

**TYRONE TOWNSHIP PLANNING COMMISSION  
APPROVED PUBLIC HEARING MINUTES**

**TANGLEWOOD ASSISTED LIVING  
SPECIAL LAND USE PERMIT AMENDMENT  
Zoning Ordinance Articles 22.00 and 23.00**

**March 14, 2006 8:00 p. m.**

**PRESENT:** Sally Eastman, Dave Hanoute, Steve Hasbrouck, Mark Meisel

**ABSENT:** Robert Byerly, Joe Fumich, Laurie Radcliffe

**CALL TO ORDER:** 8:00 p.m. by Chairman Hasbrouck

**READING OF THE PUBLIC NOTICE:** The notice was read aloud by Vice-Chairman Eastman

**CORRESPONDENCE:** None received

**PURPOSE OF THE HEARING:**

The purpose of the Public Hearing is to receive comments regarding the request of John Strayer for an amendment to the Tanglewood Assisted Living Special Use Permit and Special Use Site plan to increase the number of occupants from nine (9) to twelve (12).

**COMMENTS FROM THE APPLICANT:**

**Chris Macklin**, Project Designer, explained that Mr. Strayer owned a nine (9) bed facility and wanted to expand to twelve (12) beds by converting the attached garage to add the three additional bedrooms and a sitting area. The footprint of the existing building would remain the same except for the atrium or conservatory addition to the south side of the building. The existing parking area will be converted to a screened courtyard.

The parking requirements will be met by adding parking next to an existing barn on the south property line. Security and safety lighting will be provided by low level bollards that will meet the zoning ordinance lighting requirements.

The increase in residents will not alter the residential character of the neighborhood or the residential nature of the building which is located on ten (10) acres. The use cannot be increased beyond twelve residents at this site. The owner wants it to look as much as possible like a home. The new covered entry has been designed in scale with the rest of the building. Additional trees and landscaping will be added to provide quietness and privacy.

Speaking from the audience, Edsel Munroe (13480 Lakebrook Drive) asked if they would be building anything new. Mr. Macklin explained that the existing footprint of the building would not be changed. The bedrooms and sitting area would be located in an existing garage, so they would be adding rooms not space. The only addition was the 26 by 26 foot atrium which would become a sheltered gathering spot for residents and also provide access to parking.

Mr. Munroe wondered if this would be the final addition to the facility. Mr. Strayer explained that the ordinance allowed twelve beds as the maximum for a special land use in a residential location. There is a (state) license that allows thirteen (13) to twenty (20) but that would have to be done in a commercially zoned district. This is not a commercial district. Mr. Macklin commented that the fenced courtyard might be considered an addition, but it was located in the original parking area.

Walter Cords, 13455 Lakebrook Drive, was concerned because the building started out as a private house and he wanted to know if Mr. Strayer still lived in the residence or if it was totally a nursing home. Mr. Strayer explained that it started out as an adult foster care family home with six elderly residents and his own family. When they changed their license from six to nine, they moved out of the home. Adult foster care is different than a nursing home. It provides an opportunity for elderly folks to be able to live in a residential setting when they need additional care instead of going to an institution. The State of Michigan has created foster care homes for all different types of populations, but in this case it is for the elderly.

Mr. Cords said at one time Mr. Strayer had tried to build an additional home on the property to live in and run this thing. Now he is totally out of this house and living someplace else and this has become a commercial project. He doesn't know why the zoning laws would even allow a commercial project in a housing development. That means he could start a repair garage on his property, but he doesn't think it is logical or reasonable.

Mr. Strayer explained that this is a residential facility for elderly people, much as a residence can be used as a rental property if you own it but don't live in it. It would be commercial income to you, but to the people living there it would be residential. That was the idea the state had when they created adult foster care. Mr. Cords said he didn't have a problem as long as Mr. Strayer was living there, but he isn't living there and the thing has become a commercial project.

Mr. Hasbrouck explained that the Planning Commission writes the Zoning Ordinance, but they have to follow equal housing regulations set by the federal government and the state. This is a type of use which is more or less mandated. This use is for elderly people, but they have them for younger people too. Mr. Cords said what confused him was how this thing ever got started. When this first came up several years back, he just ignored the notice to come in to object to that type of arrangement and development in the community. Now Mr. Strayer keeps on expanding it and what bothers him is that it is on-going and never ending. Mr. Hasbrouck reminded Mr. Cords that Mr. Strayer could only expand if the site is rezoned or he went to a different location. It isn't likely that the Township would rezone that residential property to the use that Mr. Cord is talking about.

Mr. Munroe asked if that meant that the number of residents would be twelve, maximum. Mr. Hasbrouck said, "Yes." He had visited the site when it was increased to nine. It was a well run place, it was clean, the people living there were well cared for and they looked happy. He has been to other facilities where he didn't see that and he tended to support facilities like this because the elderly are getting to be a large group of individuals in our country.

