

HOWELL TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

3525 Byron Road

Howell, MI 48855

May 28, 2024

6:30 pm

1. Call to Order
2. Roll Call: () Wayne Williams - Chair () Paul Pominville
 () Robert Spaulding – Vice Chair () Tim Boal
 () Mike Newstead – Secretary () Chuck Frantjeskos
 () Matthew Counts – Board Rep.
3. Pledge of Allegiance
4. Approval of the Agenda:
 Planning Commission Regular Meeting: May 28, 2024
5. Approval of the Minutes:
 Regular Meeting April 23, 2024
6. Zoning Board of Appeals Report:
7. Township Board Report:
8. Scheduled Public Hearings
9. Other Matters to be Reviewed by the Planning Commission:
 A. Education – Discussion
10. Old Business:
 A. Storage Container Ordinance – Discussion
 B. ADU Ordinance - Discussion
11. New Business:
12. Call to the Public:
13. Adjournment

DRAFT

**HOWELL TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES**

3525 Byron Road Howell, MI 48855

April 23, 2024

6:30 P.M.

MEMBERS PRESENT:

Wayne Williams Chair
Robert Spaulding Vice Chair
Mike Newstead Secretary
Matthew Counts Board Rep.

MEMBERS ABSENT:

Denise Markham Commissioner

Paul Pominville Commissioner
Tim Boal Commissioner

Also in Attendance:

Township Planner Paul Montagno, Zoning Administrator Jonathan Hohenstein

Chairman Williams called the meeting to order at 6:30 pm. The roll was called. Chairman Williams requested members rise for the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Motion by Counts, **Second** by Newstead, **“To approve the agenda.”** Discussion followed. Motion carried.

APPROVAL OF THE MEETING MINUTES:

April 2, 2023

Motion by Pominville, **Second** by Spaulding, **“To approve the minutes from the meeting of April 2nd.”** Motion carried.

ZONING BOARD OF APPEALS REPORT:

Chairman Williams reported on the actions before the Zoning Board of Appeals.

TOWNSHIP BOARD REPORT:

Board Representative Counts presented the Board synopsis.

SCHEDULED PUBLIC HEARINGS:

A. Kory Leppek, PC2024-04, 4640 W. Grand River Ave. Parcel # 4706-20-100-027. Request to rezone property from NSC to IFZ with conditions.

Township Planner Montagno gave an overview of the request. Attorney Abbey Cooper presented on behalf of the applicant on the conditional rezoning request. Applicant Kory Leppek spoke about the request, about the draft plan presented to the Commission, about current plans for the property, and future plans for the property. Questions and comments from the Commission included: where Leppek’s vehicles will be stored on the site, plans on screening of the storage area, use of the existing buildings, additional future buildings, number of trucks leaving the site on a daily basis, number of deliveries to the site, will the business allow the public be able to pick-up a delivery of material, months of operation (will they be operational in the winter), will greenhouses be needed in the future, will a smaller site work for the applicant. **Motion** by Counts, **Second** by Newstead, **“To open the public hearing for file # PC2024-04, parcel 4706-20-100-027.”** Motion carried.

Dr. Sandy Surch –Owner of Livingston Veterinary Clinic 4622 W. Grand River Ave. commented on: the loud trucks, slamming tailgates, intent to use the old driveway, her clients using her property to walk their dogs near this new development, anything to startle the dogs.

Motion by Spaulding, **Second** by Newstead, **“To close the public hearing.”** Motion carried.

Discussion followed regarding: outside storage not being allowed in the NSC zoning district, applicants conditions on the property continue with the property. The Commission reviewed the applicants proposed conditions to the rezoning and the recommendations in Planner Montagno’s report. **Motion** by Counts, **Second** by Boal, **“To make a recommendation to the Board to approve the rezoning request for file PC2024-04, parcel 4706-20-100-027, request to rezone property from NSC to IFZ with conditions based on the findings noted in the Planner’s report dated April 18th 2024 subject to the conditions placed on the property by the applicant listed in exhibit B in the packet.”** Motion carried.

OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION:

None

OLD BUSINESS:

A. Michigan Storage Barns, PC2023-06, 675 E. Highland Rd. Parcel # 4706-25-200-011. Major Changes to Site Plan.

Applicant’s engineer Tim Zimmer from Livingston Engineering presented the changes to the site plan including the changes to the building and changes to the storm water detention basin. Township Planner Montagno presented his report on the changes. Discussion followed. **Motion** by Newstead, **Second** by Counts, **“To recommend approval for the site plan changes to Michigan Storage Barns file PC2023-06, 675 E. Highland Rd. Howell, MI 48855, parcel 4706-25-200-011.”** Motion carried.

NEW BUSINESS:

A. Wrangler Saloon, File # PC2024-05, 4020 W. Grand River Ave. Parcel # 4706-20-400-004. Preliminary Site Plan Review.

Township Planner Montagno presented his report on the preliminary site plan. Applicant’s engineer Patrick Cleary from Boss Engineering presented on the site plan. Architect Josh Hendershot from Lindhout presented on the design and layout of the building. Discussion from the Commissioners included: height of the building, storm water drainage and its easement, tractor hanging from the rafters of the entrance, outdoor seating, outdoor activities, and the ice cream parlor. **Motion** by Boal, **Second** by Spaulding, **“To approve the preliminary site plan for the Wrangler’s Saloon, PC2024-05, 4020 W. Grand River Rd., parcel 4706-20-400-004.”** Motion carried.

B. Storage Containers Ordinance – Discussion

Planner Montagno discussed his report on a possible storage container ordinance and the possible provisions that could be considered. Discussion from the Commissioners included: stacking of containers, number of containers allowed in residential districts, painting and condition of containers, foundation considerations, screening, acreage requirements, and lot coverage. It was the consensus of the Commission to incorporate storage container regulations with the existing ordinance on accessory structures.

CALL TO THE PUBLIC:

Jeff Damaske 3180 Warner Rd.: spoke about storage containers.

Michael Dietz 3870 Byron Rd.: spoke about storage containers.

ADJOURMENT:

Motion by Newstead, **Second** by Counts, **“To adjourn.”** Motion carried. The meeting was adjourned at 8:20 pm.

Date

Mike Newstead
Planning Commission Secretary

DRAFT

**HOWELL TOWNSHIP REGULAR BOARD
MEETING MINUTES**
3525 Byron Road Howell, MI 48855
May 13, 2024
6:30 P.M.

MEMBERS PRESENT:

Mike Coddington Supervisor
Sue Daus Clerk
Jonathan Hohenstein Treasurer
Matthew Counts Trustee
Jeff Smith Trustee
Harold Melton Trustee
Bob Wilson Trustee

MEMBERS ABSENT:

Also in Attendance:

Deputy Supervisor Brent Kilpela
Fourteen people were in attendance.

Supervisor Coddington called the meeting to order at 6:30 p.m. The roll was called. Supervisor Coddington requested members rise for the Pledge of Allegiance.

CALL TO THE BOARD:

None

APPROVAL OF THE AGENDA:

May 13, 2024

Motion by Melton, **Second** by Counts, **“To approve the agenda as presented.”** Motion carried.

APPROVAL OF BOARD MEETING MINUTES:

April 8, 2024

REGULAR BOARD MEETING MINUTES

Motion by Hohenstein, **Second** by Melton, **“To accept the minutes from April 8th as presented.”** Motion carried.

CALL TO THE PUBLIC:

Shane Fagan, 30 Santa Rosa Dr.: Spoke about the shipping container ordinance.

Lorena Ermacora, 1807 Oak Squire Dr.: Spoke in opposition to marijuana dispensaries.

Mike Panczyh, 9484 Wendana Ct.: Spoke in opposition to marijuana dispensaries.

Andrew Hamm, 14 Santa Rosa Dr.: Spoke about Township moral ethics, would like the Township to remove a Planning Commission member.

Darcy McKeon, 2179 Bowen Rd.: Spoke about the condition of Township roads, the quality of the County Road Commission’s grading of the roads.

Andrew Hamm, 14 Santa Rosa Dr.: Spoke about his misstatement at the previous meeting, he is running for Township Trustee, not Township Treasurer.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

- A. Approval of 2024/2025 Budget
Motion by Counts, **Second** by Hohenstein, “**To approve the 2024/2025 Howell Township proposed budget as presented.**” Motion carried.

