

**CITY OF HANOVER
PLANNING COMMISSION MEETING
FEBRUARY 27, 2017**

CHAIR
STAN KOLASA

COUNCIL LIAISON
DOUG HAMMERSENG

BOARD MEMBERS
JIM SCHENDEL
MICHAEL CHRISTENSON
MICHELLE ARMSTRONG
DEAN KUITUNEN

- 1. Call to Order and Pledge of Allegiance: 7:15 p.m.**
- 2. Approval of Agenda**
- 3. Approval of Minutes from January 23, 2017, Regular Meeting**
- 4. Citizen's Forum**
- 5. Public Hearing**
 - a. Accessory Building Located to the Front and Side of the House**
 - b. Amendments to Zoning Ordinance Related to Principal Uses and Structures and Building Eligibilities**
- 6. Unfinished Business**
- 7. New Business**
- 8. Reports and Announcements**
 - a. Planning Commission Reports**
 - b. Liaison Report**
 - c. Staff Reports—Photo of Planning Commission will be taken to be used on the City website.**
- 9. Adjournment**

**CITY OF HANOVER
PLANNING COMMISSION MEETING
JANUARY 23, 23
DRAFT MINUTES**

Call to Order/Pledge of Allegiance

Stan Kolasa called the January 23, 2017, Planning Commission Meeting to order at 7:00 pm. Members present were Stan Kolasa, Jim Schendel, Michelle Armstrong, Dean Kuitunen, and Mike Christenson. Also present Council Liaison Doug Hammerseng, City Planner Cindy Nash, and Administrative Assistant Amy Biren. Guests present: Michael Kehn, Ed Sjolin, Lyle Wagner, Stephanie Gleason, MaryAnn Hallstein, and Lucy Bechtold.

Oath of Office

Stan Kolasa and Michelle Armstrong took the Oath of Office with Biren acting as the witness for the City.

Selection of Chair and Vice Chair

MOTION: Armstrong moved to nominate Stan Kolasa for chair seconded by Kuitunen. **Motion carried unanimously.**

MOTION: Kuitunen moved to nominate Jim Schendel for vice chair seconded by Christenson. **Motion carried unanimously.**

Approval of Agenda

MOTION by Christenson to approve the agenda as presented, seconded by Schendel. **Motion carried unanimously.**

Approval of Minutes from the December 29, 2016, Regular Meeting

MOTION by Schendel to approve the December 29, 2016, minutes as presented, seconded by Armstrong. **Motion carried unanimously.**

Citizen's Forum

Stephanie Gleason, 11875 Riverview Road: Addressed the Board regarding the upcoming review of the City's Comprehensive Plan and stressed including residents in the process. Gleason also reminded the members of the importance of the oak trees being taken down for the redesign of the ballfields and her concern for the safety of children playing in the park while a ballgame was in progress. She also commented on the recent Park appointment and that she disagreed with the appointment.

Michael Kehn, 20799 Pacific Circle, Big Lake: Addressed the Board as the president of the Hanover Historical Society and informed members that the Historical Society is concerned about the oak trees being taken down and that the Society has made saving the trees its goal this year. He also mentioned the safety issue of children playing near adults playing baseball. He asked the Planning Commission to look into this.

Public Hearing

None

Unfinished Business

Amendments to Zoning Ordinance Related to Accessory Uses and Structures

Nash brought the additional changes as discussed in prior meetings and asked the Board if they would like to review the changes generally or by section. The members decided they would like to review them by section as they had additional questions.

Section 10.27 Outdoor Dining: Armstrong asked if the drainage and utility easements could be added as areas where outdoor dining could not be located. Nash agreed and said she would add it.

Section 10.72 Accessory Apartment: Armstrong suggested that “building” be used instead of “house” to keep it consistent.

MaryAnn Hallstein, 339 Jandel, asked about having an apartment above a garage. Schendel replied that this was discussed at a previous meeting and the Board had decided accessory apartments would only be allowed in the principal building and not an accessory building. Armstrong asked for clarification that this was not a public hearing and that the members were not necessarily looking for feedback from residents. Staff confirmed that this was not a public hearing and it had taken place at the November meeting.

