

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, March 14, 2018 – 7:30 PM, Board of Trustees Room**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:**

**ITEM #1:** Approval of minutes from the regular meeting of February 28, 2018.

**CORRESPONDENCE:**

**PUBLIC HEARING:**

**ITEM #1: ZONING ORDINANCE AMENDMENT – DETACHED ACCESSORY BUILDING REGULATIONS**

**TITLE:** To consider amending the text of Van Buren Charter Township Zoning Ordinance 5-2-17(2) by modifying the required setbacks for detached accessory buildings greater than 768 square feet and for detached accessory buildings in commercial or industrial zoning districts; modifying the approval process for non-residential detached accessory buildings in non-residential districts; modifying the requirement for detached accessory buildings to have concrete floors and ratwalls in the agricultural district; and modifying the lot coverage requirements by creating an exception for detached sheds 120 square feet in area or less in residential and agricultural districts.

**ACTION ITEMS:**

- A. Open Public Hearing.
- B. Public Comment.
- C. Close Public Hearing.
- D. Planning Commission discussion.

**ITEM #2: CASE 17-024 – MASTER PLAN AMENDMENT HAROLD SMITH FARM FUTURE LAND USE.**

**TITLE:** THE APPLICANT, BEN GRIFFIN, IS REQUESTING AN AMENDMENT OT THE TOWNSHIP’S FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY SINGLE FAMILY B TO LIGHT INDUSTRIAL.

**LOCATION:** The property located at 50015 Michigan Avenue is the subject of the request. This property is located on the south side of Michigan Avenue, east of Ecorse Road and west of Denton Road. (Approximately 75 acres)

**ACTION ITEMS:**

- A. Open Public Hearing.
- B. Public Comment.
- C. Close Public Hearing.
- D. Planning Commission discussion.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**ITEM #1: CASE 18-001 – TEMPORARY LAND USE APPROVAL**

**TITLE:** THE APPLICANT, PHANTOM FIREWORKS, IS REQUESTING A TEMPORARY LAND USE PERMIT TO CONDUCT A TEMPORARY OUTDOOR FIREWORKS TENT SALE.

**LOCATION:** The property is located at 2095 Rawsonville Road, Van Buren Township, MI 48111. This site is located in the parking lot of the Lakewood Shopping Plaza.

**ACTION ITEMS:**

- A. Presentation by the applicant
- B. Presentation by Township staff.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the Temporary Land Use permit.

**ITEM #2: CASE 17-024 – MASTER PLAN AMENDMENT HAROLD SMITH FARM FUTURE LAND USE.**

**TITLE:** THE APPLICANT, BEN GRIFFIN, IS REQUESTING AN AMENDMENT OT THE TOWNSHIP’S FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY SINGLE FAMILY B TO LIGHT INDUSTRIAL.

**LOCATION:** The property located at 50015 Michigan Avenue is the subject of the request. This property is located on the south side of Michigan Avenue, east of Ecorse Road and west of Denton Road. (Approximately 75 acres)

**ACTION ITEMS:**

- A. Presentation by the applicant
- B. Presentation by Township staff.
- C. Planning Commission discussion.
- D. Planning Commission considers adopting the amendment to the Future Land Use Map to be forwarded to the Township Board.

**ITEM #3: ZONING ORDINANCE AMENDMENT – DETACHED ACCESSORY BUILDING REGULATIONS**

**TITLE:** To consider amending the text of Van Buren Charter Township Zoning Ordinance 5-2-17(2) by modifying the required setbacks for detached accessory buildings greater than 768 square feet and for detached accessory buildings in commercial or industrial zoning districts; modifying the approval process for non-residential detached accessory buildings in non-residential districts; modifying the requirement for detached accessory buildings to have concrete floors and ratwalls in the agricultural district; and modifying the lot coverage requirements by creating an exception for detached sheds 120 square feet in area or less in residential and agricultural districts.