- B. Financial Update – Deputy Supervisor Brent Kilpela
Deputy Supervisor Kilpela reported on the Township’s finances for the 2023/2024 budget year, reviewed the cash flow statement, sewer and water debt owed to the general fund, discussion of adding an opportunity cost to be paid to the general fund. It was the consensus of the Board to add the opportunity cost to the sewer and water debt. Deputy Supervisor Kilpela also reported on Township employee salaries, highlighted property taxes and the amount that stays with the Township, options of reports including employee pay to include in the Board packet. Discussion followed. It was the consensus of the Board to include a new report for the Board packet including employee pay information.

- C. Planning Commission Resignation of Denise Markham
Supervisor Coddington discussed the resignation letter from Denise Markham from the Planning Commission. **Motion** by Hohenstein, **Second** by Melton, “**To accept Denise Markham’s resignation from the Planning Commission as presented.**” Motion carried.

- D. Planning Commission Appointment
Supervisor Coddington invited members applying for the Planning Commission seat to stand and introduce themselves. Jack Smith introduced himself. Chuck Frantjeskos introduced himself. **Motion** by Wilson, **Second** by Hohenstein, with a friendly amendment by Hohenstein to include the term ending date, “**To nominate Chuck, term ending 12/31/24.**” Motion carried.

- E. Township Gazebo Improvement Project
Parks and Recreation Committee member Martha Haglund reported on the Township gazebo project. Discussion followed. **Motion** by Hohenstein, **Second** by Melton, “**To approve the gazebo improvement project not to exceed \$1,500 to be paid from the Township Rec Fund.**” Motion carried.

- F. Education Opportunities for Planning Commission and Zoning Board of Appeals
Treasurer Hohenstein reported on education opportunities for both boards and inquired on how the Board would like to proceed. It was the consensus of the Board to get input from the Planning Commission and the ZBA before moving forward.

- G. Walking Path at Township Hall. Future Plans of Property – As requested by Trustee Wilson
Trustee Wilson requested permission to take care of the Township Hall walking path with his lawn mower and use pet safe chemicals on the path at his own expense. Discussion followed. It was the consensus

of the Board to have Mr. Wilson draft a letter that will be reviewed by the Township attorney to indemnify the Township and will use Mr. Wilson's home owner's liability insurance policy first should any incident happen.

- H. Meeting Minutes Discussion on How Minutes Have Been Taken – As requested by Trustee Wilson Mr. Wilson discussed his issues with Board meeting minutes, discussed the two pot holes on Brewer Road, and discussed the Pioneer Cemetery drainage project. Discussion followed.

CALL TO THE PUBLIC:

Darcy McKeon, 2179 Bowen Rd.: Spoke about the Road Commission and how they grade a road and potholes on Brewer Road. Inquired about the Township gazebo.

Shane Fagan, 30 Santa Rosa Dr.: Spoke about the assessment notices.

Martha Haglund – Livingston County Planning Department: Spoke about Livingston County Planning Department's new master plan, upcoming workshops, photo contest, and the gazebo project at the Township.

Tim Boal, 66 Santa Rosa Dr.: Spoke about national police week.

Andrew Hamm, 14 Santa Rosa Dr.: Spoke about his Township ordinance violation.

REPORTS:

A. SUPERVISOR:

Supervisor Coddington reported on entering into a contract with the Livingston County Sheriff's Department for a deputy to attend meetings at the Supervisor's discretion. **Motion** by Melton, **Second** by Smith, **"To sign the contract."** Motion carried.

B. TREASURER:

Treasurer Hohenstein reported on the status of internet on Brewer Road, and the status of the Surf Wireless/MiSignal internet project. It was the consensus of the Board to request from Surf Wireless an accounting of the Allen Road portion of the project.

C. CLERK:

No report

D. ZONING:

See Zoning Administrator Hohenstein's report

E. ASSESSING:

See Assessor Kilpela's report

F. FIRE AUTHORITY:

Supervisor Coddington reported on the Fire Authority

G. MHOG:

Trustee Counts reported on MHOG

H. PLANNING COMMISSION:

See draft minutes

- I. ZONING BOARD OF APPEALS (ZBA):
See draft minutes
- J. WWTP:
See the wastewater report.
- K. HAPRA:
Clerk Daus reported on HAPRA's millage proposal
- L. PROPERTY COMMITTEE:
No report
- M. PARK & RECREATION COMMITTEE:
No report

DISBURSEMENTS: REGULAR PAYMENTS AND CHECK REGISTER:

Motion by Hohenstein, **Second** by Melton, **"To accept the disbursements as presented and any normal and customary payments for the month."** Motion carried.

