



A GREAT PLACE TO GROW

**HAMBURG TOWNSHIP PLANNING COMMISSION
WEDNESDAY, NOVEMBER 20, 2019 7:00 P.M.
HAMBURG TOWNSHIP HALL BUILDING
10405 MERRILL ROAD, HAMBURG, MICHIGAN**

1. CALL TO ORDER

2. PLEDGE TO THE FLAG

3. APPROVAL OF AGENDA

4. APPROVAL OF MINUTES

a) August 21, 2019 Planning Commission minutes

5. CALL TO THE PUBLIC

6. NEW BUSINESS

a) MSP 19-001

Project Address: 7674 E M-36

Project Description: Two proposed permanent signs, a wall sign and a freestanding sign, located at 7674 E M-36 (Advanced Water). The proposed freestanding monument sign would also require a waiver to size requirements of the code. The proposed freestanding monument sign is 36 square feet where 32 square feet is allowed by the township regulations.

b) **ZTA19-008:** Zoning Text Amendment to revise the regulations in Article 8, Section 8.3 Accessory Buildings and Structures (Subsection 8.3.1 and 8.3.6) of the Zoning Ordinance to clarify the intent of attached accessory structures and make the regulations regarding pool fence height consistence with the fence height regulations in Section 8.15 Fences Walls and Screens.

7. OLD BUSINESS

8. ZONING ADMINISTRATOR'S REPORT

a) 2020 Planning Commission meeting dates

9. ADJOURNMENT



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

**Planning Commission
Hamburg Township
10405 Merrill Rd., P.O. Box 157
Hamburg Township, Michigan 48139
August 21, 2019
7:00 p.m.**

1. CALL TO ORDER:

Present: Hamlin, Koeble, Leabu, Muck, & Muir

Absent: Priebe

Also Present: Scott Pacheco, Township Planner & Brittney Stein, Zoning Coordinator

Motion by Hamlin, supported by Koeble

To appoint Jeff Muck as Acting Chairperson

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

2. PLEDGE TO THE FLAG:

3. APPROVAL OF THE AGENDA:

Motion by Koeble, supported by Muir

To approve the agenda as presented

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

4. APPROVAL OF MINUTES:

A. June 19, 2019 Planning Commission Minutes

Motion by Muir, supported by Koeble

To approve the minutes of the June 19, 2019 meeting as presented

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

5. CALL TO THE PUBLIC:

Acting Chairman Muck opened the call to the public for any item not on the agenda. Hearing no comment, the call was closed.

6. NEW BUSINESS:

A. Election of Planning Commission Chair, Vice Chair, and Secretary.

Planner Pacheco stated that every year the Commission elects a Chairperson, Vice Chair and Secretary.

Commissioner Muir nominated Joyce Priebe as Chairperson. Discussion was held on any conflict as she is Chair of the Zoning Board of Appeals. Commissioner Leabu stated that she indicated that she did not want to be Chair. Pacheco stated that he would have to look at the Planning Commission By-laws to find out if there is a conflict. He further stated that a Township Board Member cannot be Chair.

Discussion was held on appointing Jeff Muck. Commissioner Much stated that he would be comfortable with being Chair.

Motion by Hamlin, supported by Koeble

To appoint Jeff Muck as Planning Commission Chairman

Commissioner Muck stated that he appreciates the opportunity and hopes that he can bring his municipal experience to the table.

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

Chairman Muck stated that he would like to recognize Chairman Goetz for his commitment to the Planning Commission and the Township. He has a long history of sitting at this table and did a lot for the Township. Koeble stated that at the last Board meeting, the Board recognized him for his years of service and presented him with a plaque.

Discussion was held on the duties of the Vice-Chair. It was stated that the Vice-Chair would chair the meetings in the absence of the Chairperson. Pacheco stated that it is unclear if Joyce Priebe could hold the position of Vice-Chair or Secretary. We could wait to appoint her to one of the two positions until we can review the by-laws or we could make the appointment and rescind it and reappoint at the next meeting. Discussion was held on the duties of the Secretary. Pacheco stated that they use to take the minutes, however they do not do that anymore. They would be third in command if the Chair and Vic-Chair were absent.

Chairman Muck asked Commissioner Muir if he would accept Vice Chair. Commissioner Muir stated that he would accept it.

Motion by Muck, supported by Hamlin

To appoint Ron Muir as Planning Commission Vice-Chairman

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

Motion by Muck, supported by Koeble

To appoint John Hamlin as Planning Commission Secretary

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

- B. Special Use Permit (SUP19-002) and Site Plan Review (SPA 19-002) applications: Public Hearing to consider a major amendment to the special use permit and site plan approved in 2001 which allowed the IXL learning Center at 10088 Professional Center Drive. The amendment will increase the square footage within the structure that will be occupied by the IXL Learning Center and will increase the number of employees and the number of children cared for on this site. This amendment proposes little to no changes to the exterior of the building or the site improvements on the lot.

Chairman Muck opened the public hearing for SUP 19-002 & SPA 19-002. Hearing no comment, the public hearing was closed.

Planner Pacheco discussed the staff report and the project to expand an existing special use permit at 10088 Professional Center Drive, the IXL Learning Center. It is a childcare center, which is a permitted use with a special use permit under the Village Center Zoning District. He explained their proposal to expand a special use permit and site plan that was approved in 2001. He gave a brief history of the facility. He stated that they are looking to expand into the entire building or 11,104 square feet. They are requesting to expand the number of children from 58 children to 180. The Fire Marshall would have to provide final review prior to the approval of the expanded special use permit. Nothing is changing on the exterior of the building. He further explained the site plan and exterior requirements. He discussed the general ordinance regulations. He explained the approvals required from the Fire Department, State of Michigan Department of Human Services and Child and Adult Licensing Regulations. He explained the requirements based on the size of the facility and the size of the outdoor play area. They are asking that the Planning Commission look at this through the special use permit process and determine if that lot size is allowed. There is adequate parking on the site and adequate circulation for drop-off and pick-up. The surrounding properties are currently vacant, and with what they are allowed to develop, the childcare center would be a compatible use. The other thing that needs to be looked at is the fenced in play area. They have to receive approval from the State. The State has a very low threshold on the fencing, and what they are proposing is higher than the State requires. The Planning Commission can look at the surrounding properties, their schedule, the number of infants that would not be using the area, etc. to base their decision whether the fenced in area they are proposing is adequate. He discussed the parking on the site. Based on the calculations, they are required to have 50 parking spaces, and they currently have the use of 63 spaces. He discussed the special use permit standards. He stated that a lot of these items were dealt with during the original site plan approval. He further discussed the parking spaces along Professional Center Drive which were originally designed to be parallel parking spaces. With the absence of the striping, people have started parking perpendicular. Restriping that parking lot to delineate the sidewalk would be helpful. Also, there should be a maintenance agreement for the sidewalk as it is in disrepair. More than likely nobody is using those sidewalks because there is no development back there. If development were to go in, we would want the sidewalk repaired. He has spoken to the Utilities Department. This use would require less REUs than the existing uses so there will be no additional fees required. He discussed the Site Plan Approval Standards. Most of these items have been taken care because the use is a compatible use. Again, the two issues the Planning Commission needs to talk about is 1) is the size of the lot adequate, and 2) is the size of the fenced-in area adequate to move forward.

Jennifer Moss, applicant, was present.

Commissioner Muir stated that according to the Center's handbook, there is overlap where the 50 toddlers and 80 preschoolers will be out at the same time. Ms. Moss stated that they do switch the schedules around all of the time. She stated that they have three playgrounds and nine classrooms. With the three playgrounds and three classrooms that do not go outside, it is not an issue. She stated that playgrounds have been added since the time that particular handbook was written. Discussion was held on the conflicting information received. Ms. Moss stated that the processes are constantly changing depending on the enrollment. She stated that they have three playgrounds to purposely keep them separated because 2 year olds and 4 year olds play differently. One classroom at a time goes out to a certain playground. Discussion was held on the age groups. Ms. Moss stated that they are licensed up to 12 years old, but they only have up to 8-9 year olds. Pacheco suggested a condition of approval to be that no more than a certain number of kids can be using the playground at a time. It could be posted just like you would an occupancy on the inside of a building. Discussion was held on the number of children the playground could handle. Ms. Moss stated that with the three sections, it could easily handle 68 children at a time. It was stated that it still needs to go through the licensing as well. Discussion was held on the State requirements. It was stated that they require 1,200 square feet or more depending on inspection.

Discussion was held on the Commission's options for approval or denial. It was stated that the site plan does go to the Township Board for their approval as well. Further, the ordinance does allow the Planning Commission to allow a smaller size than the 100 square feet, but it must meet State requirements.

Commissioner Leabu gave a history of the road going to the back property. He stated that there was not sidewalk where the childcare building is. However, there is a need to have the parking striped so that people do not park perpendicular. Pacheco stated that the site plan approved in 2001 shows the sidewalk from the north property line to the rear and shows how the parking should be striped. It was further stated that the sidewalk was never completed all the way down.

Discussion was held on requiring a maintenance agreement for the road and sidewalks. Pacheco stated that if the original site plan was approved today, we would require an agreement. There is not currently a problem because nobody is using this for access. If there is a future development that comes in and uses this roadway, we would want this road and sidewalk maintained. It appears that the sidewalk was not completed per the site plan, which is a code enforcement issue. We could wait until development takes place in the back. Discussion was held on the layout of the two separate parcels. Commissioner Hamlin stated that he feels that there should be something in writing that if the property to the south and east is developed, the applicant is responsible for putting in that sidewalk. He also feels that a road maintenance agreement should be in place.