#### **COMMENTS FROM THE PLANNER:**

Mr. Milliken commented that the state mandates the use and you can't discriminate in terms of use, but communities can determine appropriate zoning districts for the various uses. When they are appropriately designed, they can fit in well in the rural districts where there are large

lots. Based on the drawing, the applicant appears to be applying for the service that is allowed. Ingress/egress and parking have been appropriately screened and landscaped. His concerns would be the comments from the neighbors about deliveries, traffic in and out, and services.

Mr. Cords asked if that meant the Township wasn't concerned about the fact that the owner doesn't live there anymore and he was bringing in a commercial project. Mr. Hanoute explained that this was a permitted special use in the FR and RE zoning districts. Our ordinance allows that and the owner is not required to live in the building. Mr. Munro said his concern is that it isn't going to grow into a large situation. It looks good to him and it looks well planned. Mr. Hanoute explained that the facility couldn't get any bigger at that location.

Mr. Cords said he lived behind the house and he could see it from his property if he looked hard. Mr. Hasbrouck asked if Mr. Cords had any comments about things that could be changed at the site. They were usually lights, noise, music, or other things that could be controlled at the site. Mr. Cords said he didn't hear anything from them. Mr. Hasbrouck explained that if he did have a complaint he should come in to talk to Zoning Administrator George VanHekce so they could be taken care of.

Mr. Munro asked if they were just retired people or if it was assisted living. Mr. Strayer said that there were people there to help the residents all day and all night in case they needed some sort of assistance with daily living rather than medical assistance. Meals were also provided.

In order to better understand Mr. Cords' concerns, Ms. Eastman asked why he was concerned that Mr. Strayer didn't live there. Mr. Cords said the fact was that it started out as a house and he took people in which is O.K., but he kept taking people in to the point where he had to move himself to accommodate those people. That bothers him, but you people seem to think it is alright. This is a lost cause.

Ms. Eastman asked what had fundamentally changed when Mr. Strayer wasn't living there. Mr. Cords said it started out as a house for Mr. Strayer to live in and all of a sudden he started taking on people to the point he's not living there anymore and he's living someplace else. That is his major concern, but you people indicate that is O.K. so he's out of here. Mr. Hasbrouck reminded Mr. Cords that it was a business even when Mr. Strayer was living there. He was obviously getting compensation from the people living there, so in that respect it was a commercial venture when he lived there.

As clarification, Mr. Meisel explained that he didn't want to suggest that everybody on the board was "O.K." with it or not "O.K." with it, but there were statutory requirements that require an allowance for this type of application. It's not necessarily that we agree or disagree, but we are trying to look out after the best interests of the community.

Mr. Munro commented that as long as it was controlled, which the Planning Commission is doing with the situation, twelve would be the maximum number allowed and we the neighbors shouldn't expect more than twelve.

Mr. Cords said he wouldn't be back again. He had heard all he wanted to hear and he left the meeting with Mr. Munro. Mr. Hasbrouck thanked them for their input and told them they were welcome to remain.

**PLANNING COMMISSION COMMENTS:**

Ms. Eastman commented that the landscaping was very nice and they did a nice job with the parking and courtyard to make it look residential.

Mr. Van Hecke said that he had never gotten any complaints from neighbors. Many of the neighbors don't even know that it is there.

Mr. Milliken noted that the Ordinance Definitions (Section 2.01, page 2-2) described the types of Adult Foster Care Facilities and did not require that the owner live in an Adult Foster Care Small Group Home (12 or fewer adults)

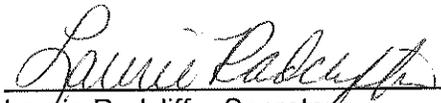
**PUBLIC COMMENTS:**

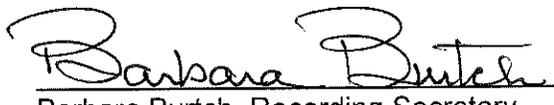
Trustee Schmidt commented that he had heard of the home from people who had relatives living there and they were delighted with the facilities.

**ADDITIONAL PLANNING COMMISSION COMMENTS:**

**CLOSURE:**

Chairman Hasbrouck closed the Hearing at 8:25 because there were no further comments from the Planning Commission and the residents with an interest in the request had left.

  
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Laurie Radcliffe, Secretary  
Tyrone Township Planning Commission

  
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Barbara Burtch, Recording Secretary  
Tyrone Township Planning Commission

**CORRECTIONS TO THE MINUTES:**

- Page 2, Line 11: (When **they** the changed...)
- Page 3, Line 39: (...didn't want **to** suggest...)
- Page 4, Line 7: (...that **it is** was there.)