ADJOURNMENT: **Motion** by Counts, **Second** by Hohenstein, **"To adjourn."** Motion carried. The meeting was adjourned at 8:13 pm.

Sue Daus, Howell Township Clerk

Mike Coddington, Howell Township Supervisor

Tanya Davidson, Recording Secretary



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Howell Township Planning Commission
 FROM: Paul Montagno, AICP, Principal and Grayson Moore, Community Planner
 DATE: May 16, 2024
 RE: Proposed Zoning Ordinance Amendments for Portable Storage Containers

The following memo addresses proposed Zoning Ordinance amendments to add regulations regarding portable storage containers into the Howell Township Zoning Ordinance. Text amendments have been made in regard to Planning Commission comments. Draft Zoning Ordinance Amendments are attached.

Please note the following changes to the proposed zoning ordinance:

- Portable storage containers have been proposed as temporary short-term storage solutions.
- Cargo containers have been proposed as accessory structures permitted in the following districts: Agricultural Residential, Research & Technology, Office Service, Regional Service Commercial, Highway Service Commercial, Industrial Flex Zone, and Industrial.
- Portable storage and cargo containers may not be stacked above a single container.
- Cargo containers are not permitted to store hazardous materials or animal livestock.
- No plumbing shall be connected to a cargo container.
- Cargo containers shall be painted in colors which blend in with the surrounding area.

We look forward to discussing these proposed Zoning Ordinance amendments at your next Planning Commission meeting.

Sincerely,

CARLISLE/WORTMAN ASSOC., INC.
Paul Montagno, AICP
Principal

CARLISLE/WORTMAN ASSOC., INC.
Grayson Moore
Community Planner

MODIFY SECTION 2.02 TO INCLUDE PORTABLE STORAGE CONTAINERS AND CARGO CONTAINERS IN DEFINITIONS

Portable Storage Containers. Portable, weather-resistant receptacle designed and used for the temporary storage and/or shipment of household goods or building materials (i.e. PODS or MODS), which are typically leased on a short-term basis.

Cargo Containers.

A primarily metal weather-resistant container designed to store or ship goods or building materials. Such containers include reusable steel boxes, freight and bulk shipping containers, and those with similar qualities which are intended for use as an accessory structure.

MODIFY SECTION 14.07 TO INCLUDE CARGO CONTAINER PROVISIONS

Section 14.07 ACCESSORY BUILDING PROVISIONS.

Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

A. Any structure having two-hundred (200) square feet or less of internal floor area, which is used for any purpose other than the housing of humans, but is primarily to be use for the housing of non human purpose such as pets, yard equipment, yard maintenance supplies, tools, toys, including motorized or non motorized bicycles and types of household equipment, and which buildings do not have to meet the requirements of the Livingston County Construction Code and will not be built on a structural foundation as required in the Construction Code for other types of buildings, shall be excluded from the requirements of this Section and any required zoning permits and payment of fees required under other provisions of this Ordinance except for placement requirements in subsection B. below.

B. Detached accessory buildings shall be located entirely in the rear yard outside of the side and rear setback with the following exceptions:

1. Said building is being constructed pursuant to a Special Use Permit, and in that case, the Township Board after receiving the recommendation of the Planning Commission may authorize the location of the accessory building in any required yard.

2. For accessory structures to a residential use, if the primary residence is situated in the rear portion of a parcel over 2 acres, an accessory structure may be in the front yard if it is:

a. Setback at least 100 feet from the front property line.

b. Designed to be architecturally compatible with the principal structure.

c. screening is provided between the structure and immediately adjacent neighbor properties. In no instance shall an accessory building be located within a dedicated easement right-of-way.