Motion by Leabu, supported by Koeble

The Planning Commission approves the major amendment to the Special Use Permit (SUP19-002) to allow the child care center use to expand into the entire building (11,000 sq. feet) at 10088 Professional Center Drive, as shown on the project plan, and to increase the number of children care for on the site to 180 children; because the major amendment to the special use permit meets all the discretionary standards for Special Use Permits under Article 3 as described at tonight's hearing and as presented in the Staff Report provided that the parking lot is re-striped including the parallel parking along both sides of the east roadway

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

Motion by Leabu, supported by Koeble

The Planning Commission recommends to the Township Board approval of the Site Plan Application (SPA19-002) to allow the expansion of the IXL learning Center because the project meets all of the discretionary standards for Site Plan Review under Article 4 as described at tonight's hearing and as presented in the Staff Report. Any future development on the vacant property to the south or east would be allowed access to Professional Center Drive through this site as designed.

Discussion was held on the future development. Pacheco stated that you would be requiring them to allow future development to access through this site. That future developer would be required to do that if they were to use this property. By the Planning Commission doing that as part of this site plan, you are making it easier for the back lot to develop. There may be wording in the original approvals that talk about cross-access easement requirements.

Discussion as held on the road standards at the time of the original site plan. Discussion was held on access for the property to the east.

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

- C. Zoning Text Amendment (ZTA) 19-004: Public Hearing to consider the ZTA to revise the Planned Unit Development regulations in Articles; 13 Planned Unit Development, 14 Open Space Community PUD, 15 Elderly Cottage Housing Opportunity (ECHO) Village, 16 Hardship Planned Unit Development and 17 Commercial Planned Unit Development of the Zoning Regulations. The proposed revisions to these Articles are intended to consolidate, clear up the intent and clarify the processes and wording of the PUD regulations.

Chairman Muck opened the public hearing for ZTA 19-004. Hearing no comment, the public hearing was closed.

Planner Pacheco stated that the Commission discussed this amendment at length at the last two meetings. This is an amendment to consolidate our existing PUD Ordinance. He gave a brief summary of the changes.

Commissioner Hamlin stated that he is still opposed to the 15% density increase. He stated that we get our open space then give the developer 31+ % density increase and then give them an additional 15% for an exemplary project. Now we are looking at changing the ordinance to allow an additional 15% increase. These open space ordinances only apply to medium and low-density areas of the Township which are not designed for high density. We have a Master Plan that allows for a specific area for dense development, and he feels that we should maintain the dense development in that area. 100% of our public input was against the density increase, and he is sure that a super-majority of our Township residents would feel the same. He feels that the density development almost exclusively benefits the developer and not the Township as a whole.

Commissioner Leabu stated that he totally promotes it these amendments. Our initial 30% density bonus is not actually a density bonus. Our community was going to have that many units anyway, so you have to remove that 30%. It is an illusion. The open space was so that we could preserve the natural features and sensitive areas. The proposal makes it very difficult to get 15% bonus with all of the standards. With the 15% bonus if the developer provides sewers, now we would be getting 60% open space.

Commissioner Muck stated that we hashed this out significantly at the last meeting. He had been undecided about the 15% increase for sewer, but when we changed it to 60% preservation, he was in agreement.

Motion by Leabu, supported by Koeble

The Planning Commission recommends to the Township Board approval of the Zoning Text Amendment (ZTA) 19-004 to revise the Planned Unit Development regulations in Articles; 13 Planned Unit Development, 14 Open Space Community PUD, 15 Elderly Cottage Housing Opportunity (ECHO) Village, 16 Hardship Planned Unit Development and 17 Commercial Planned Unit Development of the Zoning Regulations. The proposed revisions to these Articles are intended to consolidate, clear up the intent and clarify the processes and wording of the PUD regulations.

Voice vote: Ayes: 4 Nays: 1 Absent: 1 MOTION CARRIED

- D. Zoning Text Amendment 19-005: Public hearing to consider ZTA to revise the fence regulations in Article 8, Section 8.15 Fences, Walls and Screens. The proposed revisions are meant to clarify the regulations regarding the location and height regulations for new fences.

Chairman Muck opened the public hearing for ZTA 19-005. Hearing no comment, the public hearing was closed.

Planner Pacheco stated that we discussed this revision at a previous meeting at which there were no suggested changes by the Planning Commission. He gave a brief description of the proposed changes. He has added the pictures to further clarify the regulations.

Motion by Muir, supported by Koeble

The Planning Commission recommends to the Township Board approval of Zoning Text Amendment 19-005 to revise the fence regulations in Article 8, Section 8.15 Fences, Walls and Screens. The proposed revisions are meant to clarify the regulations regarding the location and height regulations for new fences.

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

- E. Zoning Text Amendment 19-006: Public Hearing to consider ZTA to revise the variance regulations in Article 6, Section 6.8 Zoning Board of Appeals. The proposed revision is to change the variance approval period from six months to 12 months.

Chairman Muck opened the public hearing for ZTA 19-006. Hearing no comment, the public hearing was closed.

Zoning Coordinator Stein stated that we have had recent instances where the required time period between the time ZBA has approved a variance and construction has elapsed. This may be because of delay in approval letters from utilities or other required paperwork or possibly frozen ground, etc. The six-month time period may not be enough to pull the land use permit, building permit and start construction. This amendment will change that time period from six months to twelve months.

Motion by Muir, supported by Hamlin

The Planning Commission recommends to the Township Board approval of Zoning Text Amendment 19-006 to revise the variance regulations in Article 6, Section 6.8 Zoning Board of Appeals. The proposed revision is to change the variance approval period from six months to twelve months.

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

- F. Zoning Text Amendment 19-007: Public Hearing to consider ZTA to revise the attached accessory structure regulations in Article 8, Section 8.3.1 Accessory Buildings and Structures. The proposed revision is meant to clarify the regulations regarding the intent of attached accessory structures.

Chairman Muck opened the public hearing for ZTA 19-007. Hearing no comment, the public hearing was closed.

Zoning Coordinator Stein stated that this section of the ordinance may be misleading. She gave the definition of patio per the ordinance. The intent of the ordinance in this case is that an accessory structure would be something attached by at least a roof. We are asking that the word patio be removed.

Discussion was held on how this was brought forward. It was stated that there are different requirements for detached versus attached accessory structures. Discussion was held on the definition of a roof.

Commissioner Hamlin stated that in Section 8.3.6(b) it indicates that fences at pools can be up to 8 feet. We just restricted our fences to 6 feet. Pacheco stated that we should revise that and can be done as part of this revision.

Planner Pacheco stated that all of these revisions will go to the Livingston County Planning Commission prior to going to the Township Board.

Chairman Muck stated that the Public Hearing was for changing 8.3.1 and now we are talking about 8.3.6. Pacheco stated that we are going to have to re-notice it for public hearing, but it is not critical at this point. They would not be allowed an 8 foot fence around a pool anymore, but it is still written in there and should be revised. It was stated that the Commission could approve this amendment with the recommendation that we bring back 8.3.6. We will put them both to Livingston County at the same time.

Motion by Leabu, supported by Hamlin

The Planning Commission recommends to the Township Board approval of Zoning Text Amendment 19-007 to revise the attached accessory structure regulations in Article 8, Section 8.3.1 Accessory Buildings and Structures. The proposed revision is meant to clarify the regulations regarding the intent of attached accessory structures. It is further requested that revisions to Section 8.3.6 be brought back to the Planning Commission for approval.

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

7. **OLD BUSINESS:** None

8. ZONING ADMINISTRATOR'S REPORT:

A. Training opportunities:

1. Michigan Association of Planners Annual Conference

Planner Pacheco stated that he and Amy Steffens will be attending. It is being held in Kalamazoo September 25-27th.

Chairman Muck stated that he will also be attending. He stated that there are also options for single day events.

Planner Pacheco stated that there is another training opportunity in Chelsea on September 5th. It is a site plan review class conducted by the Michigan Association of Planners.

Planner Pacheco stated that he has received the annual update from Regency Village. He will bring it to the next meeting. It provides an update of where they are in the process. They have pulled permits for 11 homes. He further discussed their progress.

Planner Pacheco gave an update of the senior care facility.

Commissioner Leabu stated that it has been discussed to try and get rid of the 1,000 square foot minimum home requirement. If the Commission agrees, he would like to look at that issue. Pacheco stated that this is an item that we talked about at our February joint meeting. We will have to discuss the pros and cons. We have found that with the current climate, people are buying the smaller homes but still with all of the amenities. Chairman Muck stated that based on this discussion and the discussion at the February meeting, staff will be bringing this back at a future meeting. Pacheco stated that Article 8 has all of the single family requirements and we did talk about revising all of those outdated regulations. There is less concern over mobile or modular homes.

9. ADJOURNMENT:

Motion by Koeble, supported by Leabu

To adjourn the meeting

Voice vote: Ayes: 5 Nays: 0 Absent: 1 MOTION CARRIED

The Regular Meeting of the Planning Commission was adjourned at 8:57 p.m.

Respectfully submitted,

Julie C. Durkin
Recording Secretary

The minutes were approved as presented/Corrected: _____

Jeff Muck, Chairperson

PHONE: 810-231-1000
FAX: 810-231-4295



P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139-0157



To: Planning Commissioners

From: Scott Pacheco, AICP

Date: November 20, 2019

Agenda Item: 7a MSP 19-001

Project Address and description: 7674 E M-36

Project Description: Two proposed permanent signs, a wall sign and a freestanding sign, located at 7674 E M-36 (Advanced Water). The proposed freestanding monument sign would also require a waiver to size requirements of the code. The proposed freestanding monument sign is 36 square feet where 32 square feet is allowed by the township regulations.

