

Waverly Township
Planning and Zoning Commission
Regular Meeting – Waverly Township Hall
Approved AGENDA
11-Sep-06
7:00 PM

1. Call to Order / Introductions
2. Agenda – additions/corrections/approval
3. Minutes of 14-Aug-06 – corrections/approval
- ~~4. Report on Township Board Meeting: John Ruiters~~
5. Accessory Buildings – Discuss draft change proposal(s)
6. Michigan Zoning Enabling Act – PA 110 of 2006: Pat Hudson
Discussion of changes required to Waverly Township zoning ordinance and recommended plan of attack.
7. Future Land Use Plan: Pat Hudson
Review final text incorporating changes agreed to at August meeting. Take action to forward Plan for Board approval.
8. New Business
9. Public Comments
10. Commissioner Comments
11. Adjourn

MINUTES

WAVERLY TOWNSHIP

PLANNING AND ZONING COMMISSION

Regular Monthly Meeting-Waverly Township Hall

September 11, 2006

Members Present: Larry Chase, Kathleen Crook, Mike La Pine, Joe Mayo, and ~~John Ruiter~~

Members Absent: Dave Foerster, Carl Juk, and **John Ruiter**

Visitors:	Gary Ewert	Maddie Ewert
	Diane Julien	Bob Harrison
	Bernard Wilfong	Bernard Wilcox
	Nathan Lynch	Jim Hooper
	Pat Hudson	

The meeting was called to order by Vice Chairman Kathleen Crook at 7:00 PM.

Joe Mayo moved to delete Item 4- Township Board Meeting Report and to make Item 7- Accessory Buildings the new fourth item of business. Mike La Pine seconded the motion. Passed unanimously.

Larry Chase moved to accept the Agenda. Second by Joe Mayo. Passed unanimously.

Joe Mayo moved to accept the Minutes of the August 14, 2006 meeting. Second by Mike Lapine. Passed unanimously.

Accessory Buildings

Kathleen Crook opened the discussion of Accessory Buildings by reading the proposed change to Section 10.02 A. (Accessory Building - A detached subordinate building or structure on the same premises with a main building, occupied or devoted to an accessory use which is appropriate, supplemental and customarily related to the use of the main building or premises. Attached garages, carports, covered porches or other structures attached to the main building in a substantial manner by a wall or a roof are considered part of the main building and not as an accessory building) “ Joe Mayo pointed out that this definition excluded attached garages as accessory buildings. Current zoning considers them as accessory buildings.

Bernard Wilfong asked if there was a limit of one attached garage. Pat Hudson said no. Larry Chase pointed that Section 4.01 Item C.1.a (Attached garages and carports shall not exceed 625 square feet or 50% of the footprint area of the dwelling, whichever is greater.

The height of such attachments shall not be permitted to exceed the height of the principal building.) limits the size of the attached garage thus limiting the size and number of attached garages to a home.

Tony Millek said that he did not like Section 10.03 B (Building, Footprint - The calculated square footage of any building or structure based upon the footprint of the foundation or main floor whichever is larger, and which include any overhangs which are supported by posts or additional foundation support.) He felt that this was a way to increase taxes by expanding the area considered as the Footprint. He also did not like the definition in Section 10.08 G.(Garage, Private - A building or other structure designed for the housing of automobiles and having capacity for not more than three (3) automobiles.) Pat Hudson stated that these definitions are needed to determine the size of a dwelling which determines the maximum size that a garage may be and to define what constitutes a garage. These have no bearing on taxes.

Larry Chase wanted to exclude AG and HC from inclusion in Section 4.02 A. 1. (Accessory structures and buildings shall be permitted in R1, R2, R3, HC and AC districts on parcels of land consisting of two (2) or more acres of land subject to the following limitations:). A lengthy discussion followed. The consensus of the Commission was to have these proposed ordinances apply to R3 only.

A committee of the whole followed which discussed the size and number of accessory buildings allowed on parcels of varying sizes. The following chart was agreed upon:

Lot Size	Number of Allowed Buildings	Max Sidewall	Max Building Height	Size Limitations for Building Footprint
Less than 1 acre (<43560 sq. ft.)	1 accessory building	8 ft.	14 ft.	24 ft. max X 30 ft. max (720 sp. ft.)
More than 1 acre less than 3 acres (43,561 sq. ft. to 130,680 sq. ft.)	1 st accessory building	14 ft.	22 ft.	225 sq. ft. per each 1/4 acre of parcel size. (This is combined total area of all accessory buildings.)
	2 nd accessory building	14 ft.	22 ft.	
More than 3 acres less than 5 acres (130,681 sq. ft. to 217,800 sq. ft.)	Maximum of 3 accessory buildings	14 ft.	22 ft.	225 sq. ft. per each 1/4 acre of parcel size. (This is combined total area of all accessory buildings.)
More than 5 acres (>217,800 sq. ft.)	no limit	no limit	no limit	225 sq. ft. per each 1/4 acre of parcel size. (This is combined total area of all accessory buildings.)

Proposed changes read as follows:

Section 4.01 – Minimum Dwelling Size (Proposed)

A. The minimum size of dwelling units shall be 980 square feet of floor area per dwelling unit in original size without additions ***and excluding attached garages, carports or porches***; the minimum width of a dwelling unit shall be a minimum of twenty four (24) feet along its entire length, in all districts.