**ACTION ITEMS:**

- A. Presentation by Township Staff
- B. Planning Commission discussion.
- C. Planning Commission considers recommending the Zoning Ordinance amendments to the Township Board of Trustees.

**GENERAL DISCUSSION:**

**ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
FEBRUARY 28, 2018  
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:30 p.m.

**ROLL CALL:**

**Present:** Kelley, Atchinson, Budd, Boynton, Jahr and Thompson.

**Excused:** Franzoi.

**Staff:** Director Akers and Secretary Harman.

**Planning Representatives:** McKenna Associate, Mario Ortega and Fishbeck Associate, David Potter.

**Audience:** Four (4).

**APPROVAL OF AGENDA:**

**Motion Kelley, Atchinson second to approve the agenda of February 28, 2018 as presented.**

**Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Kelley, Budd second to approve the regular meeting minutes of January 24, 2018 as presented. Motion Carried.**

**NEW BUSINESS:**

**ITEM # 1                    17-023 – FINAL SITE PLAN APPROVAL**

**TITLE:                    THE APPLICANT, SMITH GROUP JJR, IS REQUESTING FINAL SITE PLAN APPROVAL TO BUILD A FOUR (4) STORY OFFICE/LABORATORY BUILDING AT THE GRACE LAKE CORPORATE CENTER.**

**LOCATION:                PARCEL NUMBER: V125-82-045-99-0020-705; ADDRESS: 1 VILLAGE CENTER DRIVE, VAN BUREN TOWNSHIP, MI 48111. THE DEVELOPMENT IS LOCATED BETWEEN ECORSE ROAD AND HANNAN ROAD AND BETWEEN HANNAN ROAD AND I-275.**

Patrick Westerlund of Smith Group JJR gave the presentation. The applicant is requesting final site plan approval to build an approximately 124,000 square foot building. Smith Group JJR has received the planning and engineering review comments and will comply with all requirements.

Mario Ortega of McKenna Associates presented the final site plan review letter dated 2-8-18 recommending final site plan approval with the following conditions:

1. The total site area must be noted on the plans.
2. The 63-foot setback line from the internal drive must be shown on the plans.
3. At least 1 tree must be included in each of the landscape islands on the east side of the north-south driveway (located south of the building).
4. The landscape plan sheets must be revised to include any calculations to show compliance with the 1 tree per 300 sq. feet of interior landscape area. If more trees are required, these additional trees must be shown on revised plans.

5. The plans must include a corresponding notation indicating the location of the replacement trees. If more trees are required, these additional trees must be shown on revised plans.
6. The information on all new signage must be included on the plans.

Dave Potter of Fishbeck Associates presented his review letter dated 2-9-18 recommending final site plan approval. Director Akers presented the Fire Department review letter dated 2-5-18 granting approval of the plan set with exceptions to be completed during the building phase.

No comments from the Commission or the audience.

**Motion Kelley, Boynton second to grant final site plan approval to Smith Group JJR to build a four (4) story office/laboratory building at the Grace Lake Corporate Center, located at 1 Village Center Drive, Van Buren Township, MI 48111, subject to the analysis and recommendations in the McKenna Associates review letter date 2-8-18, Fishbeck Associates review letter dated 2-9-18 and Fire Department review letter dated 2-5-18. Motion Carried. (Letters attached)**

**ITEM # 2                    17-024 – MASTER PLAN AMENDMENT - HAROLD SMITH FARM FUTURE LAND USE**

**TITLE:                    THE APPLICANT, BEN GRIFFIN, IS REQUESTING AN AMENDMENT TO THE TOWNSHIP'S FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FROM LOW DENISTY SINGLE FAMILY B TO LIGHT INDUSTRIAL.**

**LOCATION:                THE PROPERTY LOCATED AT 50015 MICHIGAN AVENUE IS THE SUBJECT OF THE REQUEST. THE PROPERTY IS LOCATED ON THE SOUTH SIDE OF MICHIGAN AVENUE, EAST OF ECORSE ROAD AND WEST OF DENTON ROAD. (APPROXIMATELY 75 ACRES).**

Director Akers gave the presentation. The master plan amendment was submitted and distributed for the forty-two (42) day comment and review period, only one comment was received which supported the amendment. The next step is to schedule a public hearing for March 14, 2018.

