

**MARION TOWNSHIP PLANNING COMMISSION
AGENDA**

REGULAR MEETING

**Due to COVID-19 considerations and consistent with State Policy:
The Township Planning Commission will meet in person July 27, 2021 at 7:30 pm**

However, there will be virtual access

Instructions to participate in the meeting are posted on www.mariontownship.com

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INTRODUCTION OF MEMBERS:

APPROVAL OF AGENDA FOR: July 27, 2021 Regular Meeting

APPROVAL OF MINUTES FROM: June 22, 2021 Regular Meeting

CALL TO THE PUBLIC:

PUBLIC HEARING:

none

New BUSINESS:

- 1) Review Jim's excel spread sheet on ZO versus LC Animal Control Ordinance
- 2) Address SR issue between the schedule of regulations and 8.02

Old BUSINESS:

- 1) none

Correspondence and Updates and Discussion:

Discuss content for Public Hearing for the Master Plan review

CALL TO THE PUBLIC:

ADJOURNMENT:

Approved by: _____
Larry Grunn, Chairperson

Date: _____

**MARION TOWNSHIP PLANNING COMMISSION
IN-PERSON / VIRTUAL MEETING MINUTES
JUNE 22, 2021 / 7:30PM**

DRAFT

MEMBERS PRESENT: LARRY GRUNN – CHAIRPERSON *(In-Person)*
JAMES ANDERSON – VICE CHAIR *(In-Person)*
CHERYL RANGE – SECRETARY *(In-Person)*
BOB HANVEY – *(In-Person)*
BRUCE POWELSON – *(In-Person)*

OTHERS PRESENT: DAVE HAMANN – ZONING ADMINISTRATOR *(In-Person)*
KRISTOFFER CANTY – CARLISLE WORTMAN *(In-Person)*

MEMBERS ABSENT:
NONE

CALL TO ORDER:
Larry Grunn called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF JUNE 22, 2021 PLANNING COMMISSION MEETING AGENDA
Jim Anderson made a motion to approve the agenda for the June 22, 2021 Planning Commission meeting. Bruce Powelson seconded. **MOTION CARRIED**

APPROVAL OF MAY 25, 2021 PLANNING COMMISSION MEETING MINUTES
Bruce Powelson made a motion to approve the May 25, 2021 Planning Commission meeting minutes, as presented. Jim Anderson seconded. **MOTION CARRIED**

CALL TO THE PUBLIC:
NONE

PUBLIC HEARING:
NONE

NEW BUSINESS

1. REVIEW PUD# 01-20 TAMARACK PLACE (SUNRIDGE III) FINAL SITE PLAN
Wayne Perry with Desine Inc. is working with Allen Edwin Homes, on the Tamarack Place project. Wayne discussed Carlisle Wortman's review letter and their two main issues of concern:

- The removal of parcel A from the plan as it impacts a wetland and also is part of a different phase. Wayne explained that parcel A has since been removed from the plan.
- Allen Edwin has agreed to make a \$150,000 financial contribution to future road reconstructions.

Wayne then discussed Spicer's review letter and their concerns regarding Tamarack Place.

- Units 38 and 39 rear setback is 87 feet and it is supposed to be 90 feet. Wayne said they do not have a problem pulling back three feet to meet the setback requirements.

Wayne said that the rest of the comments are all minor changes and can be adjusted during construction.

Further discussion took place regarding the elevation for Basin N, stormwater runoff and the lighting specifications that were mentioned in Spicer's letter. Wayne assured the commissioners that he would obtain all required approvals and permits from outside agencies.

Michael Sage resides at 1210 Tracilee Road. Michael's house is near Tamarack lots 93 & 94 and wants to confirm that the setback requirement is 90 feet. The commissioners confirmed that the setback is in fact 90 feet. Michael would also like to suggest that the "NO TRESSPASSING" signs on Tracilee be replaced, because the lettering has worn off and they are currently blank, white signs. He would also like someone to give permission to the Sheriff's department to start enforcing the "NO TRESSPASSING" signs and punish any trespassers.