Hammerseng asked how mail would be dealt with as only one mailing address is allowed per parcel. He was concerned as this has come up previously when residents asked for a separate address for a home based occupation on the same parcel as the home. Kuitunen said that the mail would have to be sorted and gave an example of how the mail was sorted when he lived in an accessory apartment.

Hallstein asked about building a separate structure as an accessory apartment. Biren reminded the members that they had decided that a separate structure was not desirable and referred to the previous discussions and meetings involving the Board recommending opting out of the “granny pods” Minnesota Statute in July and the manufactured home discussion from the November meeting. Nash concurred and stated that it had been discussed thoroughly at the public hearing. Armstrong said that this did not need to be added as an allowed use and the members agreed with her.

Section 10.66 Fences: Armstrong asked about the grammar in Section 10.66, Subsection D and what the intent was. Nash and the members reviewed it and agreed that it needed to be changed to “...to allow a free flow of air while allowing each property owner to protect his property in privacy.”

Nash explained the requirement of the fence being three inches (3”) off the ground in order to allow the passage of water.

Kuitunen asked about the addition of the paragraph related to the fence’s location not being permitted in a lake, river, pond or wetland. He understood the inclusion of the wetland, but wondered if the rest was really necessary. Nash explained that many properties in Hanover have a water body located within the property lines and that this would prevent the construction of a fence in them.

Armstrong asked about whether or not fences could be on the property line. Nash said that a fence should not be on a property line because then it was not technically located on the property and there was no way to maintain the fence without trespassing on another person’s property.

Armstrong asked for clarification regarding Section 10.66, Subsection E, Number 3 and the traffic visibility triangle. Nash explained the traffic visibility triangle and showed a drawing to make it clearer. She also explained the reasoning of the fence height of being two and a half feet in height and allowing a person driving a car to see down the street or the intersecting street’s traffic. Armstrong referred to Section 10.22 and said that the graphics in that section seemed to contradict this and make it confusing. Nash looked at the section and agreed. **The members directed staff to make a note of correcting this at a future meeting.**

Nash went on to review the possible locations of fences and to show the incorporated graphics requested at the previous meeting.

Armstrong stated that as she thought more about a resident not being allowed to have a privacy fence on the corner side yard, she thought it was not fair. Members reminded her of the discussion held at the previous meeting and Kuitunen used his own corner lot to explain if a privacy fence was allowed, it would

impact being able to see down the street as well as be visually unappealing. Nash also reminded the members that the residents present at the public hearing were concerned with having a chain link fence allowed on a corner side yard and not a privacy fence. Members asked for clarification regarding this and to add it to Subsection F, Number 2a: "...except for fences located in corner side yards where the rear lot line is adjacent to a side lot line of a neighboring lot." The graphic will also be amended to show this clarification.

Armstrong suggested adding the minimum gauge of the chain link fence in Subsection F, Number 2b. Nash agreed.

Christenson suggested that the height of a fence in the front yard be increased to six feet as some wrought iron fencing was taller than four feet. Kuitunen reminded him of the discussion held previously about the desire to prevent a front yard looking like a compound. Christenson asked about arches in the front yard and if that would be considered part of the fence. Nash said that it would violate the four foot requirement, as would an arbor-like structure. Kuitunen asked the rest of the member how they felt about this. Schendel said that it doesn't make a difference to him, but that a person does not see many wrought iron fences in Hanover. Kolasa said that most arches or arbors are over six feet. It was decided to leave the height at four feet.

Hammerseng asked the reasoning behind not allowing a fence to extend along a side yard into the front yard if the property is adjacent to an industrial or commercial property. He said he wouldn't mind the fence coming up to the sidewalk and giving the residential property owner more screening from the industrial or commercial property. Members suggested deleting Subsection F, Number 4b and 4c and merging the rest into the body of the paragraph. Nash agreed.