**Motion Kelley, Boynton second to schedule the public hearing for March 14, 2018. Motion Carried.**

**GENERAL DISCUSSION: None.**

**ADJOURNMENT:**

**Motion Boynton, Kelley second to adjourn at 7:52 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on **Wednesday, March 14, 2018 at 7:30 p.m.**, in the Board of Trustees Room, 46425 Tyler Road, Charter Township of Van Buren, Wayne County, Michigan regarding the following items:

1. Proposed amendments to the Charter Township of Van Buren's Zoning Ordinance modifying the required setbacks for detached accessory buildings greater than 768 square feet and for detached accessory buildings in commercial or industrial zoning districts; modifying the approval process for non-residential detached accessory buildings in non-residential districts; modifying the requirement for detached accessory buildings to have concrete floors and ratwalls in the agricultural district; and modifying the lot coverage requirements by creating an exception for detached sheds 120 square feet in area or less in residential and agricultural districts.
  
2. Proposed amendments to the Township's Future Land Use Map in the Township's Master Plan to change the future land use designation of the following properties known as the Harold Smith Farm (50015 Michigan Avenue, Van Buren Township, MI 48111) from Low Density Single Family Residential B (15,000 square feet) to Light Industrial:

83-021-99-0001-000    83-022-01-0004-003    83-022-01-0007-001    83-021-99-0002-000  
83-022-01-0005-005    83-022-01-0008-003    83-022-01-0003-004    83-022-01-0006-001  
83-023-99-0005-000

Please address any written comments to the Van Buren Township Planning Commission at, 46425 Tyler Road, Van Buren Township, MI 48111 or via e-mail at [rakers@vanburen-mi.org](mailto:rakers@vanburen-mi.org). Written comments will be accepted until 4:00 p.m. on the hearing date. All materials related to these public hearing requests are available for public inspection at the Van Buren Township hall prior to the hearing.

Van Buren Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact Van Buren Township hall at 734-699-8913 at least seven (7) days in advance of the meeting if you need assistance.

Posted:            February 22, 2018  
Published:        February 25, 2018

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on **Wednesday, March 14, 2018 at 7:30 p.m.**, in the Board of Trustees Room, 46425 Tyler Road, Charter Township of Van Buren, Wayne County, Michigan regarding the following items:

1. Proposed amendments to the Charter Township of Van Buren's Zoning Ordinance modifying the required setbacks for detached accessory buildings greater than 768 square feet and for detached accessory buildings in commercial or industrial zoning districts; modifying the approval process for non-residential detached accessory buildings in non-residential districts; modifying the requirement for detached accessory buildings to have concrete floors and ratwalls in the agricultural district; and modifying the lot coverage requirements by creating an exception for detached sheds 120 square feet in area or less in residential and agricultural districts.
  
2. Proposed amendments to the Township's Future Land Use Map in the Township's Master Plan to change the future land use designation of the following properties known as the Harold Smith Farm (50015 Michigan Avenue, Van Buren Township, MI 48111) from Low Density Single Family Residential B (15,000 square feet) to Light Industrial:

83-021-99-0001-000    83-022-01-0004-003    83-022-01-0007-001    83-021-99-0002-000  
83-022-01-0005-005    83-022-01-0008-003    83-022-01-0003-004    83-022-01-0006-001  
83-023-99-0005-000

Please address any written comments to the Van Buren Township Planning Commission at, 46425 Tyler Road, Van Buren Township, MI 48111 or via e-mail at [rakers@vanburen-mi.org](mailto:rakers@vanburen-mi.org). Written comments will be accepted until 4:00 p.m. on the hearing date. All materials related to these public hearing requests are available for public inspection at the Van Buren Township hall prior to the hearing.