Cheryl Range motioned to recommend approval of PUD# 01-20 Tamarack Place Final Site Plan, to the Board of Trustees. Bruce Powelson seconded. **MOTION CARRIED**

NEW BUSINESS

2. DISCUSS COUNTY ANIMAL CONTROL ORDINANCE AND MARION TOWNSHIP KENNEL REGULATIONS

Dave Hamann explained that prior to last July the County passed a new Animal Control ordinance that doesn't align with the Township's. Under the Townships ordinance, if you live in SS or RR and you have more than 3 animals, you have to obtain a hobby kennel license from Animal Control. However, under the County's new ordinance, they no longer require people to get hobby kennel licenses. The two ordinances should complement one another, not contradict each other

Jim Anderson offered to go through both ordinances and pull out all of the differences between the two. He will have something for review in time for the next Planning Commission meeting.

OLD BUSINESS

1. MASTER PLAN UPDATE

Kristoffer Canty with Carlisle Wortman stated that all the requested changes were made to this version of the Master Plan. The commissioners identified more changes to the new version of the Master Plan.

Dave Hamann explained that several months back, the Commissioners had delegated updating the Master Plan to Bruce Powelson, John Enos and himself and then approved distribution to the Board of Trustees. The Master Plan was sent to the Board of Trustees and they approved distribution to the outside agencies. It has not been distributed to the outside agencies yet, because the Commissioners wanted to see it again after the Board was done with it. Since then, even more changes have been found and realistically we could keep finding more and more changes each time we read through it. Dave recommended approving distribution to the outside agencies so they can start reviewing and providing feedback to us.

Jim Anderson agreed with Dave and suggested that in the meantime, we should start a running list with all of the changes that still need to be made and we can keep adding to it, as we get feedback from other agencies and from the residents at the public hearing.

Some of the changes were discussed and added to the list.

Cheryl Range made a motion to distribute Marion Township's 2021 Master Plan to the outside agencies for their review and feedback. Bruce Powelson seconded. **MOTION CARRIED**

CORRESPONDENCE AND UPDATES AND DISCUSSION

- **SIGNS**

Jim Anderson does feel like the new signs on D19 are making a small difference. Jim also thinks that we should consider putting up signs throughout the community that read "Zoned Community". This might encourage people to check with The Zoning Administrator before purchasing property in the Township for their new business venture.

- **RECREATIONAL MARIJUANA**

Dave explained that a few years ago the Board of Trustees opted out of Recreational Marijuana sales. However, residents interested in growing their own plants within the Township currently do not have to request a land use permit because technically they are not changing any structures on the property. This topic is getting more and more popular and we currently have no way to enforce it.

CALL TO THE PUBLIC:

Les Andersen resides at 4500 Jewell Road. Les discussed Mr. Sharpe's email. Les also discussed his dislike for easements. He believes they cause too many problems between homeowners and wonders if the Township is allowed to ban easements all together.

Kristoffer Cauty with Carlisle Wortman said that banning easements is not possible and not an option.

Les also suggested putting a notice/warning on the tax bills about business operating illegally within the Township.

Dave Hamann asked the commissioners if they would be interested in having one of our Attorneys attend one of our future Planning Commission meetings. Commissioners would be interested in having the Attorney attend one of their upcoming meetings.

ADJOURNMENT: Bruce Powelson made a motion to adjourn the meeting at 9:45pm. Jim Anderson seconded.
MOTION CARRIED

Dave Hamann

From: James Anderson <mijanderson100@gmail.com>
Sent: Tuesday, July 13, 2021 7:29 PM
To: Dave Hamann; Jessica Timberlake
Cc: Larry Grunn; Cheryl Range; John Enos; Bruce Powelson; supervisor@mariontownship.com
Subject: Re: Agenda items for July 27, 2021 meeting please!
Attachments: Dog Licensing and Kennels 7_6_2021.xlsx

Dave, John and Fellow Planning Commission Members,

Attached is an Excel spreadsheet that summaries the Livingston County Animal Control Ordinance as it stands today. I have highlighted the Articles and Section of Articles that may need our attention I think. Our ordinance covers kennels but not animal control as defined by the County. Maybe it is as easy as adapting the County Ordinance or Articles within it to create an Animal Control Ordinance if we think we need it. We need to discuss this within the Commission I think.