C. Accessory buildings located on lots and parcels in all Zoning Districts shall be subject to the following regulations:

LOT OR PARCEL AREA REGULATION	REGULATION	MAXIMUM SQUARE FOOTAGE*
12,000 sq. ft. to 0.9 acre	4% of lot area	800 sq. ft.
1 acre to 1.9 acres	4% of lot area	2000 sq. ft.
2 acre to under 19.9 acres	4% of lot area, except that commercial agricultural farm operations shall be excluded from this regulation	3000 sq. ft.
20 acres and above	Subject to Max lot coverage	No limit

D. No detached accessory building – shall be located closer than ten (10) feet to any main building.

E. No detached accessory building in AR, SFR, MFR, NSC, OS Districts shall exceed one (1) story or twenty (20) feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts. Height shall be measured in accordance with Article II Definition 24.

F. When accessory buildings or structures are located on a corner lot, they shall not be located in any front yard or side yard, but if it is determined by the Zoning Administrator that there is insufficient rear yard in which to locate them, the Zoning Administrator shall determine the most appropriate location for them in the side yard with minimum encroachment upon the required side yard setback area.

G. In no instance shall an accessory building be allowed until there is a principal building or structure located on the lot or parcel of land.

H. No accessory building or structure shall be used as a dwelling, lodging or sleeping quarters for human beings, except as otherwise permitted in this Ordinance.

I. Additional standards for Cargo Containers

1. Containers shall not be staked above the height of a single container.
2. The exterior appearance of all cargo containers shall be well maintained and absent of unwarranted rust, holes, and other evidence of aging.
3. No writing, advertising, or graphics are permitted on the exterior of the container.
4. Portable storage containers shall be completely screened from view of abutting properties and/or rights-of-ways by a fence or vegetative screening that meets the requirements of Section 14.26 Fences and 28.03 Specific Landscaping Requirements for Zoning Districts.

5. Portable storage containers shall be located upon an approved foundation that will support the weight of the structure and prevents rodent infestation.
6. No plumbing may be connected to a cargo container.
7. No livestock or pets may be stored in a cargo container.
8. Cargo containers shall be painted in colors which blend into the surrounding area.
9. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 *et seq.*

MODIFY SECTION 14.20 TO INCLUDE PORTABLE STORAGE CONTAINER PROVISIONS

Temporary buildings and structures are permitted during the period of construction, and sales involving change of ownership or rental occupancy. Such buildings, and structures shall be removed upon completion or abandonment of construction, sale or rental activities and prior to occupancy and use of the building or structure for permitted uses.

Also refer to Sections 14.28 and 16.09 for permits to park or use mobile homes on a temporary basis.

A. Portable Storage Containers may be permitted as a temporary structure subject to the following conditions:

1. No portable storage container may be stacked on top of another or any other object.
2. No electricity or plumbing may be connected to a portable storage container.
3. Portable storage containers must be placed on a driveway, gravel or paved area.
4. No portable storage container shall be used for living quarters.
5. No livestock or pets may be stored in a portable storage container.
6. Portable storage containers may be placed on a vacant lot only if that lot is associated with an approved building construction project.
7. Portable storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 *et seq.*
8. No portion of a portable storage container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
9. Portable storage containers in non-residential districts or which are associated with a non-residential use shall not occupy required off-street parking, loading or landscaping areas.

MODIFY SECTION 4.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE AGRICULTURAL RESIDENTIAL DISTRICT

SECTION 4.04 PERMITTED ACCESSORY USES.

- A. Buildings and structures customarily incidental to the operation of an agricultural enterprise.
- B. Accessory buildings and structures customarily incidental to single family residential.
- C. Signs related to the permitted agricultural enterprise, provided that all such signs shall conform to the requirements of this Ordinance.
- D. House Hold Pets
- E. Cargo Containers, subject to Section 14.07

MODIFY SECTION 5.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE RESEARCH AND TECHNOLOGY DISTRICT

Section 5.04 PERMITTED ACCESSORY USES

- A. Normal accessory uses to all permitted uses in Sections 5.02 and 5.03 above.
- B. Cargo Containers, see Section 14.07

MODIFY SECTION 8.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE OFFICE SERVICE DISTRICT

Section 8.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to “Permitted Principal Uses.”
- B. Normal accessory uses to approved “Permitted Principal Special Uses.”
- C. Incidental commercial services that serve only the occupants of the offices and have access only from inside the building in which the occupants are located.
- D. See Section 14.34.
- E. Cargo Containers, subject to Section 14.07

MODIFY SECTION 10.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE REGIONAL SERVICE COMMERCIAL DISTRICT

Section 10.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.” See Section 14.34. 14.
- C. Cargo Containers, subject to Section 14.07

MODIFY SECTION 11.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE HIGHWAY SERVICE COMMERCIAL DISTRICT

Section 11.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.”
- C. Cargo Containers, subject to Section 14.07

MODIFY SECTION 12.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE INDUSTRIAL FLEX ZONE

Section 12.04 PERMITTED ACCESSORY USES.