Van Buren Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact Van Buren Township hall at 734-699-8913 at least seven (7) days in advance of the meeting if you need assistance.

Posted:            February 22, 2018  
Published:        March 1, 2018



**CHARTER TOWNSHIP OF VAN BUREN  
APPLICATION FOR  
TEMPORARY LAND USE/SPECIAL EVENT  
46425 TYLER ROAD  
BELLEVILLE, MI 48111**

**RECEIVED**

**JAN 17 2018**

18-001

DATE: 1/3/18

BY: \_\_\_\_\_

BUSINESS NAME: Phantom Fireworks Eastern Region

CONTACT PERSON: Richard Tapper PHONE # 330-559-0776

SUPERVISOR FOR SITE: Richard Tapper PHONE # 330-559-0776

EVENT TITLE: Fireworks Sale

TYPE OF EVENT: Tent Sale DATE(S): June 22-July 4 201

LOCATION OF EVENT: Parking lot

ADDRESS OF LOCATION: 2095 Rawsonville Road, Belleville MI 48111 Lakewood Shopping Plaza

PROPERTY OWNER REPRESENTATIVE: Dorian Kilgore PHONE # 734-245-0900

ARE SIGNS PROPOSED FOR ADVERTISING:  YES  NO IF YES, INCLUDE LOCATIONS & DETAILS

OTHER Banner on tent 5'X16'

IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS (ATTACHED)

**NOTES:**  
IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, VIBRATION ARE EXPECTED BEYOND THE PROPERTY BOUNDRIES PLEASE EXPLAIN IN SEPARATE LETTER.

ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.

PROCESSING FEE \$ 1650.00 BOND FEE \$ \_\_\_\_\_ TOTAL \$ 1650.00

*Richard Tapper*  
(SIGNATURE OF APPLICANT)

1/17/18  
(DATE SIGNED)

\_\_\_\_\_  
(APPROVED BY)

\_\_\_\_\_  
(DATE SIGNED)



Property Name: Lakewood Shopping Center  
Address: 2095 Rawsonville Road

Landlord Lease Terms: June 11<sup>th</sup>, 2018 through July 15<sup>th</sup>, 2018

Hours of Operation: June 22<sup>nd</sup> – July 4<sup>th</sup> 10:00am –10:00pm

Size of Equipment: Flame Retardant Tent: 40' x 40'  
Fire Proof Storage Unit 8'X 40'

Use Clause: The retail sale of consumer sparklers, novelties, and Class C fireworks as permitted by the state of Michigan.

Insurance: \$10 million dollars in product, personal and property liability.

Participants-3-6 people

We follow NFPA 1123, 1124, and 1125 regulations.

Thank You,

Richard Tapper  
State Regional Manager/ Michigan  
330-559-0776



# Memo

**TO: Van Buren Township Planning Commission**  
**FROM: Ron Akers, AICP - Director of Planning and Economic Development**  
**RE: Review of Temporary Land Use Request #TLU18-001 – Phantom Fireworks**

**DATE: February 9, 2018**

Phantom of Michigan, Inc. is requesting a Temporary Land Use permit for a tent sale of fireworks at the Lakewood Shopping Plaza at 2095 Rawsonville Road. The use is proposed to be from June 22, 2018 through July 4, 2018, 10:00 a.m. to 10:00 p.m. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

Under Section 7 of Michigan Public Act 256 of 2011, local units of government are limited in their ability to regulate the sale of fireworks within their communities. The Michigan Attorney General has issued an Opinion on this section of the Act (Opinion #7266), which states, “so long as the local ordinance does not prohibit fireworks vendors from undertaking their commercial operations in any way that other vendors may undertake their operations, the ordinance is not preempted by the Act.” Therefore, fireworks vendors are subject to the same Zoning Ordinance regulations as any other temporary land use.