The County Ordinance does not define what a Hobby Kennel is but does define a kennel as three or more dogs that are kept for the intent of selling, boarding, breeding or training purposes. These type of kennels are required to be inspected once a year by the County. We define a Commercial Kennel as keeping eleven or more dogs with no intent of selling, boarding, breeding or training purposes mentioned. I think we have a disconnect with the County Ordinance when it comes to kennels and it should be corrected. Does our Commercial Kennel Ordinance require a yearly County inspection? Should the special use permit term for our Commercial Kennel be limited to one year in duration contingent on obtaining a satisfactory inspection by the county? We do define a subsection of a kennel, Hobby Kennel, defined as three to less than eleven dogs, again no requirement for any business related to the dogs. I did not see anywhere within the County Ordinance defining any restrictions related to the number of household pets and how this relates to a kennel definition. Can the township be more restrictive than the County when it comes to kennels, their definition(s) and their requirements?

In general, the Township and County Ordinances are focused on dogs. Cats, large carnivores, reptiles, birds, and/or other exotic animals are not fully covered by the County or Township Ordinances other than when a bite occurs and then the County Ordinance outlines the process for reporting the bite and next steps. Livestock bites are also covered by the County Ordinance and these two should be reported to the County Health Department and Animal Control.

Looking forward to a good discussion on the 27th.

Regards,
Jim

On Tue, Jul 13, 2021 at 11:08 AM Dave Hamann <za@mariontownship.com> wrote:

All we have is the discussion left from the county animal control and its effect on the zoning ordinance which Jim Anderson is working on a submittal. Master Plan has been distributed by John Enos and Company. Commissioners need to setup pubic meetings to discuss any feedback maybe at the September meeting? Any other items that need to be next priority for text amendments!

Articles of County Ordinance	General Comments and Sections	Summary of County Ordinance Articles	For Township Consideration
Article I- Purpose	County Focused		
Article II- Definitions	Section a-l, County Focused		Should these definitions be added to our Ordinances where required? Note comments below.
	Section m	Definition of a Kennel, three or more dogs for sale, boarding, breeding or training for remuneration.	Not consistent with Township Definitions for Commerical Kennel. County does not define a Hobby Kennel
	Section n	Large Carnivores	Township required?
	Section o	Livestock	Township required?
	Section p - gg County Focused		
	Section hh	Wolf-Dog Hybrid	Township required?
Article III - Animal Shelter, Animal Shelter Director & Animal Control Officer Duties, Authority & Responsibilities	County Focused	Outlining County Animal Shelter Organization	
Article IV - Licensing and Vaccination	Section 1	Licensing of a Dog	Should review and incorporate in to the Township Ordinance where required.
		Collar with Tag	
		Female Dogs in Heat and Control of such Dog	
		Collar with Tag can only be removed by owner	
		No dog shall stray off owners property unless on leash or is deemed a working dog by definition	
	Section 2a	Requirements for Licensing of Dog	
		Four months or older	