C. Minimum requirements for dwellings outside of mobile home parks. All dwelling units located outside of mobile home parks shall comply with the following requirements:

1. All dwelling units shall provide a minimum height between the floor and ceiling of seven and one-half (7.5) feet; or if a mobile home, it shall meet the requirements of the United States Department of Housing and Urban Development Regulations, entitled Mobile Home Construction and Safety Standards, effective June 15, 1976, as amended.

a. Attached garages and carports shall not exceed 625 square feet or 50% of the footprint area of the dwelling, whichever is greater. The height of such attachments shall not be permitted to exceed the height of the principal building.

b. Attached garages, carports, covered porches or other roofed structures shall be made structurally a part thereof, and shall comply in all respects with the requirements applicable to the principal building.

. Section 4.02 - Accessory Structures and Buildings (Proposed)

A. Accessory structures or buildings which are customarily accessory to specified principal uses for the zoning district in which they are located shall be permitted subject to the following regulations:

1. Parcels in R3 districts may have accessory structures and buildings subject to the following limitations:

Lot Size	Number of Allowed Buildings	Max Sidewall	Max Building Height	Size Limitations for Building Footprint
Less than 1 acre (<43560 sq. ft.)	1 accessory building	8 ft.	14 ft.	24 ft. max X 30 ft. max (720 sp. ft.)
More than 1 acre less than 3 acres (43,561 sq. ft. to 130,680 sq. ft.)	1 st accessory building	14 ft.	22 ft.	225 sq. ft. per each 1/4 acre of parcel size. (This is combined total area of all accessory buildings.)
	2 nd accessory building	14 ft.	22 ft.	
More than 3 acres	Maximum of 3	14 ft.	22 ft.	

less than 5 acres (130,681 sq. ft. to 217,800 sq. ft.)	accessory buildings			225 sq. ft. per each 1/4 acre of parcel size. (This is combined total area of all accessory buildings.)
More than 5 acres (>217,800 sq. ft.)	no limit	no limit	no limit	225 sq. ft. per each 1/4 acre of parcel size. (This is combined total area of all accessory buildings.)

Section 4.02 A 1. a. through d. deleted

Section 4.02 A. 2. deleted

Section 4.02 A. 3. deleted

Section 4.02 A. 3 added as follows:

3. In an R district wherein animals are kept at a density of more than 1.0 unit per 2 acres (Section 10.02 - Animal Unit), buildings wherein animals are kept shall be located at least one hundred (100) feet from all adjacent dwellings or any other adjacent buildings used by the public.

Section 4.02-A. 4. changed as follows:

4. Accessory structures and buildings shall be located in the side yard or rear yard. Where land abuts a body of water and the front yard is considered the waterfront yard, accessory buildings may be allowed in the yard between the main building and the road. An accessory structure or building, shall not be closer than ten (10') feet to the principal building, and shall meet all setback requirements of the district in which it is to be erected, moved, altered or used. No building shall be built closer to front lot line than the required front setback line of the principal dwelling

Section 4.02-A. 5. changed as follows:

5. A maximum of twenty-five (25%) percent of the required rear yard area may be used for structures and buildings that otherwise meet the size requirements of this section.

Section 4.02-A. 6 changed as follows:

6. Accessory structures or buildings shall not be used in any part for residential dwelling purposes or commercial activities and are intended only for typical accessory functions associated with the applicable district

Section 4.02-A. 7. changed as follows:

7. Accessory structures or buildings shall be located twenty (20') feet from the side property line and twenty (20') feet from the rear property line when the structure is located more than twenty (20') feet to the rear of the principal structure. Otherwise, said structure shall meet the minimum yard requirements and set backs of the applicable district.

Section 4.02-A. 9.

9. Structures not physically connected to the dwelling by a common wall or roof shall be deemed as accessory building for the purpose of this ordinance. Attached garages, carports, covered porches or other roofed structures shall be considered part of the principal use or dwelling.

Section 4.02-A. 10. changed as follows:

10. A limit of up to two (2) separate accessory buildings in addition to those defined in the table in paragraph 1 of this section, of 200 square feet or less in floor area, shall be exempt from this ordinance, except as to setbacks, and will not be subject to a building permit or a zoning permit.

Section 4.02-A. 11 was deleted

Section 10.02-(“A”)

Accessory Building - A detached subordinate building or structure on the same premises with a main building, occupied or devoted to an accessory use which is appropriate, supplemental and customarily related to the use of the main building or premises. Attached garages, carports, covered porches or other structures attached to the main building in a substantial manner by a wall or a roof are considered part of the main building and not as an accessory building

Section 10.03-(“B”)

Add definition between Building, Existing and Building, Height:

Building, Footprint - The calculated square footage of any building or structure based upon the footprint of the foundation or main floor whichever is larger, and which include any overhangs which are supported by posts or additional foundation support.

Section 10.08- (“G”)

Garage, Private - A building or other structure designed for the housing of automobiles.

Section 10.08-(“S”) Deleted.

Michigan Zoning Enabling Act

Discussion of this item was postponed until the next meeting.

Future Land Use Plan

Pat Hudson presented the final text incorporating edits agreed to at the August 14, 2006 planning meeting. Joe Mayo moved that the Commission forward the Future Land Use Plan, as edited, to the Township Board with a recommendation for adoption. Second by Mike La Pine. Motion passed unanimously.

New Business

Under new business Marvin Henry requested to have some of his property at M-40 and M-43 rezoned commercial.

Tony Millek stated that the proposals discussed tonight were not the same as the proposals discussed at earlier meetings.

Mike La Pine moved to adjourn the meeting. Joe Mayo seconded. Passed unanimously.

Meeting adjourned at 10:00 PM.

Respectively submitted

Larry Chase
Recording Secretary.