In reviewing past applications for this temporary land use, the current application and the requirements of the Zoning Ordinance for temporary use approval, the following comments are pertinent to the Planning Commission.

**1. Adequacy of parking and access**

The site currently has 877 public parking spaces, 31 of which are handicapped reserved. The tent, portable storage container, and surrounding space will only remove approximately 39 regular parking spaces, the site will still have adequate parking while the temporary land use is ongoing.

**2. Adequate drainage**

The site is in an existing parking lot that already has storm water drainage. The tent and storage container will not affect the amount of impervious surface or water that would be diverted into the storm system.

**3. Compatibility with surrounding land uses**

The proposed use is retail sales in a parking lot of an existing shopping plaza. Therefore, the uses are compatible.

**4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site**

The tent and portable storage container are temporary in nature and tent sales regularly take place in parking lots, so no impacts are expected to the surrounding sites.

**5. Sufficient setbacks from road right-of-ways and lot lines**

The sales area is setback 50 feet from the right-of-way of the South I-94 Service Drive and 30 feet from the adjoining outlot of the plaza to the east.

**6. Adequate utilities**

Phantom will supply its own electrical generation. The generator and electrical hook-up will be inspected to ensure compliance with National Fire Protection Association requirements.

**7. Trash disposal and site clean-up**

Phantom will be responsible for all trash disposal and site clean-up in relation to their agreement with Schostak Brothers and Company, managing agent for Lakewood Shopping Center.

**8. Sanitary facilities**

Due to the short nature of the customer shopping, no sanitary facilities will be provided.

**9. Hours of operation**

From 10:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses. However, we are not aware of any complaints with Phantom closing at 10:00 p.m. in previous years, so the hours of operation are reasonable.

**10. Outdoor light and signs**

No exterior lights are provided. Interior lights will be hung by the tent company. The Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Phantom requests a banner to measure 5' x 16' (80 sq. ft.). Phantom's temporary signage must comply with the Zoning Ordinance before it obtains a sign permit from the Building Department.

**11. Other licenses and permits required**

A current Consumer Fireworks Retail Facility: Non-Permanent license must be provided by the applicant prior to the establishment of the temporary use. The Van Buren Fire Marshall shall be separately issuing a review letter.

**12. Potential noise, odor, dust, and glare**

The proposed temporary use should not increase the noise, odor, dust of glare from their use.

**13. Fire lanes, fire protection, and security**

The Van Buren Fire Marshall shall review the application for adequacy of fire lanes and fire protection. The site will be staffed with 3-6 employees during open hours. During non-operating hours, all products will be returned to their fire-proof storage unit and locked up until the materials are returned for redisplay the following day.

**14. Off-site impacts of traffic volumes**

The roads in the immediate vicinity are major Township roads, and this temporary use will not impact their flow or travel volumes.

**15. Necessity of performance bond to ensure prompt removal**

The property owner will be responsible for ensuring the site is returned to its pre-sale condition.

**16. Other concerns which may impact the public health, safety, or general welfare**

There are no additional concerns; however, the applicant is subject to the regulations of Act 256 and applicable regulations of the Fire Department.

**Recommendation**

This will be the sixth (6) year that Phantom has operated at this location, and I am not aware of any complaints or issues that have taken place in the previous years. Based on this review dated February 9, 2018 and the review of the Fire Marshall dated January 17, 2018, I recommend approval of this application subject to the following three (3) conditions:

1. That the applicant obtains approval from the Van Buren Township Fire Marshall.
2. That the applicant provide the Township with a current Consumer Fireworks Retail Facility: Non-Permanent license prior to the establishment of the temporary use.
3. That all proposed signage comply with the Zoning Ordinance.

David C. McInally II  
Fire Marshal  
O: 734-699-8900 ext9416

Van Buren Fire Department  
46425 Tyler Rd  
Van Buren Twp., MI 48111



January 17, 2018

Director of Building and Planning  
46425 Tyler Road  
Belleville, MI 48111

Re: Phantom of Michigan Fireworks Temporary Land use 18-001

I have reviewed the plans submitted to my office on January 17th and found their application is in compliance of the state regulations for fireworks sales. They are also following NFPA 1123, 1124 and 1125 as well.