		Valid certificate of vaccination for rabies	
Section 2b	New owner of dog over four months old procedure		
Section 3	Rabies Vaccination Requirements		
Section 4a	Licensing fees set by County		
Section 4b	After reaching four months of age, dog must be licensed within seven days		
Section 4c	Service dogs for people with disabilities are exempt from licensing requirements		
Section 4d	Licensing fees of a dog not meeting Section 2a and 2b set by County		
Section 4e	Fees set by County on or before November 1 of each year		
Section 4f	Licenses from other counties in Michigan or other governmental agencies shall be honor until they expire.		
Section 5	No license can be transferred to another dog unless ownership changes permanently with in the same county. License can be transferred to new owner in writing to the Treasurer. No license transfer is required for temporary boarding, hunting, breeding, trial or show.		
Section 6	Lost tag can be replaced by contacting Treasurer. Sworn statement is required		
Section 7	This section is focused on kennels		
Section 7a	Kennel license is required by June 1 of each year. Kennel must be operated under the statutes of the State, MCL 287.270		
Section 7b	Dogs covered by the kennel license must be kept only for the following; for sale, boarding, breeding, training, sporting purposes. Dogs that are pets must be licensed.		
Section 7c	Kennel License are valid for only one year		

	Section 7d	A license is required within thirty days from date of start of operation or prior to expiration date of current license. Kennel will be inspected by an Animal Control Officer to certify the kennel meets all State requirements. Not required with Township prohibits kennels.	
	Section 7e	Kennels must be sanitary and provide adequate hours and humane treatment to the dogs kept	
	Section 7f	No inspection, no license	
	Section 7g	Any complaint will result in an inspection of the Kennel by Animal Control Officer or Police	
	Section 7h	Fees set by the County	
	Section 7i	Veterinarian hospitals are not kennels	
	Section 7j	All dogs of licensing age must have a current and valid rabies vaccination record	
	Section 7k	Fees for kennel licenses; \$10.00 for ten dogs or less, \$25.00 for more than ten dogs. Fees double if current license has expired.	
Article V - Confinement, Quarantien, Health inspection and Disposal of Dogs/Animal in Bite Cases	Section 1 - County Focused	All bites involving a person must be reported to Livingston County Animal Control Officer and Health Department. When these offices are closed, the bite should be reported to the Livingston County Sheiff.	This entire Article should be cited in our Township Ordinance or at least cited to document the process for reporting a bite.
	Section 2 - County Focused	All animals involved in a human bite must be confined by the owner or County Animal Control Office for ten days. All animals involved in biting another animal or livestock, may be be confined for ten days as directed by the County Health Department. All fees/costs incurred for the biting incident is the responsibility of the animals owner. Any stray animal that has bitten a person or another animal, shall be caught and confined by the County Animal Control Office for ten days.	

	Section 3 - County Focused	Any rabies suspected animal not a dog or cat that has bitten a person, animal and/or livestock will be seized by the Animal Control Officer, will be destroyed and tested for rabies.	
	Section 4 - County Focused	Unvaccinated for rabies dogs or cats involved in a bite will be quarantined for ten days and then can be vaccinated for rabies.	
	Section 5 - County Focused	Any changes in the animals behavior of if the animal dies during the ten day quarantine period shall be report to the Livingston County Animal Shelter, Health Department and/or their veterinarian.	
	Section 6 - County Focused	No quarantine animal shall be killed, disposed of, or moved from owners property unless approved by the Livingston County Animal Shelter, Health Department	
	Section 7 - County Focused	After quarantine period, animal must be taken to the Animal Shelter for a health inspection and completion of forms by the owner	
	Section 8 - County Focused	If the dog or cat has been determined by the Animal Control Office to have rabies, during the quarantine or health inspection, the animal will be disposed of as directed by the Animal Control Officer	
	Section 9 - County Focused	Penalites for not complying to this Article	
Article VI - Animal Shelter: Impoundment and Release	County Focused	Focused on County Shelter Operation	
Article VII - Killing and Seizing of Dogs and Other Animals	County Focused	Focused on County Shelter Operation	
Article VIII - Enumeration of Certain Violations and Procedures Therefore	Section 1a-y	Should be considered for Township Ordinance. Extensive.	Should be cited in Township Ordinance or duplicated in the
	Section 2 - County Focused	Issuing of appearance ticket, citation or summons for district court for animals owner to answer charges brought against them. Warrant can be issued and served for appearance in court.	