MOTION by Schendel to recommend sending the Amendments to the Zoning Ordinance Related to Accessory Uses and Structures, with changes as discussed, to the Council for final approval, seconded by Armstrong.

Motion carried unanimously.

Zoning Ordinance Related to Principal Uses and Structures

Nash informed the Board that at the Council Meeting on January 3, 2017, when reviewing the recommendation from the Planning Commission regarding the principal uses and structures amendment, the discussion turned to parcels and the building eligibilities that are possible. The City Attorney, Jay Squires, weighed in on it showing that Section 10.17 provides an exception to one principal building and one principal use on a residential property. Council decided the issue needed to return to Planning Commission for further research and discussion.

In a letter to the City Administrator, Squires outlined the current ordinance regarding principal building as well as the section dealing with building eligibilities. He further states the proposed changes recommended by the Planning Commission and shows that the proposal does not repeal Section 10.17 which establishes the exception for larger residential lots. He gave the example of a lot in the Residential Agriculture district could have a dwelling and a commercial greenhouse as both are permitted. This would still be allowed under Section 10.17. Squires believes this needs to be clarified.

The Planning Commission needs to review the following:

- The number of principal buildings and uses in residential districts;
- The number of principal buildings and uses in commercial and industrial districts;
- The relationship of Section 10.17 dealing with parcel eligibilities to principal buildings and uses.

The Board agreed that the commercial and industrial districts would have possible multiple buildings and uses. Nash said that she would work with Squires to draft the appropriate language.

The Board moved on to looking at residential districts. Nash said that cities where there are more than one principal building on a residential parcel have experienced difficulties when the owner is selling the property. The difficulties lie in the subdividing of the property and requirements are not able to be met such as septic locations, right-of-ways, and setbacks.

Hammerseng suggested having something within the ordinance to prevent future problems when splitting the lot. He asked the chair if a resident could speak to this issue. The chair agreed.

Ed Sjolín, 798 Meadowlark Lane: He is the realtor working with the property owners of a parcel in Hanover and have two potential buyers, sisters that would like to purchase the parcel and use the building eligibilities on the parcel to construct two houses. One sister would build a house right away and the other sister would build approximately five years later. He and the owners would like to work with the City to make sure that anything done on the parcel makes the possibility of future development run smoothly.

Nash said that her recommendation would be to split the parcel administratively in order to lock in the building eligibilities. Since ordinances change with different councils, this would be the only way to ensure the eligibilities. Hammerseng also recommended this.

Nash went on to say that the intent of the proposed changes to the principal buildings and uses ordinance was not to eliminate building eligibilities. The intent was to clarify one building per lot.

Lucy Bechtold, 10681 Rosedale Avenue: As one of the owners of the property being discussed, we want to be able to tell the buyer that two homes can be had on the property. And if a split is needed to be done, then we would be able to tell them that.

Lyle Wagner, 9052 10th Street SE, Buffalo: Also one of the owners of the property being discussed, he went on to say that this is not the first buyer interested in the property that would like to use the building eligibilities available.

Nash asked for direction:

- Residential lots with different purposes: Schendel would prefer only one use in the residential district. The members agreed with him.
- Building eligibility: This is possible without a subdivision or development split which would require City water and sewer being brought to the parcel. A development split occurs when the parcel is divided into more sections than building eligibilities. Nash said that she would prefer the administrative dividing of a lot based on the number of eligibilities in order to protect the septic, setback, and road requirements in case of future development. Armstrong agreed with providing the protection for the owner of the parcel.

Nash said that at the next meeting, she would advertise a public hearing for this topic as it is different from what was previously advertised. She will work with Squires and present to the Board at that time.

New Business

None

Reports:

Staff:

Nash said that she is coming up with a work plan for the Comprehensive Plan. She will be working with the City Engineer Justin Messner on this. There also will be two site plan reviews coming before the Commission in the near future. Both sites are located in the Industrial Park and will involve outdoor storage—one is located at the end of 8th Street and will also require road improvement, and the other is a portion of the Pearson lot.