Zoning: Village Center/Village Gateway

Owner: Advanced Water Treatment

Applicant: Sign Fabricators/ Werks Direct

Site Description

The subject site is a .62-acre parcel that fronts onto the south side of M-36 and is improved with a 3122-square foot structure that currently is used by a water treatment business (Advanced Water Treatment). This structure includes a 1280 square foot attached storage garage and a 1842 square foot retail sales and office building. The site is in the Village Center (VC) zoning district; a bakery is located to the east, a church to the north, a single family home to the south, and a commercial roofing manufacturing and sales company to the west. The subject site is also designated as Village Core by the Village Center Master Plan future land use map.

In May of 2018 administrative site plan approval was granted by the Township Supervisor and Planning Commission Chairperson for the removal and reconstruction of the existing pole barn on the site, which included attaching the pole barn to the main building, and the remodel of the

existing office/sale building. This project required the addition of an 8 foot wide mixed use trail along the front property line of the subject site and landscaping between M-36 and the building. The signage for the subject site was not contemplated as a part of this site plan application. As a result a condition of the site plan approval was that all future signage must conform to Article 18 of the zoning ordinance and be reviewed based on the applicable standards of Article 4.

Prior to the remodel of the existing building on the site there was a large freestanding sign on the property that was removed due to the location of the new 8 foot mixed use trail. There are no signs currently on the subject property.

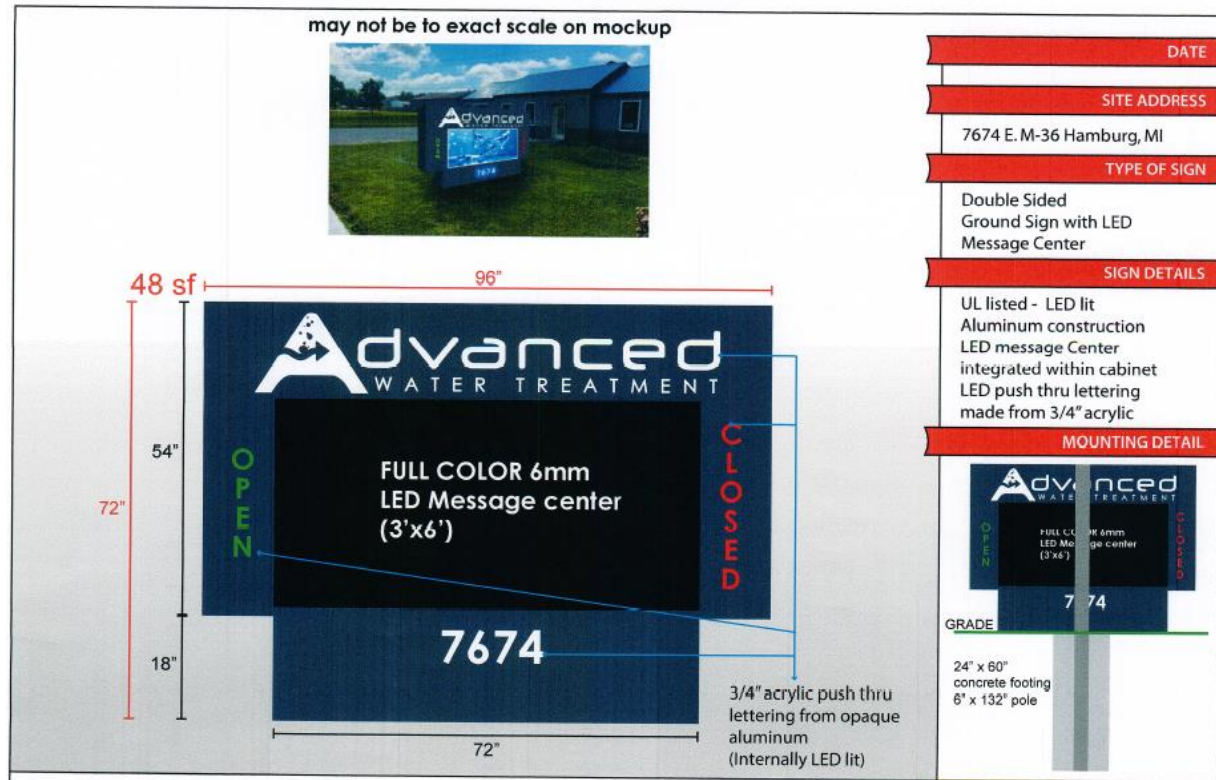
Proposed Signs

Section 18.10 of the Hamburg Township Zoning Ordinance requires “*All permanent signage without an approved sign program within the Village Center (VC) and Mixed Use (MD) district requires Planning Commission approval. Permanent signage proposed in buildings with an approved sign program can be issued by the Zoning*” There is not an approved sign program for this property.

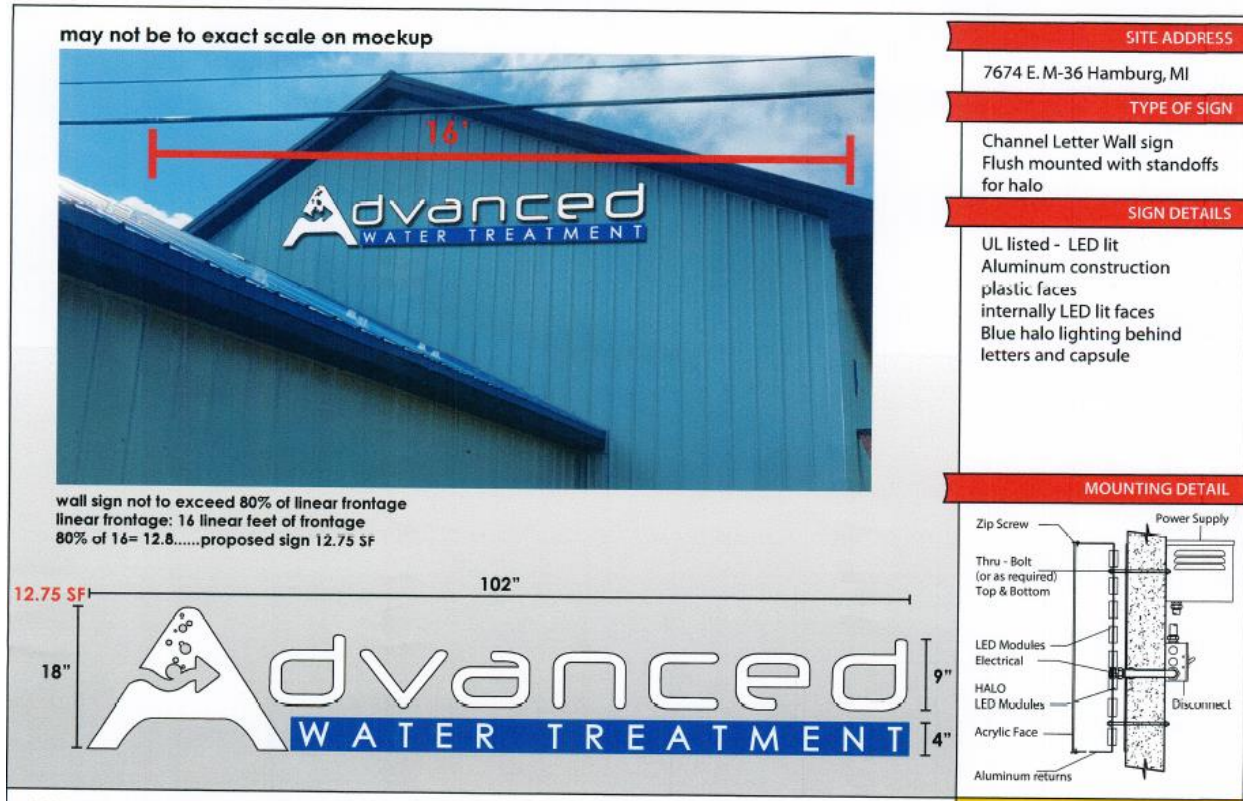
The applicant has proposed two signs on the subject site.

Sign 1: A proposed 6 foot tall, 36 square foot, aluminum cabinet, freestanding monument sign on a 9 square foot base. The proposed lettering on the sign is internally illuminated with push through acrylic letters. Also included in this monument sign is an 18 square foot electronic display panel.

The applicant is requesting a waiver for the sign size. The proposed sign is 36 square feet and the code allows freestanding signs to be



Signs 2: A proposed 12.75 square foot, channel letter, wall sign attached to the wall of the garage structure over the roof of the office/ sale building. The sign is both internally illuminated and halo lit.



ZONING CODE SIGN REGULATIONS:

X=Meets Requirement C= Suggested Condition of Approval N/A=Not Applicable

Sec. 9.11.5. Sign Lighting Standards.	Indirect illumination of signs, canopies and buildings is permitted provided a maximum 125-watt bulb is utilized and there is no glare.	C
	The use of laser light source, searchlights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.	X
	Luminous tube and exposed bulb fluorescent lighting is prohibited as part of a sign provided the proposed luminous tube or exposed bulb fluorescent lighting is determined to be consistent with the architectural character of the building.	X
	Internally illuminated signs shall have a minimum of 60% of the sign face composed of an opaque surface which allows no light to transmit through.	X
Sec 18.4(Q) Freestanding Signs	Monument Signs shall have a maximum height of six (6) feet, including a two (2) foot base as measured from existing grade.	X
	Pole Signs shall have maximum height of 15 feet, as measured from existing grade.	N/A
	Freestanding signs shall not have more than two (2) faces.	X