	Section 3 - County Focused	Judge ordered actions including seizing, selling, disposing of animals resulting of a show cause complaint made by the Animal Control Officer.	
	Section 4 - County Focused	Fees taxed against the owner of animals involved in complaint after finding of responsible by the court.	
Article IX - Penalty	County Focused	Violating this Ordinance is deemed a civil infraction with a fine up to \$150.00 along with any other fees or costs incurred for the care, custody, treatment and disposition of the animal.	
Article X -Preservation of Certain Rights	Section 1 - County Focused	Recovery in action at law from any police officer or any other person	
	Section 2 - County Focused	Nothing in this ordinance shall be construed as limiting the common law liability of the owner of a dog or other animal for damages committed by said dog or other animal	
Article XI - Treasurer's Record and Duties	Section 1 - County Focused	Determine and locate unlicensed dogs	
	Section 2 - County Focused	Unlicensed Dogs public nuisance and list generated	
	Section 3 - County Focused	Treasurer to keep records of licensed dogs and kennels	
	Section 4 - County Focused	Treasurer has the list of dogs that are licensed and tag for potential prosecutions.	
Article XII-Fees and Expenses	Section 1	Every Township treasurer shall receive the sum for each dog license issued for the issuing and recording of same. Additional compensation for additional services for each township treasurer who receives a salary in lieu of fees.	Not really sure what this means to the Township. Clarification?
	Section 2 - County Focused	Animal Shelter Director can make a census of all dogs owned in the county	
	Section 3 - County Focused	Delegation of duties and obligations	
	Section 4 - County Focused	Fees and expenses are established by the County Board of Commissioner by November 1 of each year	
	Section 5 - County Focused	Fees paid in accordance of Article XIII	
Article XIII - Receipts and Disbursements of Funds		Transferred to General Fund	
Article XIV - Construction	Section 1 - County Focused	Legal discussion of word tense and 'shall'	

	Section 2 - County Focused	Minimum standards supplemental of regulations of the Michigan Department of Health and Human Service and to the State of Michigan	
Article XV - Validity and Severability	County Focused	Legal statement regarding severable and invalidity	
Article XVI - Repealer	County Focused	Legal statement regarding repeal of all or parts of ordinance-legal statement	

Memo

To: Planning Commissioners
From: Zoning Administrator
Date: 7-20-2021
Re: SR mismatch with Schedule of Regulations

Commissions we came upon an inconsistency between the schedule of regulations and the SR lot size and frontage as it relates to both unplatted and subdivision condo's where sewer is available. We need to make them match so this is an added agenda item to address that.

Please be prepared to discuss.

Section 8.02

SR: Suburban Residential District

- A. **Intent:** It is the intent of the Suburban Residential District (SR) to provide opportunities for higher density residential development typically associated with a suburban land use pattern. This district includes areas of the Township, which are currently served by a higher level of public services as compared to most of the balance of the Township, and these additional services permit a higher intensity of residential development while protecting the public health, safety, and welfare. This District is intended to implement the planned future land use pattern of the Marion Township Master Plan in the northern portion of the Township where a Suburban Residential Area is proposed and intended to accommodate residential developments of a density of one (1) dwelling unit per .75 acre or greater. The Suburban Residential District is intended to both permit the development of suitable vacant land for residential purposes while also preserving the residential character of existing area neighborhoods. The Suburban Residential District includes existing crop operations and recognizes this land use for its important contribution to the local economic base, to the provision of food and fiber for the state's citizens, and for the historical character and open spaces it provides without having a negative impact on neighboring residential uses.
- B. **Uses Permitted By Right:**
1. Single-family dwellings.
 2. Family child care homes.
 3. Adult foster care family homes.
 4. Accessory buildings.
 5. Crop operations.
 6. Nursery operation of retail sales of nursery stock grown on the site.
- C. **Permitted Accessory Uses:**
1. Uses typically associated with single-family residences, including swimming pools and automobile parking.
 2. Home Occupation Class I.
- D. **Uses Permitted By Right Subject to Special Conditions:**
1. Private stables subject to the following conditions:
 - a. A minimum of three (3) acres must be provided for the first horse, and an additional one-half ($\frac{1}{2}$) acre must be provided for each additional horse not to exceed four (4) horses.
 - b. Foals born on parcels where horses are presently kept may be kept on said parcel for two (2) years even though such additional horses may increase the number of horses on such parcel beyond the acreage limitation, but in no case shall there be more than one (1) horse and one (1) foal per one-half acre.
 - c. No agricultural building for housing animals, pens or corrals shall be located closer than seventy five (75) feet from any lot line or closer than seventy five (75) feet from an existing and adjacent dwelling unit or from any road right of way. Pastures may be fenced to the perimeter of the property line, providing that they meet the definition of a pasture.