Biren informed the members that two areas in Hanover have been allegedly sold to potential developers. At this time, the staff has not been in contact with anyone. Biren will be photographing the Planning Commission at the next meeting and adding it to the City's website.

Schudel asked if anyone has spoken with the owners of the Duininck Pit regarding development. Biren responded that no one has at this time.

Adjournment

MOTION by Schudel to adjourn, seconded by Armstrong. **Motion carried unanimously.**
Meeting adjourned at 9:07 pm.

ATTEST:

Amy L. Biren
Administrative Assistant

Collaborative Planning, LLC

PO Box 251
Medina, MN 55340
763-473-0569

Memorandum

Meeting Date: February 27, 2017
To: Planning Commission
From: Cindy Nash, City Planner
RE: Variance for an Accessory Building within a Front
Yard – 311 Jansen

Overview of Request

The subject property is currently zoned R-A (Residential Agriculture District) and an application has been received for a variance to allow an accessory building in the front yard. The property is located at 311 Jansen.

The application is included in your packets and contains their proposed request.

Evaluation of Request

The applicant is seeking permission to construct a shed in their front yard. The placement of an accessory building in the rear yard is permitted, and in the side yard is permitted only with the issuance of a Conditional Use Permit. Accessory buildings in the front yard are not permitted.

The existing home is situated at an angle on the lot and set back significantly from the street as compared to other homes nearby. The rear portion of the lot also contains numerous existing trees and slopes. The proposed shed is 31 feet by 50 feet and would be setback 167 feet from Jansen Avenue and 58 feet from the nearest side lot line. In order to locate a shed in any other location on the property that would be in conformance with the ordinance, either existing trees

No architecture has been provided as a part of the application. As such, an evaluation as to how the proposed shed would look cannot be made at this time.

311 Jansen Avenue variance



Recommendation

Following the public hearing, the City Planner recommends that the Planning Commission table the request at this time, but provide direction. If the Planning Commission is inclined to recommend approval of a variance, then the applicant should submit architecture for the building so that it can be reviewed as a part of the application and included as a condition of approval. If the Planning Commission is not inclined to recommend denial, then staff will prepare findings of fact for a recommendation of denial to the next meeting.



11250 5th St. NE
 Hanover, MN 55341-0278
 Phone: 763.497.3777 fax: 763.497.1873
www.hanovermn.org
cityhall@ci.hanover.mn.us

For Office Use Only	
Case Number:	2017-1
Fee Paid:	\$1300
Received by:	afz
Date Filed:	2
Date Complete:	
Base Fee:	300
Escrow:	1000

DEVELOPMENT APPLICATION

TYPE OF APPLICATION		
<input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Ordinance Amendment (Text or Map) <input type="checkbox"/> Planned Unit Development (Concept/Gen)	<input type="checkbox"/> Site Plan & Building Plan <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Conditional Use Permit <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Vacation	<input type="checkbox"/> Simple Land Division <input type="checkbox"/> Subdivision Sketch Plan <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Other
PROPERTY INFORMATION		
Street Address: <u>311 Jansen Ave. NE</u>		
Property Identification Number (PIN#): <u>108-030-001030</u>		
Legal Description (Attach if necessary):		
APPLICANT INFORMATION		
Name: <u>Ben Lange</u>		Business Name:
Address: <u>311 Jansen Ave NE</u>		
City: <u>Hanover</u>	State: <u>MN</u>	Zip Code: <u>55341</u>
Telephone: <u>763 274 4313</u>	Fax:	E-mail: <u>BenW.Lange@gmail.com</u>
Contact:	Title:	
OWNER INFORMATION (if different from applicant)		
Name:		Business Name:
Address:		
City:	State:	Zip Code:
Telephone:	Fax:	E-mail:
Contact:	Title:	
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: <u>Single Family Home</u>		
Nature of Proposed Use: <u>storage, vehicle parking</u>		
Reason(s) to Approve Request: <u>A shed looks better than having trailers, vehicles, and "junk" outside.</u>		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name:		Date of Application:
Nature of Request:		
NOTE: Applications only accepted with ALL required support documents. See Application Instructions and City Code		

