) This approval shall not be effective until the Master Deed and Bylaws have been approved by the Township Attorney;

~~a)b)~~ This approval shall not be effective until the legal description is approved by the Township Engineer;

~~b)c)~~ Use of the open space as a common use (water) access lot to Portage Lake shall be limited to the lots within the development and shall be in a manner consistent with the Zoning Ordinance;

~~e)~~ If the area being added to Lot 5 has not been rezoned by the Township by the adoption of a new zoning map within one (1) year of this approval, the Applicant shall submit a zoning map amendment application to change the area from Recreation Conservation (RC) to Rural Residential (RR);

d) This approval shall not be effective until the Applicant has paid, in full, all monies owed to the Township for fees, expenses, and/or other related issues related to the application; and

e) This approval shall not be effective until this Resolution and all its conditions are accepted by the Applicant.

160) BE IT FURTHER RESOLVED, that all the conditions associated with Resolution (14-PC-155) The Woods of Portage Lake are repealed and replaced with the conditions contained in this Resolution; and

~~170)~~ BE IT FURTHER RESOLVED, that the Planning Commission shall initiate a zoning map amendment for the area currently zoned Recreation Conservation (RC) once the legal description is approved.

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Resolution offered by Planning Commissioner Lewis.

Resolution supported by Planning Commissioner Nester.

YES = 4 (Burch, ~~Ehman~~, Gajewski, Lewis, Nester, ~~NONE~~)

NO = 0 (~~Burch, Ehman, Gajewski, Lewis, Nester, NONE~~)

ABSENT = 0 (~~Burch, Ehman, Gajewski, Lewis, Nester, NONE~~)

ABSTAIN = 1 (~~Burch, Ehman, Gajewski, Lewis, Nester, NONE~~)

Date: 22 August 2018

Steve Burch, Chair

Date

Tom Lewis, Secretary

Date

These findings, conclusions, decisions, and resolution are accepted:

Scott Sober

Date

The Woods of Portage Lake Homeowners Association President

[signatures continue on the following page]

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Al Selbert

Date

Owner of Unit 4

Linda Selbert

Date

Owner of Unit 4

Kevin D Watson

Date

Owner of Unit 5

Approved 08.28.2018