- d. Private stables shall only house horses owned by the owner of the property.
- e. Private stables shall be operated in conformance with all applicable county, state and federal regulations.
- f. All animals shall be maintained in a healthy condition and carefully handled.
- g. Agricultural buildings, pens, corrals and pastures shall be maintained so that odor, dust, noise or water drainage shall not constitute a nuisance or hazard to adjoining premises.
- h. Inspections of stables may be conducted at any reasonable time by authorized Township representatives or by any other state or local agency having authority to conduct an inspection.
- i. Manure shall be stored, removed, and/or applied to the soil in accordance with Michigan Department of Agriculture and Livingston County Health Department regulations.
- j. An enclosed structure is required and must have at least one 10' x 10' stall for each horse. Shelter shall be provided for all horses, including a mare and foal, which may include but not be limited to a lean to or wind block of adequate size for animals to get out of inclement weather.
- k. No living quarters shall be located in any arena building or stable.

2. Hobby kennels subject to the following conditions:

- a. A hobby kennel shall be on a lot with a minimum size of 1 acre for the first three (3) dogs and one-third (1/3) acre shall be required for each additional dog with a limit of ten (10) dogs.
- b. Hobby kennels shall only house dogs owned by the occupant of the dwelling unit.
- c. All kennels shall be operated in conformance with all applicable county, state, and federal regulations.
- d. Habitual barking or unusual noises from the kennel, which results in a nuisance to neighboring landowners or residents, is prohibited. The intensity of level of sounds shall not exceed seventy-five (75) decibels at the lot line of industrial uses; sixty-five (65) decibels at the lot line of commercial uses; and fifty-five (55) decibels at the common lot line when adjacent to residential uses and residential districts. The sound levels shall be measured with a type of audio output meter approved by the United States Bureau of Standards.
- e. All dogs must be licensed and maintained in a healthful manner.
- f. Dogs shall be kept confined and not allowed to run at large on the property, except as part of supervised training.
- g. Runs and/or exercise areas and building where the dogs are maintained shall be located in the side and/or rear yard only. Kennel runs shall be screened by a solid fence, evergreen screen or wall, which is at least six (6) feet in height. The wall of the principle building or an accessory structure may be submitted for the required screening wall if such wall screens the view of the kennel run from adjacent property.

- h. Accessory buildings where dogs are kept, runs and exercise areas shall not be located nearer than fifty (50) feet to any adjacent residential lot line.
- i. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease, or offensive odor.
- j. Dog odors shall not be detectable beyond the lot lines of the property in which the kennel is located.
- k. Dust and drainage from the kennel enclosure shall not create a nuisance or hazard to adjoining property or uses.
- l. Exercise yards, when provided for training or exercising, shall not be used between the hours of 10:00 pm and 7:00 am. During the hours between 7:00 am and 10:00 pm, dogs shall be permitted in outdoor runs or pens. Dogs shall be confined and not allowed to run at large on the property, except as part of supervised training.