APPLICATION FEES AND EXPENSES:

The City of Hanover required all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

I wish to be notified of additional costs in the following manner:

- E-mail _____
- Fax _____
- USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant: *Bruce Range* Date: 2-3-17

Owner: Same Date: _____

**NOTE: Applications only accepted with ALL required support documents.
See Application Checklist and City Code**



SUPPLEMENTAL APPLICATION - VARIANCE

Name: Ben Lange

Phone: 763 274 4313

Address: 311 Jansen Ave NE

PID #: 108-030-001030

1. Present zoning of above described property: RA
2. The request(s) which we desire for our property are in conflict with the following section of the Hanover City Code.
Section: 10.48 Section _____ Section _____
3. Proposed Non-Conformance(s): Construct an accessory building in the sideyard of house, parallel to the house, which sits at an angle on lot.
4. Would the variance be in harmony with the purposes and intent of the City Code? Attach additional pages if needed. Yes. The building will be tucked into the edge of the woods, and won't be out in the "middle of nowhere." It will be behind the line of site between the house to the north of me and to the south.
5. Is the variance consistent with the Comprehensive Plan? If yes, how so? Attach additional pages if needed? Yes. Its just an accessory building on a residential lot.
6. Does the proposal put property to use in a reasonable manner? Explain. Yes. with disturbing As little of the woods as possible, I would have a spot to store trailers, vehicles, etc.
7. Do special conditions and circumstances result from your own actions? Explain. (If answer is 'yes,' you may not qualify for a variance.) No. I didn't build the house ~~in this position~~ in this position on the lot. I'm the second owner.
8. Are there circumstances unique to the property? Explain. Yes. The house was constructed tight to a property line, very close to septic tanks, mound, alternate mound site, and the woods behind house has very steep elevation changes
9. Will the variance, if granted, alter the essential character of the city of Hanover? Explain. No. The building will be in good taste - match ~~the~~ characteristics of house as close as possible.

10. Will the granting of the variance result in a condition which impairs an adequate supply of light and air to adjacent properties? Yes No
11. Will the granting of the variance result in a condition which diminishes the established property values in the surrounding area? Yes No
12. Will the granting of the variance result in a condition that impairs the public health, safety or welfare of the citizens of the city? Yes No
13. Could the goal be accomplished with a smaller variance? Yes No
If No, explain: NA

14. Attach to this application any materials outlined in the "Required Material Submission Checklist" for variance applications.

