

Waverly Township  
**Planning and Zoning Commission**  
Regular Meeting – Waverly Township Hall

**AGENDA**

13-Nov-06

7:00 PM

1. Call to Order / Introductions
2. Agenda – additions/corrections/approval
3. Minutes of 9-Sep-06 – corrections/approval
4. Report on Township Board Meeting: John Ruiter
5. Michigan Zoning Enabling Act – PA 110 of 2006: Pat Hudson
  - Discussion of changes required to Waverly Township zoning ordinance and recommended plan of attack.
6. Planning Commission Comprehensive Report: Discussion
7. Accessory Buildings – Finalize draft ordinance
8. New Business
  - Zoning Ordinance on the web – discussion
  - Requests to consider additional commercial parcels in Future Land Use Plan - discussion
9. Public Comments
10. Commissioner Comments
11. Adjourn

MINUTES

WAVERLY TOWNSHIP

PLANNING AND ZONING COMMISSION

Regular Monthly Meeting-Waverly Township Hall

November 13, 2006

Members Present: Larry Chase, Kathleen Crook, Diane Julien, Mike La Pine, Joe Mayo, and Dave Foerster.

Members Absent: John Ruiter.

Visitors: Louie Barkovich, Bernie Wilfong  
Pat Hudson, Zoning Administrator

Meeting called to order by Chairman Dave Foerster at 7:00 PM.

Dave announced that Carl Juk has resigned from the Planning and Zoning Commission. Diane Julien has been appointed to fill his term, which expires in May 2007. The Commission thanks Carl for his service and welcomes Diane as a new member.

Agenda: Joe Mayo moved to approve the agenda and Mike seconded. Accepted unanimously.

September Minutes: The proposed minutes were accepted with the following changes: John Ruiter was noted as absent; motion passed to recommend adoption of the Future Land Use Plan after reviewing final edits; discussion of PA 110 postponed to next meeting.

Board Report: The board approved the Future Land Use Plan with a few changes. Pat Hudson will make those changes and send to the Board. The Board also approved a Farmland Preservation survey to be included in the newsletter that goes out with tax notices. The Commission was asked if anyone would like to serve on the Zoning Appeals Board. There is an opening for a Member and an Alternate Member. Larry Chase had previously indicated his willingness to serve.

Public Act 110: Pat Hudson discussed Public Act 110 and its effect on zoning ordinances. Some items can be addressed with editor's notes; others would need a public hearing before they could be changed. Pat will elaborate on this document and it will be discussed and acted upon at a future meeting.

Planning Commission Report: The Commission report must be submitted by December. It will contain a report on items from this past year and an agenda for 2007. Items discussed to include in that agenda:

1. More Commercial Zoning along M-43. This item suggested by Fay Dorr.
2. Home businesses-controls and zoning.
3. Incompatibilities between zoning districts in Section 3 of the Zoning Regulations.
4. Definition Section of Zoning Regulations

Accessory Buildings: Covered current conditions in a handout. (See attachment 1) The building size chart was discussed. Joe Mayo moved to include HC and A in this chart. Mike Lapine seconded. 4 yes, 1 no. This chart will be applied to R1, R2, R3, HC and A. After some further discussion a final draft was approved. (See attachment 2 for finished document.) A Public Hearing will need to be held to cover the changes to the Accessory Building regulations. Mike moved that such a meeting be scheduled. Second by Kathleen Crook. Passed unanimously.

Meeting adjourned at 9:25 PM.

Respectively submitted

Larry Chase  
Recording Secretary

Attachment 1 – Accessory Building Regulations – Current Conditions  
Attachment 2 – Proposed change to Waverly Township Ordinance 6, Zoning Ordinance,  
Accessory Building Regulations

### *Accessory Building Regulations – Current Conditions*

Several lake front property owners in old plats want to have larger accessory structures. They either have purchased additional property across the street from the lot where their house is located or they had double size lots to begin with.

There are also complaints that the 1,280 sq ft and 720 sq ft limits are too restrictive given the following statistics:

- Average vehicle size (SUV and motor homes) has risen dramatically during the last ten years.
- Average number of vehicles per household has increased (typically 3).
- People generally have more “toys” – boats, snowmobiles, riding lawnmowers, bicycles, motorcycles, jet-skis, etc.

Average vehicle size:

- SUVs are now about 7 x 18 and the doors open 3 feet either side and to the rear. If you add 2 feet to get around the open doors then, space required would then be 14 x 24. Thus a three stall garage would need to be 42 x 24 or 1,008 sq ft.
- The larger motor homes tend to be 36 feet long and 8 feet wide.  $8 \times 36 = 288$  sq ft. Thus, 42 x 40 (1,680 sq ft) might not be so unreasonable for some people.

***Proposed change to Waverly Township Ordinance 6, Zoning Ordinance, Accessory Building Regulations***

**Section 3.09 - Schedule of District Regulations – HC**

Principal Uses:

*Replace 6. with the following:*

6. Accessory structures and buildings which shall comply with Section 4.02 entitled Accessory structures and buildings.

**Section 4.01 – Minimum Dwelling Size**

*Replace 4.01 A with the following:*

- 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.
- B. *Paragraph B – no change*

*Replace 4.01 C with the following:*

- 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.
  2. *No change to this or subsequent requirements of Section 4.01*

**Attachment 2 – Waverly Planning and Zoning Minutes 13-Nov-2006**

*Replace Section 4.02 in its entirety with the following:*

**Section 4.02 - Accessory Structures and Buildings**

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. Accessory structures and buildings shall be permitted in R1, R2, R3, HC and A districts subject to the following limitations:

<b>Parcel Size</b>	<b>Number of Allowed Buildings</b>	<b>Maximum side wall</b>	<b>Maximum building height</b>	<b>Size Limitation for Building Footprint</b>
<b>Less than one (1) acre (&lt;43,560 sq. ft.)</b>	One (1) accessory building	Eight (10) feet	Fourteen (14) feet	Maximum 24 feet x maximum 30 feet (720 sq ft)
<b>More than one (1) acre but less than three (3) acres (43,561 sq. ft. to 130,680 sq. ft.)</b>	Maximum of two (2) accessory buildings	Fourteen (14) feet	Twenty-two (22) feet	225 sq. ft. per each ¼ acre of parcel size. (This is combined total area of all accessory buildings.)
<b>More than three (3) acres but less than five (5) acres (130,681 sq. ft. to 217,800 sq. ft.)</b>	Maximum of three (3) accessory buildings	Fourteen (14) feet	Twenty-two (22) feet	225 sq. ft. per each ¼ acre of parcel size. (This is combined total area of all accessory buildings.)
<b>More than five (5) acres (&gt;217,800 sq. ft.)</b>	No limit	No limit	No limit	225 sq. ft. per each ¼ acre of parcel size. (This is combined total area of all accessory buildings.)

2. In an R district wherein animals are kept at a density of more than 1.0 unit per two (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.

3. 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.

4. 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.

5. 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.

## Attachment 2 – Waverly Planning and Zoning Minutes 13-Nov-2006

7. Accessory structures or buildings shall meet the setbacks of the principal structure in the applicable districts. In the R1, R2 and R3 zoning districts, any accessory structure over 720 square feet in area must be set back at least twenty (20) feet from any side or rear property line.
8. 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.
9. 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.

*Replace or add definitions in Section 10 as follows:*

### **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 10.19 – (“S”)**

Shed – See Accessory Building