E. Uses Permitted By Special Use Permit:

- 1. Public facilities, including parks, municipal buildings, schools, libraries, recreational facilities, and similar uses and activities.
- 2. Public, parochial, and private elementary, intermediate and/or high schools, and institutions of higher learning, offering courses in general education.
- 3. Bed and breakfast establishments.
- 4. Cemeteries and/or mausoleums.
- 5. Child care centers.
- 6. Churches and religious institutions.
- 7. Communication towers.
- 8. Group child care homes.
- 9. Golf courses and country clubs.
- 10. Commercial kennels.
- 11. Private recreational facilities.
- 12. Two-family dwellings.
- 13. Community wastewater utility systems, as defined in Section 3.02 of this ordinance, subject to the standards found in Section 17.31.
- 14. Home Occupations Class II.
- 15. Hospital
- 16. Adult foster care small group homes.

17. Adult foster care large group homes.
18. Farm Market
19. Agricultural-based Tourism/Entertainment Activities

F. **Site Development Requirements:** The following minimum and maximum standards shall apply to all uses and structures in the SR: Suburban Residential District unless they are specifically modified by the provisions of Article VI: General Provisions; or Article XVII: Standards for Specific Special Land Uses; or as varied pursuant to Article V: Zoning Board of Appeals.

1. **Minimum Net Lot Area:**

- a. No building or structure shall be established on a parcel less than 32,670 square feet (0.75 acre).
- b. A building or structure with public sewer may be established on a parcel of not less than 20,000 square feet providing the frontage of said parcel is not on a major thoroughfare.

(Amended 3-25-03)

2. **Minimum Frontage:**

- a. **Unplatted Parcel Division:** Each parcel shall have frontage of not less than one hundred twenty (120) feet where public sewer is not available. Where public sewer is available, one hundred (100) feet minimum frontage is required.
- b. **Platted Lot or Condominium Unit:** Each lot or unit shall have a frontage of not less than one hundred (100) feet where public sewer is not available. Where public sewer is available, eighty-five (85) feet of frontage is required.

3. **Yard and Setback Requirements:**

a. **Parcel Splits**

- 1) **Front yard:** Seventy (70) feet from the road right-of-way line.
- 2) **Side yard:** Fifteen (15) feet.
- 3) **Rear yard:** Twenty-five (25) feet.
- 4) In no case shall any setback be less than one hundred (100) feet from the Pinckney Road right-of-way line.

b. **Subdivisions and Single-Family Condominium Projects**

- 1) **Front yard:** Thirty-five (35) feet from the road right-of-way line.
- 2) **Side yard:** Fifteen (15) feet.
- 3) **Rear yard:** Twenty-five (25) feet.
- 4) In no case shall any setback be less than one hundred (100) feet from

the Pinckney Road right-of-way line.

4. **Maximum Lot Coverage:** Thirty-five (35) percent.
5. **Maximum Height:** Unless otherwise provided in this Ordinance, no principal building shall exceed a height of thirty-five (35) feet measured from the finished grade.
6. The Planning Commission may require a landscaped, greenbelt buffer that shall consist of, but not be limited to, trees, shrubs, grasses and herbaceous vegetation, exclusive of noxious weeds, where the impact of a proposed development will have a negative impact on an existing, abutting parcel or parcels. If such a greenbelt is required, it shall be a twenty-five (25) foot wide landscaped greenbelt buffer established alongside and between the boundaries of the proposed development and any existing abutting parcels the Planning Commission determines could be negatively affected by the proposed development. A fifty (50) foot wide greenbelt shall be established adjacent to any public road right of way which is not located within the project.

The area of the required greenbelt, which lies within the boundaries of a lot or unit, applies to the area calculation for that lot or unit. The required greenbelt areas shall be maintained perpetually in natural vegetation or landscaping, as provided above, to provide a visual buffer. The Planning Commission may modify this requirement at the end of stub streets and along phasing boundaries, provided that the intent of this Section is maintained.