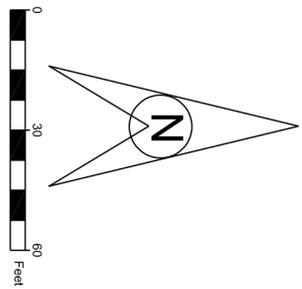
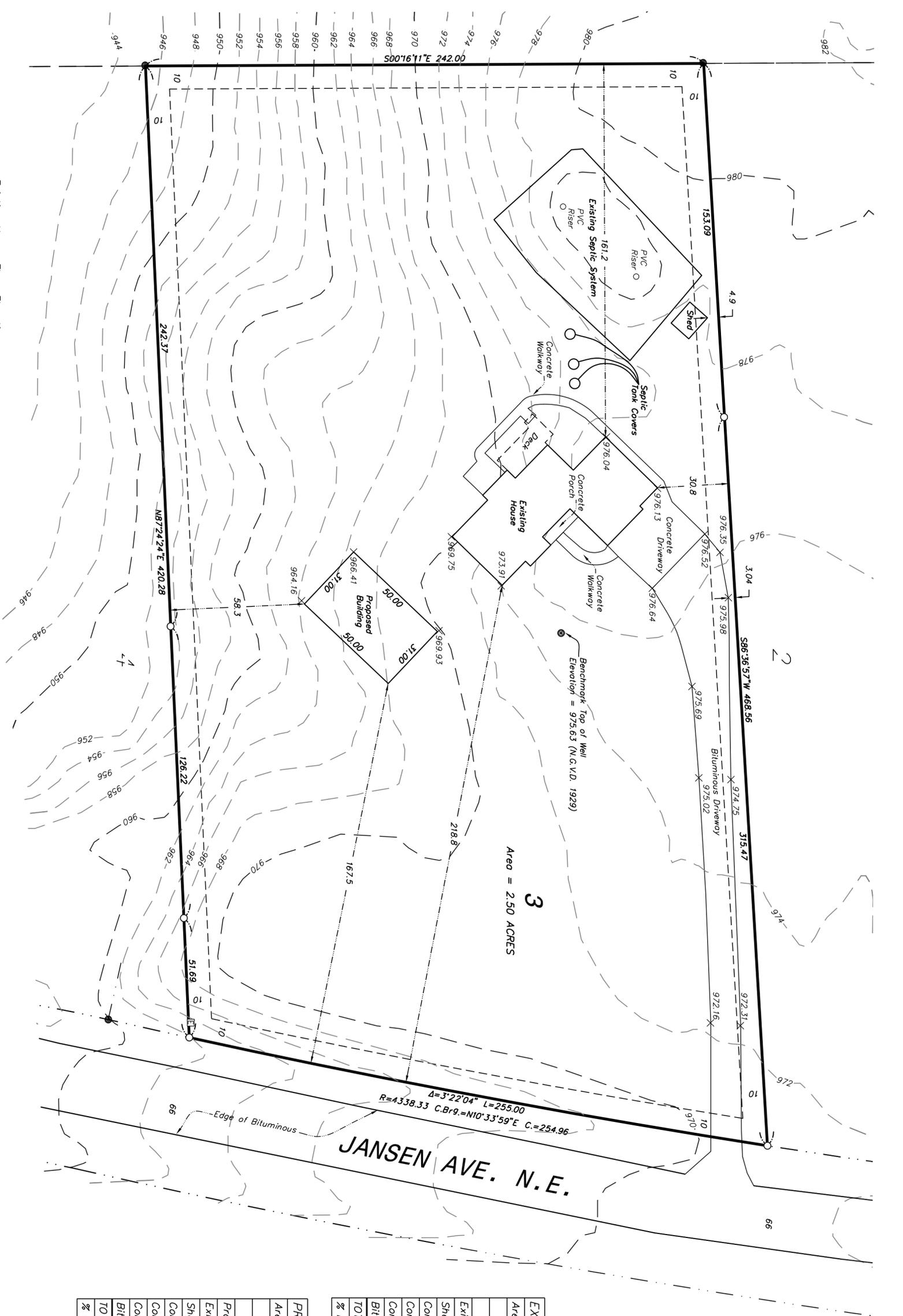
Applicant Signature: 

Date: 2-3-17

Owner Signature: Same

Date: _____

Certificate of Survey



LEGEND

- 978 — denotes Existing Contour
- per Wright County LIDAR MAP
- 972.00 X denotes Existing Spot Elevation
- [E] denotes Electric Pedestal
- denotes Drainage and Utility Easement per the plat HANOVER HILLS

EXISTING HARDCOVER CALCULATIONS:

Area of Lot 3 =	109101.5488	S.F.
AREA		
Existing House	2655	S.F.
Shed	124	S.F.
Concrete Porch	85	S.F.
Concrete Walk	742	S.F.
Concrete Drive	920	S.F.
Bituminous Drive	4023	S.F.
TOTAL	8549	S.F.
% HARDCOVER	7.8	%

PROPOSED HARDCOVER CALCULATIONS:

Area of Lot 3 =	109101.5488	S.F.
AREA		
Proposed Building	1550	S.F.
Existing House	2655	S.F.
Shed	124	S.F.
Concrete Porch	85	S.F.
Concrete Walk	742	S.F.
Concrete Drive	920	S.F.
Bituminous Drive	4023	S.F.
TOTAL	10099	S.F.
% HARDCOVER	9.3	%

Existing House Floor Elevations:
 Main Floor = 978.89
 Garage = 977.21
 Basement Floor = 969.59

Property Description:
 Lot 3, Block 1, HANOVER HILLS, Wright County, Minnesota, according to the recorded plat thereof.