Sec.18.4.(T) Sign Illumination	Timer Controls: Illuminated signs shall be equipped with a functional timer control. Signs shall not be illuminated after 10:00 pm or one half (1/2) hour after the use of the site ends for the day, whichever is later, nor before 6:00 am or one half (1/2) hour before the beginning of the use of the site for the day, whichever is earlier.	C
	Backlighting: Signs with internal illumination shall have the lettering and graphics in a lighter color than the background to the maximum extent practical.	X
	Frequency: On signs with messages that change, they may change no faster than once every 10 seconds.	C
	Flashing and Animation: Flashing or animated affects are not allowed, including but not limited to scrolling, fading in, video clips, moving characters or lettering.	C
	Illumination used to attract business is only permitted as allowed above. All other illumination to attract business is not allowed except through Section 18.11. (examples: Spot or Search Lights, Lights strips around windows and doors, etc.)	X
Sec 18.10 (D) All signage in 18.8 and 18.9 is allowed in the VC and MD district with the following additional requirements:	Wall Signs: Wall signs shall be placed generally within a sign band located above the store front and not to exceed 80% of the linear frontage. Maximum size per façade is .75 square feet per linear foot up to 24 square feet. Letters shall not exceed 18 inches and shall be mounted flush against the wall.	See Staff Comment Below*
	Freestanding Signs: Freestanding signs must be ground mounted and architecturally harmonious with the character of the building. They must meet the size requirements of the Zoning Ordinance and be located in a landscaped area.	See Staff Comment Below*
	Non-residential Individual Development Sign. One (1) freestanding, one (1) wall sign, and one (1) projecting or hanging sign per lot with a Non-residential Individual Development. The freestanding monument signs shall not exceed 32 square feet and freestanding pole signs shall not exceed 25 square feet. The wall sign shall not exceed one (1) square foot for every two (2) lineal feet of building frontage, or one-hundred (100) square feet, whichever is less. The wall signs may be up to 20 square feet regardless of building frontage. The Projecting or Hanging sign shall not exceed 10 square feet.	Wall Sign: X Freestanding Sign: Waiver Request

Staff Comment:

Wall Sign:

The proposed wall sign is located on the wall of the storage garage structure above the roof of the office and is not located in a sign band area above the store front. Because the word generally is used in this regulations it is not a requirement that the wall sign be located in a sign band above the store front it is a suggestion on building where it would

be appropriate. This suggestion would be more appropriate for a building with a downtown type design style.

The proposed wall sign appears to be less than the allowable sign of .75 square foot per linear foot of building frontage. The main building on the site has 32 linear feet of frontage, however the wall of the building that the sign is located on only has 16 linear feet of frontage. If the entire building front was used (32 linear feet) for the building frontage a wall sign of 24 square feet would be allowed if the building front of the portion of the building the sign is located on is used (16 linear feet) as the building front a 12 square foot wall sign would be allowed. The proposed wall sign is 12.75 square feet.

The lettering of the proposed wall signs does not exceed 18 inches in height.

Freestanding Sign:

The proposed freestanding sign does not meet the size requirement of 32 square feet for freestanding signs. The applicant has proposed a 36 square foot sign and is requesting a waiver to the sign size.

Staff believe to meet the requirement that the proposed freestanding sign be architecturally harmonious with the character of the building the sign should be reduced in size to 32 square feet, the color of the base should match the color of the bottom of the building and the background color of the sign should match the color of the upper portion of the building. Also the sign should be surrounded by a small landscaped area around the base.

Reducing the size of the sign will allow the proposed sign more to be more in scale with the size of the building.

Staff Suggested Conditions:

If the Planning Commission approved the proposed sign application staff suggest that the following sign requirement be made conditions of project approval:

1. The freestanding sign should be reduced in size to 32 square feet.
2. The color of the base should match the color of the bottom of the building and the background color of the sign should match the color of the upper portion of the building.
3. The freestanding sign should be surrounded by a small landscaping area to be submitted by the applicant and reviewed by staff as part of the land use permit.
4. Indirect illumination of signs, canopies and buildings is permitted provided a maximum 125-watt bulb is utilized and there is no glare.
5. Timer Controls: Illuminated signs shall be equipped with a functional timer control. Signs shall not be illuminated after 10:00 pm or one half (1/2) hour after the use of the site ends for the day, whichever is later, nor before 6:00 am or one half (1/2) hour before the beginning of the use of the site for the day, whichever is earlier.
6. Frequency: On signs with messages that change, they may change no faster than once every 10 seconds.

7. Flashing and Animation: Flashing or animated affects are not allowed, including but not limited to scrolling, fading in, video clips, moving characters or lettering.

VILLAGE CENTER MASTER PLAN

This site is designated as Village Core (VC) district in the future land map of the Village Center Master Plan (Exhibit B). The village core district require that the signage enhance the visual character of the Village and maintain a high level of quality, signs shall be architecturally consistent with the style, materials, colors, and composition of the building. The Village Core district sign standards follow the sign ordinance requirements for size and location. However, the district specifies that all signs shall be externally illuminated, not internally illuminated.

Staff Comment:

The proposed freestanding sign utilizes an 18 square foot electronic display panel. Although I am not a fan of these types of signs and do not believe that electronic display panels are compatible with the aesthetic character that the Township wished to achieve through the Village Center Master Plan, if there is any location within the Village Center Area or the Village Core District where an electronic display panel sign would be appropriate it would be along M-36 in this location. The location is near the more industrial portion of the development along M-36 and is not near a main entrance to the Old Hamburg Area such as this.

To provide a more upscale aesthetic for the proposed freestanding sign and to better match the wall sign on the building, and other signs approved in the village center area that have recently been approved along M-36 (CVS and CEI) the lettering for the wording Advanced Water Treatment at the top of the freestanding sign should be designed as individual channel letters that are both internally and halo lit.

Staff Suggested condition:

If the Planning Commission approved the proposed sign application staff suggest that the freestanding sign should be redesigned to utilize individual channel letters that are both internally and halo lit for the Advanced Water Treatment wording at the top of the freestanding sign.

SIGN STANDARDS IN THE ZONING ORDINANCE:

Site Plan Review Standards

Section 4.5.7 Standards for Site Plan Review:

L All proposed commercial, office, industrial, institutional and multiple family development shall utilize quality architecture to ensure that buildings are compatible with surrounding uses, protect the investment of adjacent landowners, blend harmoniously into the streetscape and meet the objectives the Township Master Plan. New buildings, additions and renovations shall be designed to preserve or complement the design character of existing development provide visual harmony between old and

new buildings, and create a positive image for the Township's various commercial shopping nodes. Commercial, office, industrial, institutional and multiple family architecture shall be reviewed by the Planning Commission under the following criteria:

7. **Signs, landscaping, lighting and other site elements shall be coordinated and compatible with the building design, as well as harmonious with other nearby developments. Developments shall provide site features such as decorative entry signs, ornamental lighting, pedestrian plazas and/or pedestrian furniture.**

Wall Sign:

This sign is located on the upper portion of the attached storage garage and is setback from the street and surrounding properties. Because of the location, design and size of the proposed wall sign it appears that the sign will be compatible with the building design, as well as harmonious with other nearby developments.

Freestanding Sign:

The freestanding monument sign will be located approximately 20 feet from the right-of-way of M-36, approximately 45 feet from the traveled roadway of M-36.

As previously stated in the report to create a sign that is more compatible with the building design staff suggest the following three changes to the sign: 1) to make the sign more in scale with the size of the building the sign should be reduced to 32 square feet which is the size allowed by the township regulations without a waiver from the Planning Commission, 2) the color of the base should match the color of the bottom of the building and the background color of the sign should match the color of the upper portion of the building and 3) the sign should be surrounded by a small landscaping area.

Also as previously stated to be harmonious with other nearby developments and to be more compatible with other signs recently approved in the Village Center Area along M-36 staff suggests that the lettering of the sign be designed as individual channel letters that are both internally and halo lit.

Sign Waiver Requirements

Because there is not a sign program for the subject property all of the signs must meet the following sign waiver regulations.

Freestanding monument signs m

18.11 Sign Regulation Waivers

- 2) **If more than one sign is proposed as a part of the project or the sign is part of a non-residential multi-tenant development the signs shall be submitted as a part of a sign program for the entire site.**

The information submitted for the proposed signs does not offer alternative sign designs so the submitted sign package would be considered the sign program for this site. Any future wall sign or freestanding sign would have to be in the same location, the same size and the same materials as the wall and freestanding sign proposed. Other than signs that fall under Section 18.5., exempt signs, no further signage would be permitted at this site without amending the sign program and approval of the Planning Commission.

- 3) The proposed sign does not endanger the public health, safety, and welfare by virtue of being distracting to drivers, obscuring vision, being unnecessarily bright, being designed or constructed poorly, or in any other way.**

With the staffs recommended conditions none of the proposed signs will endanger the public health, safety, and welfare by virtue of being distracting to drivers, obscuring vision, being unnecessarily bright, being designed or constructed poorly, or in any other way.

The new freestanding monument is set back from the right-of-way of M-36 by 20 feet and with the suggested staff conditions is not likely to be distracting to drivers along M-36 or to drivers entering or existing the site.

The wall sign is not likely to be distracting to drivers due to being unnecessarily bright, nor are they likely to pose a safety hazard to pedestrians due to poor design or installation.

- 4) A sign meeting the regulations of this Article would not meet the needs of the use on the subject site.**

The applicant has requested a waiver to allow the proposed freestanding monument sign to be 36 square feet where 32 square feet is allow by the code (18.10 (D)).

Staff believe that a 32 square foot freestanding monument signs would meet the needs of the use of the subject site.

- 5) The proposed sign utilizes high quality materials and design.**

As stated earlier in this report staff believe that in order to provide a more upscale aesthetic for the proposed freestanding sign and to better match the proposed wall sign on the building, and other signs approved in the village center area that have recently been approved along M-36 (CVS and CEI) the lettering of the freestanding sign should be designed as individual channel letters that are both internally and halo lit.

Also to better match the subject structure the colors of the sign should be revised so the base of the sign is the color of the bottom portion of the building and the main upper portion is the color of the upper portion of the building.

- 6) Signs shall be in harmony and consistent with the architecture of the building and relate to the features of the building in terms of location, scale, size, color, lettering, materials, and texture.**

See analysis under Zoning Code Sign Regulations Staff Comments on pages 5 and 6 of this report.