7. No lots or units shall be permitted driveway access from a road that is not an interior private road of the plat, condominium or development.
8. **Provisions of Article XIV:** Parking and Loading Requirements.
9. **Provisions of Article XV:** Signs.
10. **Provisions of Article XVIII:** Site Plan requirements for condominium projects. Subdivision Control Ordinance requirements for platted subdivisions.

**ARTICLE VII
SCHEDULE OF REGULATIONS**

		Site Development Standards ^(a)							
Zoning District	Minimum Lot Area ^(j)	Minimum Lot Frontage ^(k)	Minimum Required Setbacks ^{(b)(c)}				Maximum Lot Coverage	Maximum Building Height	Minimum Dwelling Unit Floor Area
			Front ^(d)	Side ^(e)	Rear				
Rural Residential, RR Unplatted Parcels Subdivision Lots or Condominium Units	2 acres 1 acre	150 feet 120 feet	70 feet 70 feet	15 feet each side 15 feet each side	25 feet 25 feet	35 percent 35 percent	35 feet 35 feet	See ⁽⁹⁾ See ⁽⁹⁾	
Suburban Residential, SR (Amended 3-25-03) Subdivision Lots or Condominium Units	32,670 Sq. Ft. ^(m) (0.75 acres) 20,000 Sq. Ft. with public sewer	120 feet 85 feet with public sewer	70 feet 35 feet with public sewer	15 feet each side 15 feet each side	25 feet 25 feet	35 percent 35 percent	35 feet 35 feet	See ⁽⁹⁾ See ⁽⁹⁾	
Urban Residential, UR	15,000 square feet ^(l) (j)	85 feet ^(k)	30 feet	15 feet each side	25 feet	35 percent	35 feet	See ⁽⁹⁾	
Existing Residential Subdivision, ERS-1	18,000 square feet	50 feet	50 feet	10 feet each side	25 feet	35 percent	35 feet	See ⁽⁹⁾	
Existing Residential Subdivision, ERS-2	1 acre	100 feet	100 feet	15 feet each side	25 feet	35 percent	35 feet	See ⁽⁹⁾	
Manufactured Home Park, MHP District		35 feet							
Highway Service, HS	1 acre	150 feet	80 feet	25 feet each side	40 feet	40 percent	35 feet	---	
Light Industrial, LI	4 acres 1 acre in an industrial park	330 feet 120 feet	100 feet	80 feet each side	80 feet	40 percent	40 feet	---	
Public Lands, PL	11,000 square feet	75 feet	25 feet	15 feet each side	25 feet	35 percent	35 feet	---	

Footnotes to the Schedule of Regulations:

- (a) See also Article XVII for site development standards for uses permitted by special use permit.
- (b) In no case shall any yard setback along the Pinckney Road right-of-way be less than one hundred (100) feet.
- (c) See RR District provisions for setbacks for agricultural buildings intended to house animals, pens, and corrals.
- (d) All front yard setbacks shall be measured from the edge of the road right-of-way.
- (e) Setbacks for the two (2) contiguous sides of a corner lot on public roads shall be equal to the front setback for that zoning district. If one of the contiguous sides abuts a private road and the parcel does not have access to the private road, it will be treated as a side and/or rear yard, whichever applies.
- (f) The minimum lot area for a multiple-family and mobile home park developments shall be ten (10) acres.
- (g) The minimum floor area for a one-story dwelling shall be 1,000 square feet; a two-story dwelling (including split levels) shall be 1,400 square feet with a minimum 800 square feet on the first floor, not including the basement.
- (h) No building or structure shall be established on a parcel less than 32,670 square feet (0.75 acre). A building or structure with public sewer may be established on a parcel of not less than 20,000 square feet providing the frontage of said parcel is not on a major thoroughfare. (Amended 3-25-03)
- (i) The minimum lot area shall be the gross lot area as that term is defined in Article III—Definitions, of this zoning ordinance. (Amended 12-17-04)
- (j) The minimum lot area for two-family dwellings shall be 30,000 square feet.
- (k) The minimum lot width for two-family dwellings shall be 135 feet.