- A. All normal accessory uses to all “Permitted Principal Uses” and “Permitted Principal Special Uses” including:
 - 1. Restaurants.
 - 2. Cafeterias.
 - 3. Medical and health care facilities.
 - 4. Office facilities.
 - 5. Warehouse and storage facilities.
 - 6. Physical fitness facilities.
 - 7. Work clothing sales and service facilities.
 - 8. Banking facilities.
 - 9. Education, library and training facilities.
 - 10. Research and experimentation facilities.
 - 11. Truck or other vehicular and equipment service maintenance, repair and storage facilities conducted completely within a building, or structure.

12. Indoor sales display areas.

13. See Section 14.34.

14. Cargo Containers, subject to Section 14.07

MODIFY SECTION 13.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE INDUSTRIAL DISTRICT

Section 13.04 PERMITTED ACCESSORY USES.

A. Normal accessory uses to all Permitted Principal Uses.

B. Normal accessory uses to all Permitted Principal Special Uses.

C. See Section 14.34

D. Cargo Containers, see Section 14.07



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Howell Township Planning Commission

FROM: Paul Montagno, AICP & Grayson Moore, Community Planner

DATE: May 15, 2024

RE: Zoning Ordinance Text Amendments for Accessory Dwelling Units

Please find attached draft Zoning Ordinance Amendments to allow Accessory Dwelling Units (ADU's). We used sample ordinance from surrounding communities and the Livingston County ADU example, as well as the initial comments from the Planning Commission to influence the proposed language for the Township Zoning Ordinance's Supplemental Regulations. Please note the following:

- Accessory Dwelling Units (ADU's) are currently intended to serve principally occupied single-family dwellings in residential districts. Exact districts will need to be established.
- ADU's are proposed to be allowed as both attached and detached with additional requirements.

Additionally, when reviewing the proposed amendments, please note that:

- Proposed text to be added is shown in red, underlined text: example
- Text proposed to be deleted is shown in red, strike through text: ~~example~~

In reviewing the draft language, we pose the following questions for the Planning Commission's consideration:

- In which zoning districts should ADUs be allowed? Options could include, anywhere a single-family home is a permitted principal use or limited to the Agricultural-Residential and Single-Family Residential District.
- How many feet, if specified, should an ADU be required to share with the Principal Dwelling Unit?
- Should an ADU be limited to a certain number of individuals or bedrooms and if so how many?
- What is the shortest amount of time that an ADU could be rented out for?

*Benjamin R. Carlisle, President Douglas J. Lewan, Executive Vice President John L. Enos, Vice President
David Scurto, Principal Sally M. Elmiger, Principal R. Donald Wortman, Principal
Paul Montagno, Principal, Megan Masson-Minock, Principal, Laura Kreps, Senior Associate
Richard K. Carlisle, Past President/Senior Principal*



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ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

- Should a garage intentionally built for an ADU be permitted? If so, would the regulations proposed suffice or would additional requirements need to be met?
- Where should detached ADUs be permitted within a buildable lot? Typically, communities avoid allowing ADUs in front yards. Is ten (10) feet a large enough, or too constricting setback to the Principal Dwelling Unit?

We look forward to discussing these proposed Zoning Ordinance amendments at your next Planning Commission meeting. Following the response to the questions posed, the next step in the process would be to make any changes and call a public hearing.

Sincerely,

CARLISLE/WORTMAN ASSOC., INC.
Paul Montagno, AICP
Principal

CARLISLE/WORTMAN ASSOC., INC.
Grayson Moore
Community Planner

SECTION 1 MODIFY SECTION 2.02 TO INCLUDE DWELLING, ACCESSORY TO DEFINITIONS

Dwelling, Accessory (ADU): A supplemental, smaller dwelling unit either developed within an existing single-family house (such as a basement, attic or addition) or as a smaller detached accessory building in which at least a 15 foot wall is shared with the Principal Dwelling Unit.