- 7) The design of the sign shall be consistent with the character of the surrounding area.**

See analysis under standard 5 above.

- 8) The sign does not block the view of other nearby signs to the extent that it would harm the ability of neighboring businesses to operate.**

This standard would apply only to the freestanding monument sign. Because of the distance from the proposed sign to the surrounding signs and the designs of the proposed sign, it does not block the view of other nearby signs.

9) The sign will not be a nuisance to any residential uses.

The closest residential property to this proposed signs are south of the subject site and both of the proposed signs will not be visible from those properties because of the location of the main building on the subject site.

Recommendations:

Waiver Review:

The Planning Commission should review and discuss the proposed sign waiver to allow the freestanding monument sign to be 36 square feet where 32 square feet is allowed by the code, and make a motion to approve or deny this waiver.

Denial of Waiver:

The Planning Commission denies the requested sign waiver to permit a 36 square foot monument sign at 7674 E M-36 because the project does not meet the sign waiver requirements Article 18, Section 18.11 Standards 4 and in the township zoning ordinance as follows:

4) A sign meeting the regulations of this Article would not meet the needs of the use on the subject site.

The applicant has requested a waiver to allow the proposed freestanding monument sign to be 36 square feet where 32 square feet is allow by the code (18.10 (D)).

A 32 square foot freestanding monument signs would meet the needs of the use of the subject site, because the sign would be visible from the roadway and would provide the business ample advertising from off site areas. Also the reduced sign size would be more in scale with the size of the small building on the site and with the character of the surrounding area.

6) Signs shall be in harmony and consistent with the architecture of the building and relate to the features of the building in terms of location, scale, size, color, lettering, materials, and texture.

The main building on the site is not a large structure, the proposed 36 square foot freestanding monument sign would be out of scale with the size of the structure.

Approval of Waiver:

The Planning Commission approves the requested sign waiver to permit a waiver to permit a 36 square foot monument sign at 7674 E M-36 because the project meets the sign waiver requirements Article 18, Section 18.11 in the township zoning ordinance as stated at the meeting tonight.

Sign Review:

The Planning Commission should also review and discuss the design and location of both proposed signs, because the subject site is in the Village Center Zoning District and make a motion to approve or deny the signs.

Approval of Signs:

The Planning Commission approves the requested to allow a 12.75 wall sign and a 36 square foot freestanding monument sign at 7674 E M-36, with the conditions of approvals listed below, because as conditioned the project meets the sign requirements in Article 18, Section 18.11 in the township zoning ordinance as stated at the meeting tonight and in the staff report.

Conditions of Project Approval:

The Planning Commission approved the proposed sign application with the following conditions of project approval:

1. The freestanding sign should be reduced in size to 32 square feet.
2. The color of the freestanding sign base should match the color of the bottom of the building and the background color of the freestanding sign should match the color of the upper portion of the building.
3. The freestanding sign should be surrounded by a small landscaping area to be submitted by the applicant and reviewed by staff as part of the land use permit.
4. The letting of the Advanced Water Treatment at the top of the freestanding sign should be redesigned to utilize individual channel letters that are both internally and halo lit.
5. Indirect illumination of signs, canopies and buildings is permitted provided a maximum 125-watt bulb is utilized and there is no glare.
6. Timer Controls: Illuminated signs shall be equipped with a functional timer control. Signs shall not be illuminated after 10:00 pm or one half (1/2) hour after the use of the site ends for the day, whichever is later, nor before 6:00 am or one half (1/2) hour before the beginning of the use of the site for the day, whichever is earlier.
7. Frequency: On signs with messages that change, they may change no faster than once every 10 seconds.
8. Flashing and Animation: Flashing or animated affects are not allowed, including but not limited to scrolling, fading in, video clips, moving characters or lettering.

Denial of Signs:

The Planning Commission denies the requested to allow a 12.75 wall sign and a 36 square foot freestanding monument sign at 7674 E M-36, because the proposed signs do not meet the sign requirements in Article 18, Section 18.11 Standard (*Pick which standards the signs do not meet*) in the township zoning ordinance as stated at the meeting tonight and as stated below.

(List standard and reason the signs do not meet these standards)

Exhibits:

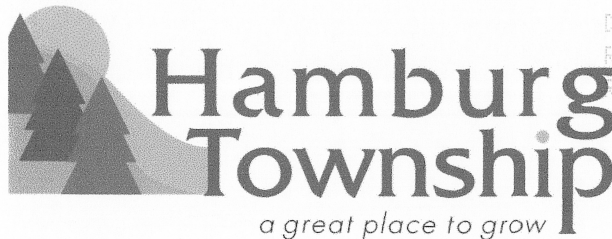
Exhibit A: Site Plan Application and materials for the proposed signs.

Exhibit B: Village Center Master Plan Village Core District Signage Regulations (page 37 and 38)

RECEIVED

SEP 09 2019

FAX 810-231-4295
Hamburg Township
Planning and Zoning Department



PSPR 19-001
HAMBURG TOWNSHIP
Date 09/16/2019 2:24:06 PM
Ref
Receipt 1215552
Amount \$300.00

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

SITE PLAN APPROVAL APPLICATION

Please note: All required information, copies, fees, and other materials as appropriate must be submitted and complete before the Township Planning Commission will set a public hearing date on the Site Plan Approval Application.

Application fees and review fees are required at the time of application.

In the case of separate applications for Preliminary and Final reviews, separate application and review fees shall be collected. Review fees shall be placed into a non-interest bearing escrow account. Upon final review, review fee balances shall be returned upon receipt of final billing. The applicant shall be responsible for all costs incurred.

Note: Acreage calculations based upon the acreage being developed or utilized for the project (parking, buildings, walks, storm water retention etc.)

The undersigned hereby makes application for a Site Plan Approval for: (Check all that apply)

1. **TYPE OF PROJECT:** ☐ Open Space ☐ Echo ☐ Residential ☐ Condominium
☐ Apartments ☒ Commercial ☐ Industrial ☐ PUD ☐ Hardship PUD

2. **TYPE OF APPLICATION:** ☐ Preliminary Site Plan ☐ Optional Conceptual Site Plan Review by Planning Commission
☐ Final Site Plan ☐ Combined - Preliminary/Final Site Plan
☒ Minor Site Plan ☐ Site Plan Amendment (less than 25% area of site being changed) ☐ Site Plan Amendment (26% or more or site being changed)

3. **PROJECT NAME:** Advanced Water Treatment Submittal Date: 9/3/2019

4. **PROJECT ADDRESS:** 7674 E M-36 Hamburg, Mi.

Tax Code Numbers: 15 - _____ 15 - _____ 15 - _____

15 - _____ 15 - _____ 15 - _____

☐ Metes & Bounds Parcel ☐ Subdivision _____ Lot Numbers: _____

Zoning District Classification: VC Floodplain Classification: _____

Number of Lots Proposed: _____ Acreage of Project: _____

5. **PROJECT DESCRIPTION:** MANUFACTURE & INSTALL ONE MONUMENT SIGN WITH A READER BOARD AND ONE ILLUMINATED WALL SIGN.

6. **OWNER/PROPRIETOR INFORMATION:**

Name: _____ Phone Number(s): _____
 Email: _____ Address: _____
 City: _____ State: _____ Zip: _____

He has already submitted his Paperwork

7. **APPLICANT:**

Name: SignFabricators / M. White Phone Number(s): 586-493-0502
 Email: DMASON@SignFabricators.com Address: 43984 Groesbeck Hwy.
 City: Clinton Twp. State: COM Michigan Zip: 48036

8. **DESIGNER INFORMATION:**

Name: Werkz Direct Phone Number(s): 248-924-5823
 Email: Curtis@Werkzdirect.com Address: 2738 E. Highland Rd.
 City: Highland State: Michigan Zip: _____

9. **SPECIAL USE PERMIT:**

Is a Special Use Permit required for this project? ☒ No ☐ Yes
 IF YES, Attach Special Use Permit Application Form with this site plan review application form

APPLICANT CERTIFICATION:

I hereby certify that all structures and uses for which this application is made shall conform to the Ordinances of Hamburg Township, Livingston County and the State of Michigan. All information submitted as a part of the site plan application is to my knowledge accurate. If the information is determined either now or in the future to be inaccurate any permits granted for the incorrect information shall be void and any structures built or uses approved may be in violation of the required ordinances and must otherwise be brought into compliance with all regulations.

I further agree that any deviation from the plans submitted or the breach of any additional safeguards, conditions or requirements the Hamburg Township may impose in granting this application shall constitute a violation of the Ordinance and invalidate the permit granted.

PROPERTY OWNERS SIGNATURE: _____ DATE: _____

*If an agent submits the project to the Township for the property owner a letter authorizing must be submitted.

WORK ORDER #

DATE

SITE ADDRESS

7674 E. M-36 Hamburg, MI

SIGN ORDINANCE

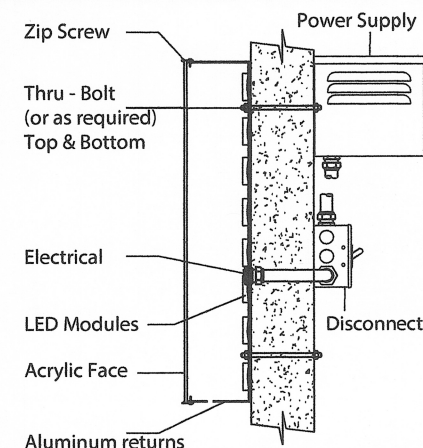
TYPE OF SIGN

Wall sign & ground sign

SIGN DETAILS

UL listed - LED lit
Aluminum construction

MOUNTING DETAIL



8'-0" X 2'-0" SIGN

CHANNEL LETTERING
BLUE ILLUMINATION



8'-0" X 6'-0"
DIGITAL SIGN

6' X 3' LED SCREEN
WIFI CONTROLLED
LED BACKLIT
ALUMINUM CABINET
LEXAN POLYCARBONATE COVER
CONCRETE FOOTING
POLE SETTING



ACCEPTANCE OF ARTWORK The drawing above is an artistic representation ONLY. Elements may vary based on field measurements.

