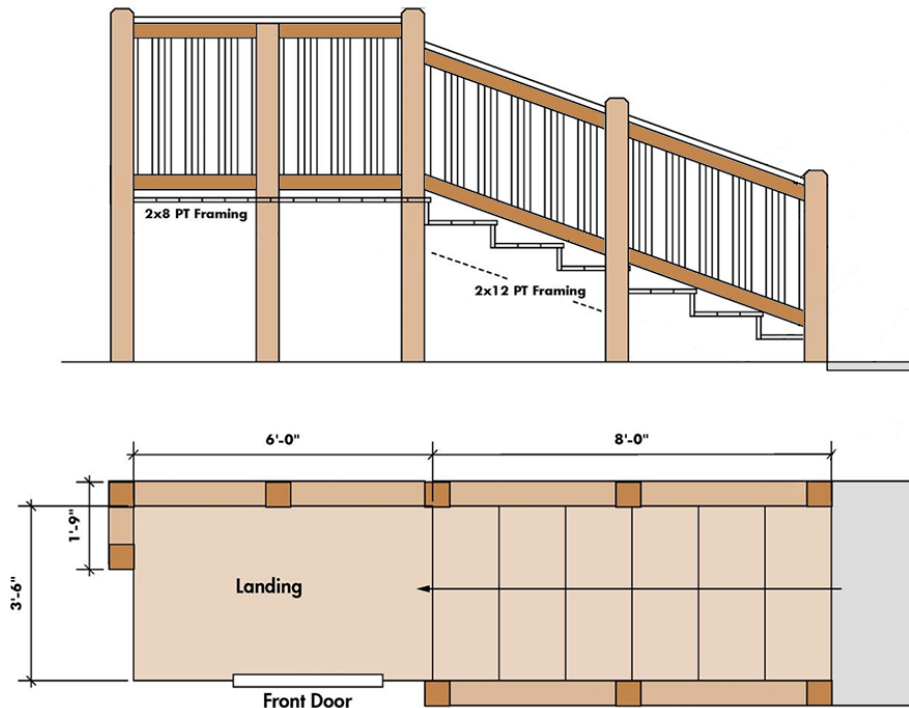


# Sample Building Plans (Floor and Elevation)



## Decks, Balcony, Patio, Terrace - Zoning Requirements



### ZONING ORDINANCE -Chapter 36: [Article I](#) [Section 36-6- DEFINITIONS](#)

**Balcony:** A platform elevated over 24 inches in height, no part of which is roofed, which is five (5) feet or less in any horizontal direction and which is commonly projecting from the wall of a building. A balcony may be cantilevered from the building or attached to the ground.

**Deck:** A platform 24 inches in height or less above grade at any point, no part of which is roofed, and is more than five (5) feet in any horizontal direction. A deck may be cantilevered from the building or attached to the ground.

**Elevated Deck:** A platform over 24-inches in height above grade at any point, with no part of which is roofed, and which is more than five (5) feet in any horizontal direction. An elevated deck may be cantilevered from the building or attached to the ground.

**Patio:** An improved recreation area which is commonly made of pavement or pavers, no part of which is roofed.

Cont'd...

**Hamburg Township  
Planning and Zoning Dept  
PO BOX 157  
10405 Merrill Road  
Hamburg, MI 48139  
Phone: (810) 231-1000 Ext. 231  
[planning@hamburg.mi.us](mailto:planning@hamburg.mi.us)**

Revised: April 2023

	2023 LAND USE PERMIT FORM	Hamburg Township Zoning Depart 10405 Merrill Rd., P.O. Box 157 Hamburg, MI 48139 (810) 231-1000
	ADDRESS/TAX IDENTIFICATION NUMBER: (Location where work will be conducted). Address: _____ City: _____ State: _____ Zip: _____ Tax ID# _____	
OWNER of Property listed above: Name: _____ Phone Number(s): _____ Address: _____ City: _____ State: _____ Zip: _____ E-Mail: _____		
CONTRACTOR (Entity doing the work): <i>if homeowner, just write in SELF.</i> Name: _____ Phone Number(s): _____ Address: _____ City: _____ State: _____ Zip: _____ E-Mail: _____		
TYPE OF LAND USE Permit: <input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Accessory Structures (Car Port, Garage, Gazebo, Green House, Pergola, Shed, Swimming Pool) <input type="checkbox"/> Addition or remodel <input type="checkbox"/> Deck <input type="checkbox"/> Demolition of structure (need utility turn-off letters) <input type="checkbox"/> Fences <input type="checkbox"/> Grading <input type="checkbox"/> Gutters <input type="checkbox"/> Mechanical (Air Conditioner, Generator, Heater, Jacuzzi, Solar Panels) <input type="checkbox"/> New Home <input type="checkbox"/> Patio & Porch <input type="checkbox"/> Roofing / Siding Windows & Doors		
DESCRIBE WORK TO BE DONE: _____ _____ _____		

## DEFINITIONS– Cont...

**Stoop or Steps:** A projection from the entrance to a building, five (5) feet or less in any horizontal dimension, which may include a landing, steps, and roof (attached only to the building such as an awning).