Certificate of Survey on Lot 3, Block 1, HANOVER HILLS, Wright County, Minnesota

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Revised: Paul E. Otto
 License #40062 Date: 1-31-17

Requested By: Ben Lange
 Date: 1-20-17
 Drawn By: S.O.S.
 Scale: 1"=30'
 Checked By: P.E.O.

OTTO ASSOCIATES
 Engineers & Land Surveyors, Inc.

www.ottoassociates.com
 9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

Project No. 17-0106

Collaborative Planning, LLC

PO Box 251
Medina, MN 55340
763-473-0569

Memorandum

Date: February 27, 2017
To: Planning Commission
From: Cindy Nash, City Planner
RE: Ordinance Amendment related to Principal Buildings and Uses

At your last meeting, the Planning Commission provided direction on how you would like to see the ordinance drafted. The Commission provided guidance that it would desire the following:

1. Residential Districts should be allowed to have only one principal use and one principal building.
2. Commercial and Industrial districts should be allowed to have more than one principal use and more than one principal building, and that those principal uses can be the same use occurring in multiple buildings.
3. In order to utilize building eligibilities, the parcels that have more than one building eligibility should be subdivided. Even if more than one building eligibility exists, only one residence or principal use should be constructed on any one parcel.

Attached is redlined ordinance changes that reflect the Planning Commission discussion.

Attachments:

- 1) Draft Ordinance Changes

Proposed Changes Related to Principal Buildings and Uses and Building Eligibilities

Principal Building. The building in which it is conducted the principal use of the lot on which it is located. Lots in commercial and industrial zoning districts with may have multiple one or more principal uses may have in one or more multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings. Lots in residential districts shall not have more than one principal building.

Use, principal. The main use of land or buildings as distinguished from subordinate or accessory uses. A principal use may be either permitted or conditional. Lots in commercial and industrial districts may have multiple principal uses. Lots in residential districts shall not have more than one principal use.

SEC. 10.17 BUILDING ELIGIBILITIES

- A. It is presumed that all parcels of record existing on July 2, 2013 that are zoned for residential use shall be eligible to have one single-family home (“Building Eligibility”) constructed on that parcel, subject to compliance with all other requirements of this Chapter 10 except for lot size requirements.
- B. Every parcel of land containing up to forty (40) acres zoned for residential use shall have one Building Eligibility on that parcel.
- C. For parcels larger than forty (40) acres, the number of Building Eligibilities shall equal one per 40 acres as rounded to the nearest 40 acres. By way of example, both 65 acres and 99 acres rounds to 80 acres, granting two single-family Building Eligibilities to either of those properties. If a parcel has two or more Building Eligibilities and the property owner desires to utilize more than one Building Eligibility, the property shall be subdivided. This subdivision is not subject to requirements that may be contained elsewhere in City Code that require the extension of municipal water and sewer utilities to the property.
- D. When a parcel is annexed to the City, the parcel is considered undeveloped for the purpose of this calculation regardless of the number of lots that may have been created while under the Township’s jurisdiction.
- E. In the event that a subdivision is proposed that results in any parcel no longer having the number of Building Eligibilities that would be anticipated under paragraphs A or B above, then a condition of approval of the subdivision shall be that a document is recorded against the property documenting the remaining number of Building Eligibilities for that parcel.

- F. An Accessory Apartment as may be permitted in the RA zoning district is not counted as the use of a Building Eligibility for the purpose of this section.