This color proof is intended for verification of spelling, layout, color and composition.

(PLEASE HELP AVOID UNNECESSARY COSTS BY CHECKING THIS PROOF CAREFULLY.)

Signature constitutes authorization to proceed with specifications and conditions of this document as specified.

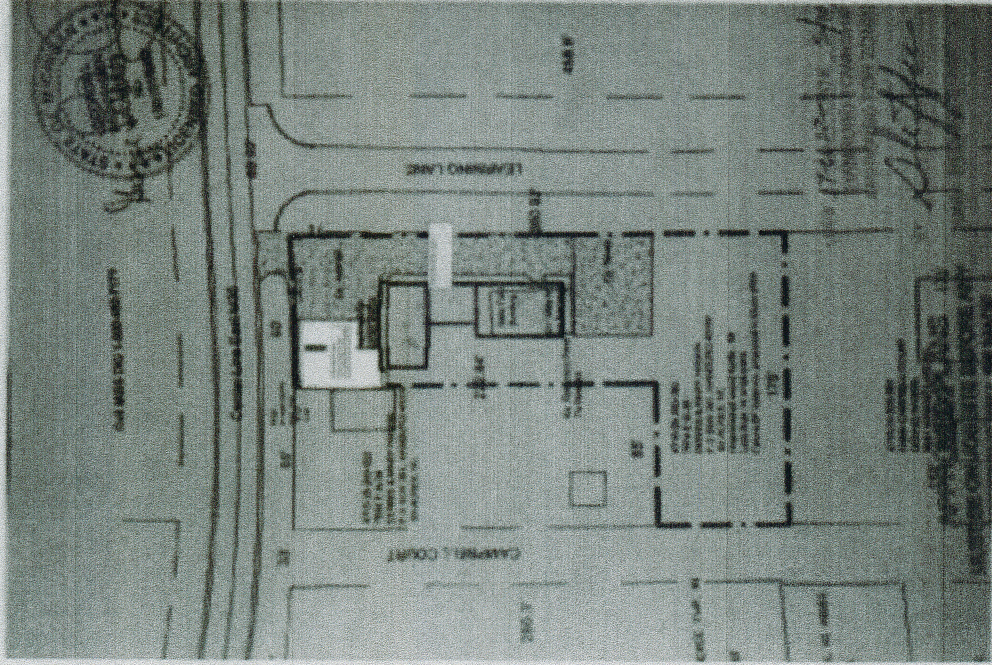
All artwork and designs are property of Sign Fabricators and may not be used without expressed written permission of Sign Fabricators.

Approval: _____ Date: _____

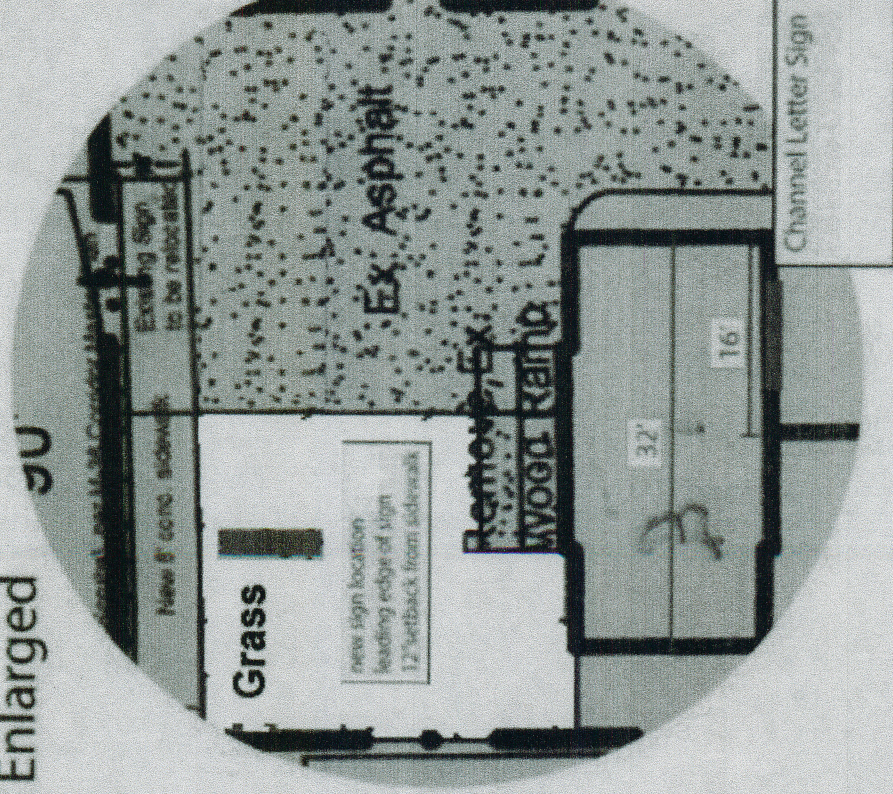


43984 Groesbeck Highway
Clinton Twp. MI 48036
Phone: 586-493-0502 Fax: 586-493-0503

e Plan



Enlarged



[Signature]
 Dennis Haskin
 517-404-5977

may not be to exact scale on mockup



DATE

SITE ADDRESS

7674 E. M-36 Hamburg, MI

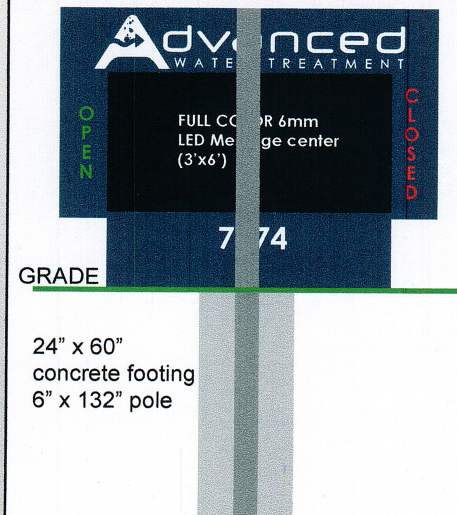
TYPE OF SIGN

Double Sided
Ground Sign with LED
Message Center

SIGN DETAILS

UL listed - LED lit
Aluminum construction
LED message center
integrated within cabinet
LED push thru lettering
made from 3/4" acrylic

MOUNTING DETAIL



ACCEPTANCE OF ARTWORK The drawing above is an artistic representation ONLY. Elements may vary based on field measurements. This color proof is intended for verification of spelling, layout, color and composition. (PLEASE HELP AVOID UNNECESSARY COSTS BY CHECKING THIS PROOF CAREFULLY.) Signature constitutes authorization to proceed with specifications and conditions of this document as specified. All artwork and designs are property of Sign Fabricators and may not be used without expressed written permission of Sign Fabricators.

Approval: _____ Date: _____



43984 Groesbeck Highway
Clinton Twp. MI 48036
Phone: 586-493-0502 Fax: 586-493-0503

may not be to exact scale on mockup



wall sign not to exceed 80% of linear frontage
linear frontage: 16 linear feet of frontage
80% of 16 = 12.8.....proposed sign 12.75 SF



ACCEPTANCE OF ARTWORK The drawing above is an artistic representation ONLY. Elements may vary based on field measurements. This color proof is intended for verification of spelling, layout, color and composition. (PLEASE HELP AVOID UNNECESSARY COSTS BY CHECKING THIS PROOF CAREFULLY.) Signature constitutes authorization to proceed with specifications and conditions of this document as specified. All artwork and designs are property of Sign Fabricators and may not be used without expressed written permission of Sign Fabricators.