SECTION 3 MODIFY SECTION 14.10 ACCESSORY BUILDING AS DWELLING TO INCLUDE BASEMENT AS DWELLING AND ADDITIONAL REGULATIONS

No building or structure on the same lot with a principal building shall be used for dwelling purposes, ~~except as follows: specifically permitted in this Ordinance.~~

Accessory dwelling units (ADU's), except as otherwise permitted in this Ordinance, shall be subject to Section 14.07 and the following regulations:

- A. **Authorization:** No ADU shall be established prior to the issuance of a land use permit for the ADU. The applicant shall submit the following information for review to the Zoning Administrator:
 - 1. A plot plan showing the location of the proposed accessory dwelling unit, lot identification (address and property number), size of lot, dimension of lot lines, existing improvements on the lot, location of structures on adjacent lots, abutting streets, driveways, and parking areas.
 - 2. Sufficient architectural drawings or clear photographs to show the exterior building alterations proposed.
 - 3. Interior floor plans showing the floor area of the proposed accessory dwelling unit and the primary dwelling.
- B. **Dimensions & Setbacks:** ADU's must meet lot dimensions and setbacks of the corresponding zoning district.
- C. **Lot Coverage:** ADU's shall adhere to the lot coverage requirements of the corresponding zoning district.
- D. **Amount of ADUs per Parcel:** No more than 1 ADU per parcel shall be constructed. ADUs are only permitted on lots with a single-family dwelling. ADUs are not permitted on parcels with existing duplexes/apartments.
- E. **Occupancy/Bedroom Requirements:** An ADU shall have no more than four (4) individuals including those less than 18 years of age residing and no more than two (2) bedrooms within the ADU.
- F. **Access:**
 - 1. Attached ADUs are permitted to have up to two access points where one is located in a common entrance foyer and the other is an exterior entrance located on the side or rear of the ADU.
 - 2. Detached ADUs are permitted to have a main entrance located on the front of the dwelling and an additional side/rear yard entrance.

- G. Design Characteristics:** The ADU shall be designated so that the appearance of the building will remain that of a single-family dwelling. The ADU shall not detract from the appearance of the lot as a place of one (1) residence and shall be aesthetically compatible in appearance with other single-family dwellings in the immediate area based on architectural design and exterior materials.
- H. Driveway and Parking:** Shall provide a combined off-street parking for a minimum of four (4) automobiles for the parcel. An ADU shall not be permitted to have a separate driveway.
- I. Renting an ADU:** Leasing or renting an ADU for shorter than thirty (30) days is prohibited. The ADU shall not otherwise be made available to any one (1) person for periods less than thirty (30) days.
- J. Utilities:**
1. An ADU shall be connected to potable water and sanitary facilities in compliance with the Livingston County Health Department.
 2. Utility service to an ADU shall rely on the same metering and service panel as those that serve the Primary Dwelling Unit except as otherwise required by the building inspector.
- K. Garage:** A garage may be erected to serve an ADU subject to the following requirements:
1. An ADU garage shall be part of the same structure as the ADU
 2. An ADU garage shall be no greater than 450 square feet in gross floor area.
 3. An ADU garage shall be no higher than seventeen (17) feet as measured to the highest point of the roof. Shall be a maximum of one (1) story and at no time taller than the L. Principal Dwelling Unit.
 4. An ADU garage shall comply with the same setback standards as required for an ADU in the corresponding zoning district.
 5. No more than one (1) ADU garage shall be erected on a lot.
 6. At no time shall the garage be used as a dwelling.
- L. Principal Dwelling Unit:**
1. Must be owner occupied.
 2. The Principal Dwelling Unit and the ADU must share common water, septic, and electric facilities, in compliance with state and county codes.
 3. No basement structure shall be used for an ADU, unless a completed story is situated immediately above the basement structure and is used as an owner-occupied dwelling, apart from underground homes designed and built in accordance with the Construction Code in effect in the Township.
- M. Detached ADU:**
1. Shall only be located in the rear yard, outside of rear and side setbacks with a minimum of 10 feet behind the Principal Dwelling Unit.