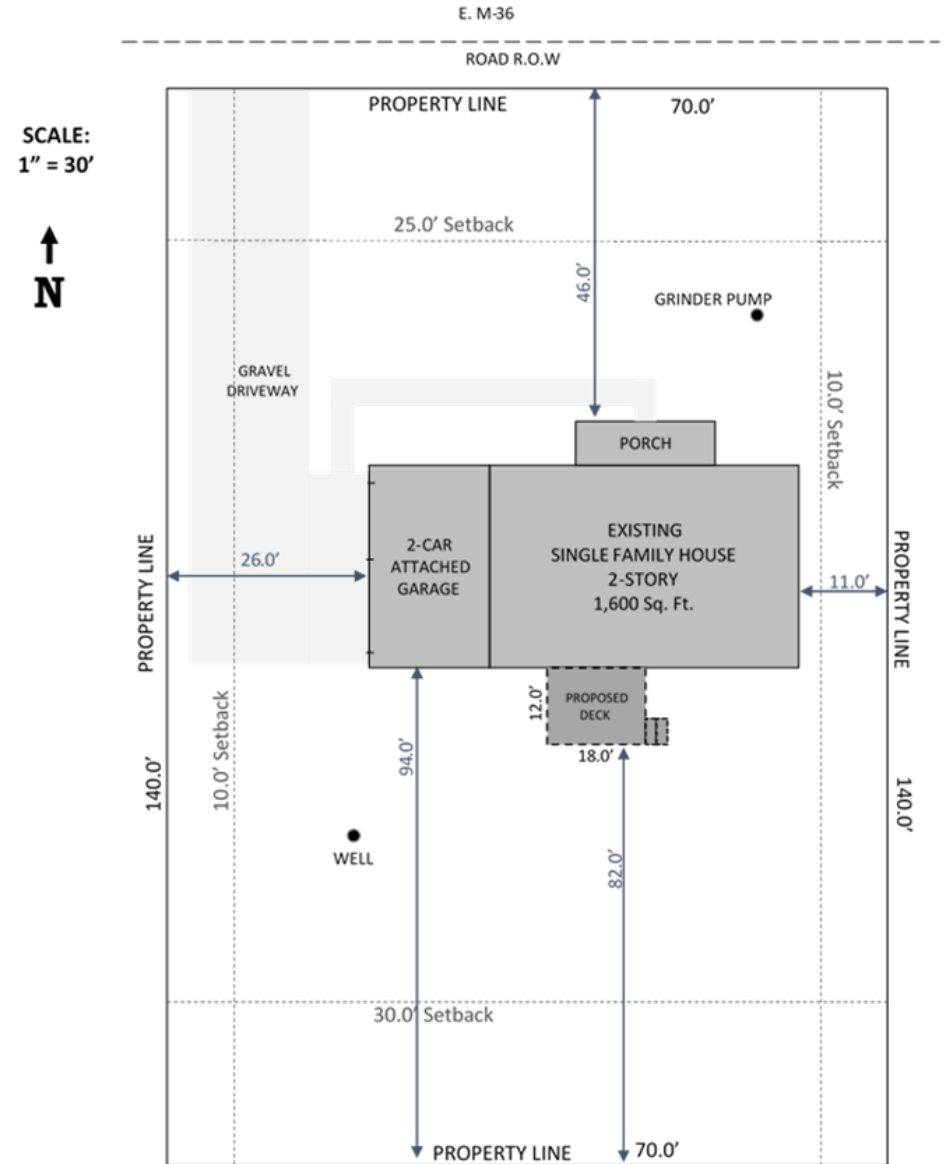
## ZONING CODE REGULATIONS

### Section 36-230 Yard Encroachments

The following shall apply to all buildings and structures, whether temporary or permanent.

- (1) Deck, Terraces and patios may project into a required yard provided that such structures are:
  - a. Unroofed and without walls or other continuous enclosure.
  - b. That no such structure shall be permitted nearer than five (5) feet to any lot line.
  - c. That such areas and structures may have open railings or fences not exceeding three (3) feet in height.
  - d. That such structures may have noncontiguous windbreaks, visual screens, or walls not exceeding eight (8) feet in height in a rear yard, or four (4) feet in height in a front or side yard, and not enclosing more than one-half the perimeter of said deck, terrace, patio, or similar structure.
- (2) Elevated Decks and balconies may project into a required yard a distance not to exceed six (6) feet, provided:
  - a. That such structure shall not be permitted within eight (8) feet of any lot line.
  - b. That no building shall have more than one (1) such elevated deck or balcony in any one (1) yard.

## Sample Plot Map



Cont'd...

5. After you turn in all your paperwork, it will be processed through the appropriate departments and then our inspector will go out to do a site inspection. **(You do not need to be home for us to do our inspection)** Once an inspection has been done and the plans have been reviewed by the Zoning Administrator you will receive a call indicating that your permit is ready for pickup at the Zoning Department. The fee is \$40 for this Land Use Permit.