Approval: _____ Date: _____

SITE ADDRESS

7674 E. M-36 Hamburg, MI

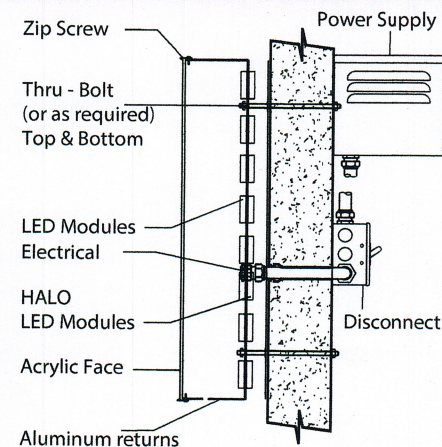
TYPE OF SIGN

Channel Letter Wall sign
Flush mounted with standoffs
for halo

SIGN DETAILS

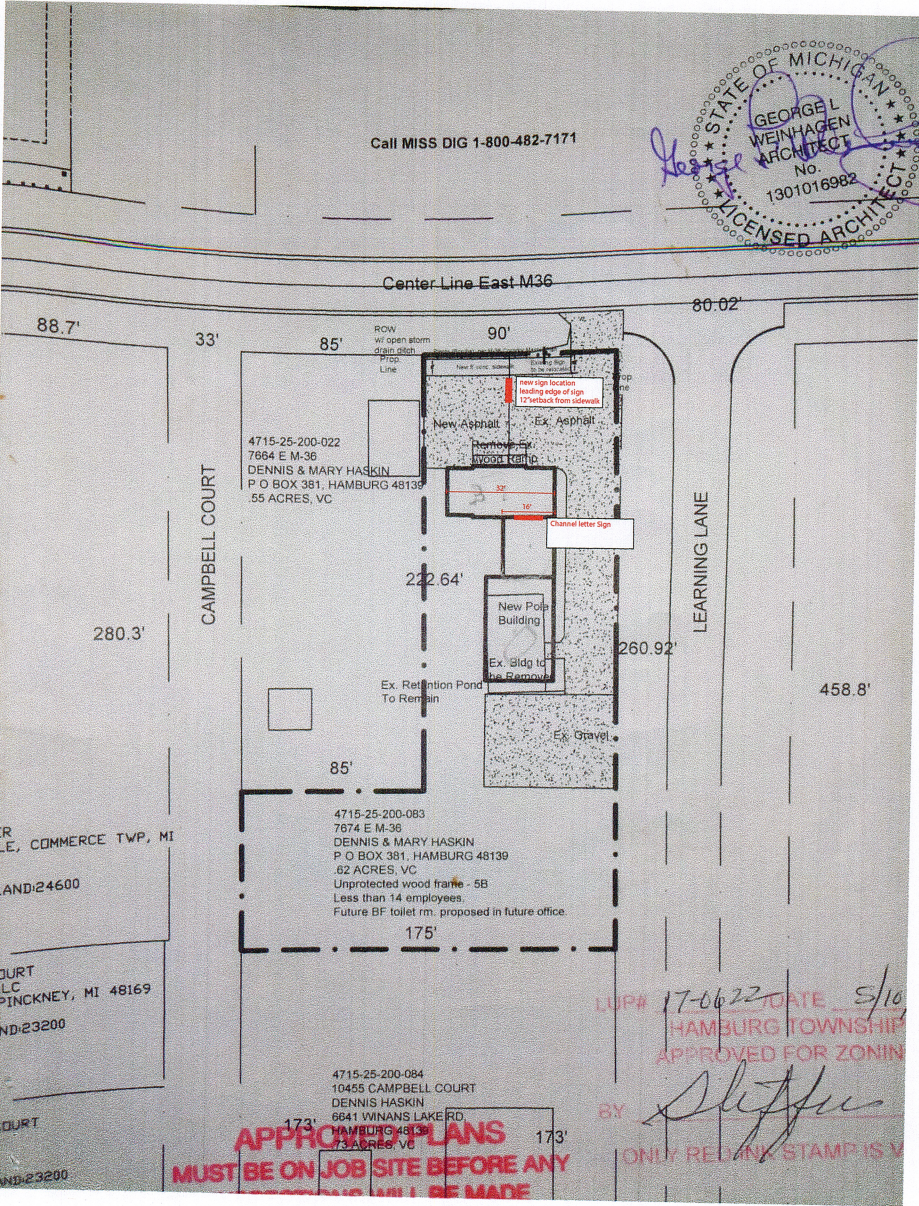
UL listed - LED lit
Aluminum construction
plastic faces
internally LED lit faces
Blue halo lighting behind
letters and capsule

MOUNTING DETAIL

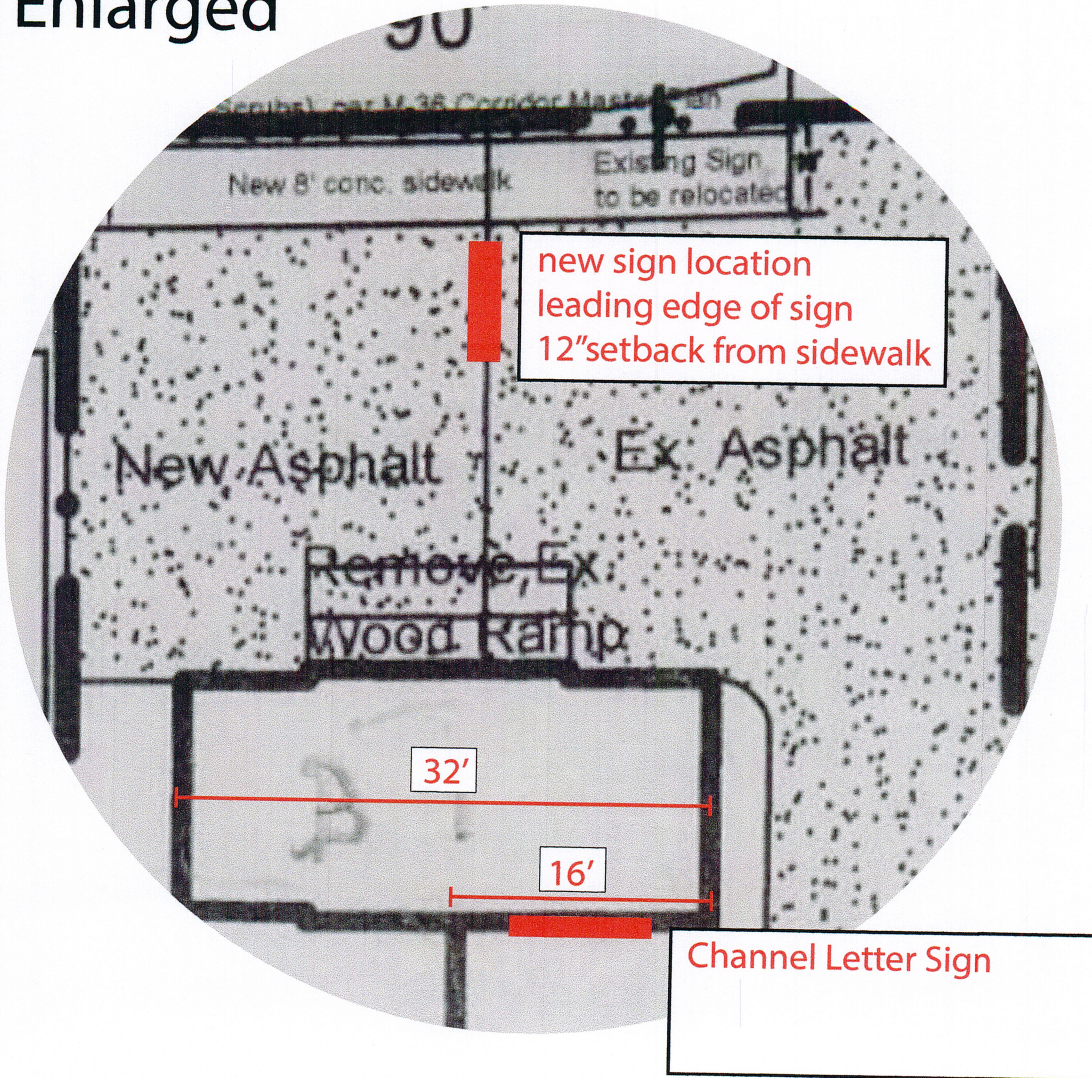


43984 Groesbeck Highway
Clinton Twp. MI 48036
Phone: 586-493-0502 Fax: 586-493-0503

Site Plan



Enlarged



PHONE: 810-231-1000
FAX: 810-231-4295



P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139-0157

To: Planning Commissioners

From: Scott Pacheco, AICP

Date: November 20, 2019

Agenda

Item: 7b

Re: ZTA19-008 Article 8, Section 8.3 Accessory Buildings and Structures

Project History:

On August 21, 2019 the Planning Commission held public hearing on four proposed zoning text amendments, all of which were recommended for approval. During this hearing the Planning Commission found an inconsistency in the Accessory Structure regulations under Article 8 Section 8.3.6. This inconsistency was created due to the Zoning Text Amendment (ZTA) 19-005 that revised the fence regulations in Article 8 Section 8.15 Fences, Walls and Screens. To simplify the fence regulations the revisions in ZTA 19-005 removed 8 foot fences along the rear property lines. With this revision 8 foot fences are no longer allowed, therefore the wall and fence regulations under Subsection 8.3.6 regarding pools in Section 8.3 Accessory Buildings and Structure were inconsistent. The Planning Commission request that staff prepare a zoning text amendment to revise the regulations for the fence height in 8.3.6 (C) to make them consistent with the approved fence regulations in ZTA 19-005.

Project Description:

Also at the August 21, 2019 Planning Commission meeting ZTA 19-007 was recommended for approval. This ZTA was also an amendment to Article 8, Section 8.3 Accessory Building and Structures. And removed the word patio from the list of items that could connect an Accessory Structure to the main building under Subsection 8.3.1.

Because this amendment was to the same section, Section 8.3 Accessory Buildings and Structures as tonight's proposed amendment, staff has not yet sent ZTA 19-007 to the Livingston County Planning Commission or the Township Board and instead combined ZTA 19-007 with the zoning amendment recommended tonight under a single zoning text amendment ZTA 19-008. (Exhibit A and B).

Zoning Text Amendment (ZTA 19-008) will remove the word patio from the list of items that could connect an accessory building or structure to a main building under subsection 8.3.1 and revise the regulations regarding walls and fences enclosing pools under Sub-Section 8.3.6 (C). The proposed revision is meant to clarify the intent of what creates an attached accessory building or structure and to make the wall and fence height regulations required for a wall or fence enclosing a pool consistent with the wall and fence height regulations in Article 8, Section 8.15 Fences, Walls and Screens.

Proposed Revisions to the Zoning Ordinance:

8.3.1 Authorized accessory buildings may be erected as part of the principal building; may be connected to the principal building by a roofed porch, ~~patio~~, breezeway, or similar structure; or may be completely detached from the principal building.

8.3.6 (C) A masonry wall or approved fence between four (4) and ~~eight (8)~~ **six (6)** feet in height shall enclose the pool. All openings in the wall or fence shall be equipped with self closing, self-latching gates or doors.

RECOMMENDATION:

Staff suggests that the Planning Commission consider the proposed amendment in terms of its own judgment on particular factors related to the individual proposal, the most likely effect on the community's physical development, and conformance with the Township Master Plan. The Planning Commission may recommend any additions or modifications to the proposed amendment. The Planning Commission should then make a recommendation to approve/deny the proposed Zoning Text Amendment to the Township Board.

Staff will forward the proposed zoning text amendment along with the Commission's recommendation to the Livingston County Planning Commission for review. Staff will then forward both the Township Planning Commission and the Livingston County Planning Commission recommendations to the Township Board for a final decision on the proposed amendment.

EXHIBITS

Exhibit A- Draft (~~redline~~) revisions to the attached accessory structure regulations

Exhibit B- Draft (clean version) revisions to the attached accessory structure regulations

Section 8.3 Accessory Buildings and Structures

Accessory buildings and structures, except as otherwise provided for in this Ordinance, shall be subject to the following provisions:

8.3.1 Authorized accessory buildings may be erected as part of the principal building; may be connected to the principal building by a roofed porch, ~~patio~~, breezeway, or similar structure; or may be completely detached from the principal building.

8.3.2 All accessory buildings shall meet front and side yard requirements, except where such accessory buildings are detached and located completely to the rear of the principal building, in which case an accessory building may be located no nearer than five (5) feet to any side lot line.

On a lot that abuts a water bodies if an accessory building is located between the principal structure and the front property (the property line that abuts the street) the accessory building may be located no nearer than fifteen (15) feet from the lot line which abuts the street and ten (10) feet from one side lot line and five (5) feet from the opposite side lot line.

If the existing structure on a lot that abuts a water body has non-conforming side yard setbacks and a side yard setback less than ten (10) feet is utilized for the accessory building, the smallest side yard setback on the accessory building shall be on the same side as the smallest side yard setback on the existing structure.

8.3.3 No accessory building shall be located nearer than five (5) feet to any rear lot line or occupy more than thirty (30) percent of any rear yard area.

8.3.4 An accessory building which is detached from the principal building shall not be located nearer than ten (10) feet to any separate building or structure on the lot.

8.3.5 On a corner lot in any Residential District, no accessory building shall be located nearer to the side street lot line than the side yard setback of the principal building on said lot. In all cases, the garage entrance shall be located to allow adequate sight distance and off-street parking. When the rear lot line forms a part or all of a side lot line of an adjacent lot, a garage shall be no nearer than five (5) feet to the rear lot line.

8.3.6 In Residential Districts, private swimming pools are permitted as an accessory use, provided that:

- A. They are accessory to an existing dwelling;
- B. The pool, including all connections and appurtenances, is located either:
 - 1. Entirely within a rear yard, maintains a minimum setback of five (5) feet from the rear and side property lines and pump and filter installations are located a minimum of ten (10) feet from the adjoining property lines; or
 - 2. Entirely within a side yard or partially within a side yard and rear yard and maintains a minimum setback from any property line equal to or greater than the required minimum rear yard setback as stated in Section 7.6.1., including

footnotes, for the zoning district in which it is located;

- C. A masonry wall or approved fence between four (4) and ~~eight (8)~~ six (6) feet in height shall enclose the pool. All openings in the wall or fence shall be equipped with self-closing, self-latching gates or doors.

8.3.7 In Residential Districts abutting a water body, docks are permitted on legal lots of record that have improved roadway access and spaces for onsite parking. Such docks may be located in the water but not nearer than five (5) feet from any side lot line where the land and dock intersect.

8.3.8 Detached accessory buildings located within Residential Districts which have a roof pitch less than 8:12 shall not exceed 14 feet in height, as defined. Detached accessory buildings located within Residential Districts which have an 8:12 pitched roof or greater shall not exceed 17 feet in height, as defined. This provision shall not apply to parcels of land containing five acres or more.

8.3.9 No accessory building or structure shall be permitted prior to the construction of the main building or structure.

8.3.10 Accessory Buildings, Structures and Uses in Waterfront Districts. In the Waterfront Residential District (WFR) and the Natural River Residential District (NR), accessory garage structure(s) may be placed on a separate lot of record than the principal structure if the following provisions are met and a permit has been issued by the Zoning Administrator:

- A. The lot upon which the principal building is located must be a waterfront or riparian lot.
- B. The garage can only be constructed on a non-waterfront lot.
- C. The accessory structure(s) can be used only for a garage or storage facility. Garages or storage facilities may not exceed a combined total of 800 square feet of ground floor area. One shed may be permitted in addition to the 800 square feet of accessory buildings.
- D. There shall be common ownership between the principal building or residence and lot being used for the garage.
- E. The lot upon which the principal building is located must not be more than 66 feet from the lot being used for the garage.
- F. The accessory structure(s) shall maintain all required front, side, rear yard setbacks and lot coverage regulations associated with a principal structure as specified in Section 7.6.1. Height shall conform with Section 8.3.8.

8.3.11 On lots that abut a water body in any zoning district other than Natural Rivers District, accessory structures are permitted within fifty (50) feet of the ordinary high water mark of any body of water if they meet the following requirements:

- A. They are less than 144 square feet in size.
- B. They are no greater than ten (10) feet in height; and

C. Provided all other regulations in the zoning ordinance are met.

8.3.12 All structures located within the Natural River District shall also comply with the requirements of Section 7.5.1 (G), Natural River District.

Section 8.3 Accessory Buildings and Structures

Accessory buildings and structures, except as otherwise provided for in this Ordinance, shall be subject to the following provisions:

8.3.1 Authorized accessory buildings may be erected as part of the principal building; may be connected to the principal building by a roofed porch, breezeway, or similar structure; or may be completely detached from the principal building.

8.3.2 All accessory buildings shall meet front and side yard requirements, except where such accessory buildings are detached and located completely to the rear of the principal building, in which case an accessory building may be located no nearer than five (5) feet to any side lot line.

On a lot that abuts a water bodies if an accessory building is located between the principal structure and the front property (the property line that abuts the street) the accessory building may be located no nearer than fifteen (15) feet from the lot line which abuts the street and ten (10) feet from one side lot line and five (5) feet from the opposite side lot line.

If the existing structure on a lot that abuts a water body has non-conforming side yard setbacks and a side yard setback less than ten (10) feet is utilized for the accessory building, the smallest side yard setback on the accessory building shall be on the same side as the smallest side yard setback on the existing structure.

8.3.3 No accessory building shall be located nearer than five (5) feet to any rear lot line or occupy more than thirty (30) percent of any rear yard area.

8.3.4 An accessory building which is detached from the principal building shall not be located nearer than ten (10) feet to any separate building or structure on the lot.

8.3.5 On a corner lot in any Residential District, no accessory building shall be located nearer to the side street lot line than the side yard setback of the principal building on said lot. In all cases, the garage entrance shall be located to allow adequate sight distance and off-street parking. When the rear lot line forms a part or all of a side lot line of an adjacent lot, a garage shall be no nearer than five (5) feet to the rear lot line.

8.3.6 In Residential Districts, private swimming pools are permitted as an accessory use, provided that:

- A. They are accessory to an existing dwelling;
- B. The pool, including all connections and appurtenances, is located either:
 - 1. Entirely within a rear yard, maintains a minimum setback of five (5) feet from the rear and side property lines and pump and filter installations are located a minimum of ten (10) feet from the adjoining property lines; or
 - 2. Entirely within a side yard or partially within a side yard and rear yard and maintains a minimum setback from any property line equal to or greater than the required minimum rear yard setback as stated in Section 7.6.1., including

footnotes, for the zoning district in which it is located;

- C. A masonry wall or approved fence between four (4) and six (6) feet in height shall enclose the pool. All openings in the wall or fence shall be equipped with self-closing, self-latching gates or doors.

8.3.7 In Residential Districts abutting a water body, docks are permitted on legal lots of record that have improved roadway access and spaces for onsite parking. Such docks may be located in the water but not nearer than five (5) feet from any side lot line where the land and dock intersect.

8.3.8 Detached accessory buildings located within Residential Districts which have a roof pitch less than 8:12 shall not exceed 14 feet in height, as defined. Detached accessory buildings located within Residential Districts which have an 8:12 pitched roof or greater shall not exceed 17 feet in height, as defined. This provision shall not apply to parcels of land containing five acres or more.

8.3.9 No accessory building or structure shall be permitted prior to the construction of the main building or structure.

8.3.10 Accessory Buildings, Structures and Uses in Waterfront Districts. In the Waterfront Residential District (WFR) and the Natural River Residential District (NR), accessory garage structure(s) may be placed on a separate lot of record than the principal structure if the following provisions are met and a permit has been issued by the Zoning Administrator:

- A. The lot upon which the principal building is located must be a waterfront or riparian lot.
- B. The garage can only be constructed on a non-waterfront lot.
- C. The accessory structure(s) can be used only for a garage or storage facility. Garages or storage facilities may not exceed a combined total of 800 square feet of ground floor area. One shed may be permitted in addition to the 800 square feet of accessory buildings.
- D. There shall be common ownership between the principal building or residence and lot being used for the garage.
- E. The lot upon which the principal building is located must not be more than 66 feet from the lot being used for the garage.
- F. The accessory structure(s) shall maintain all required front, side, rear yard setbacks and lot coverage regulations associated with a principal structure as specified in Section 7.6.1. Height shall conform with Section 8.3.8.

8.3.11 On lots that abut a water body in any zoning district other than Natural Rivers District, accessory structures are permitted within fifty (50) feet of the ordinary high water mark of any body of water if they meet the following requirements:

- A. They are less than 144 square feet in size.
- B. They are no greater than ten (10) feet in height; and

C. Provided all other regulations in the zoning ordinance are met.

8.3.12 All structures located within the Natural River District shall also comply with the requirements of Section 7.5.1 (G), Natural River District.



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

November 4, 2019

RE: 2020 Planning Commission meeting dates.

The Planning Commission regular meetings are held on the third Wednesday of each month at 7 pm. Below are the scheduled meeting dates for 2020.

January 15

February 19

March 18

April 15

May 20

June 17

July 15

August 19

September 16

October 21

November 18

December 16