6. Unfortunately, **we currently do not have an online system to pay for permit fees.**

You can either pay for your permit fees **in person**, bring 3 copies of your submittals with a check made out to “Hamburg Township” for \$40, or pay with cash or a credit (debit card). There will be a 2.8% fee for card usage.

OR- You could **postal mail** a check made out to “Hamburg Township” for \$40, mailing 1 copy of submittals to: Hamburg Township, ATTN: Planning & Zoning Dept., P.O. Box 157, Hamburg, MI 48139. We can’t release your permit until your fee payment is received. We can email your stamped, approved plans and land use permit once complete.

5. Once you receive your land use permit from Hamburg Township, you will need to go to the Livingston County Building Department with the permit and 2 stamped copies of the approved site plan to (2300 East Grand River, Howell, MI, Ph-517- 546-3240).

8. When you are finished with your project, check your Land Use Permit under **“Requirements for Final Zoning Compliance”**. Any items that are checked off need to be completed before you call us for your final inspection.

8. After you have taken care of any outstanding compliance items, you should call us and request a final inspection at 810-222-1000 (ext. #222). Or email [planning@hamburg.mi.us](mailto:planning@hamburg.mi.us)

c. That such areas and structures may have open railings or fences not exceeding three (3) feet in height.

d. That such structures may have non-continuous windbreaks, visual screens, or walls not exceeding eight (8) feet in height in a rear yard, or four (4) feet in height in a front or side yard, and not enclosing more than one-half the perimeter of the elevated deck, or balcony.

(3) Unenclosed or enclosed porches and other enclosed appurtenances to a principal building shall be considered an integral part of the building to which they are attached and shall be subject to all yard requirements thereof.

(4) Chimneys, flues, belt courses, sills, pilasters, bay windows, awnings, approved signs, window air conditioners, cornices, eaves, gutters, and similar features may project into any required yard a maximum of twenty four (24) inches.

(5) Unenclosed and unroofed fire escapes, outside enclosed or unenclosed stairways, and excavated stairways may project into any required yard a maximum of five (5) feet.

(6) Accessory structures and buildings, including gazebos, decks, terraces, patios and similar features, which are not attached to a principal building, shall comply with the requirements of **Section 36-215**, *Accessory Buildings and Structures*.

(7) Access drives may be placed in the required front, side, or rear yards so as to provide access to rear yards or accessory or attached structures. Further, any walk, terrace or other pavement serving a like function, shall be permitted in any required yard, providing the pavement is no higher than nine (9) inches above grade.

(8) Stoops or steps must lead to an exterior entrance to a building and shall not encroach into any required yard more than five (5) feet.

Cont’d...

(9) Decks, Patios, and Terraces may abut a waterbody and the following conditions shall apply: *(Amended 5/14/91)*

- a. Said structures shall not exceed 12 inches in height above the average surrounding grade.
- b. Yard coverage shall not exceed 30 percent for all structures on the lot including the principal building.
- c. The horizontal distance of said structures shall not exceed 50 percent of the width of the lot line that abuts the waterbody.
- d. Said structures shall be at least five (5) feet from a side lot line.
- e. Said structures shall not extend over the water more than 24 inches. This provision shall not apply to seasonal docks.
- f. Railings shall not exceed 3 feet in height and shall not obstruct view by more than 30 percent.

(10) Mechanical Equipment on residential properties may project into any setback of a required yard setback by a maximum of four feet provided:

- a. The noise regulations of [Section 36-285](#) of the Zoning Ordinance and Ordinance 94-A, the noise ordinance, shall be met;
- b. The said mechanical equipment shall be located closer to the subject building than building on surrounding properties; and,
- c. The said mechanical equipment shall be sufficiently screened from offside views either by a vegetated screen or visual screen as deemed appropriate by the Township Zoning Administrator.

## DECK, BALCONY, PATIO, TERRACE- LAND USE PERMITTING PROCESS

(Always start at the township first, if you go to the county they will send you back to the township)

1. A COMPLETED LAND USE PERMIT [APPLICATION FORM](#).
2. Three (3) copies of your site (plot) plan - showing distances from your project to the property lines; well, septic or grinder pump location, structures on the property etc. (see example site plans) . Also building plans showing deck elevations against house, with a description of the proposed project on the land use application form. *See example on next page.*
  - Lot corners must be **CLEARLY** staked.
  - Lot lines must be marked with string for accurate lot line identification (when applicable).
  - Project corners must be **CLEARLY** staked and the building perimeter footprint marked with string (when applicable).
  - Lot must be **CLEARLY** identified with an address sign visible from the roadway.
4. Your project **must be staked prior to our inspection**, if not, a \$25.00 re-inspection fee will be added to the cost of your land use permit.
5. If you are a contractor, or you are pulling a permit on someone else's behalf, we require a [Letter of Authorization](#) or a copy of the **signed contract** that has been signed by both the owner and the contractor.