The Van Buren Fire Department will conduct an onsite inspection for Van Buren Township only. The State of Michigan will conduct the required inspection per license requirements from the State.

Respectfully Submitted,

David C. McInally II  
Fire Marshal

**APPROVED**  
Van Buren Township  
Fire Department  
  
Date: 1-17-18

**Our Mission:** The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.



Property Name: Lakewood Shopping Center  
Address: 2095 Rawsonville Road

Landlord Lease Terms: June 11<sup>th</sup>, 2018 through July 15<sup>th</sup>, 2018

Hours of Operation: June 22<sup>nd</sup> – July 4<sup>th</sup> 10:00am –10:00pm

Size of Equipment: Flame Retardant Tent: 40' x 40'  
Fire Proof Storage Unit 8'X 40'

Use Clause: The retail sale of consumer sparklers, novelties, and Class C fireworks as permitted by the state of Michigan.

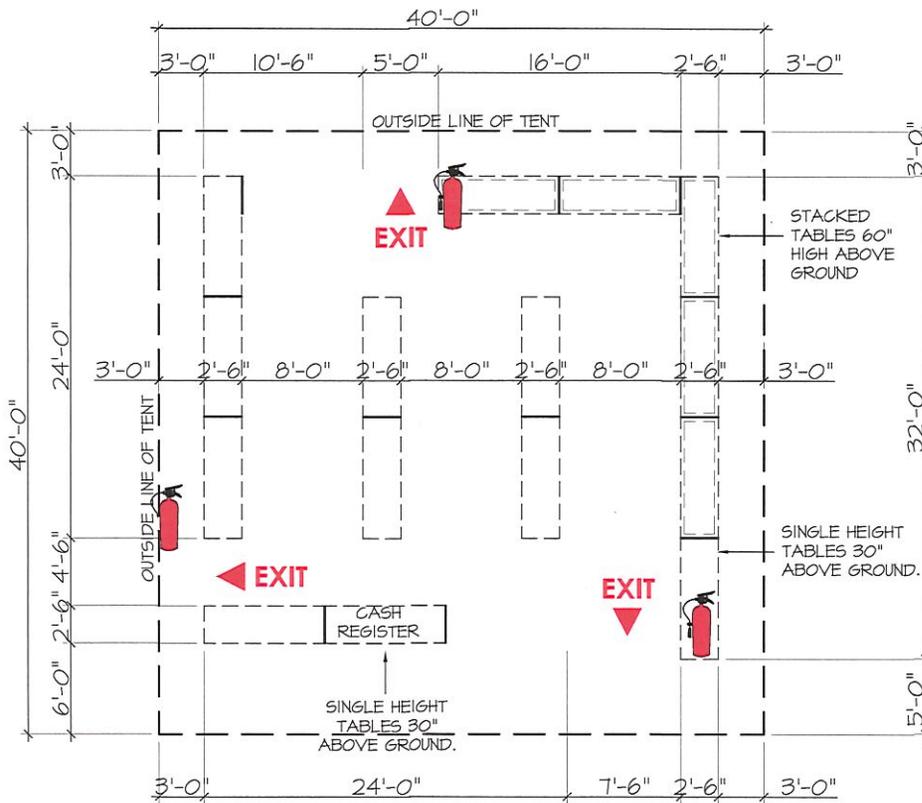
Insurance: \$10 million dollars in product, personal and property liability.

Participants-3-6 people

We follow NFPA 1123, 1124, and 1125 regulations.

Thank You,

Richard Tapper  
State Regional Manager/ Michigan  
330-559-0776



**A** 40' X 40' TENT LAYOUT AND EVACUATION PLAN  
 A-1.04 SCALE: 1/8" = 1'-0"



RECEIVED

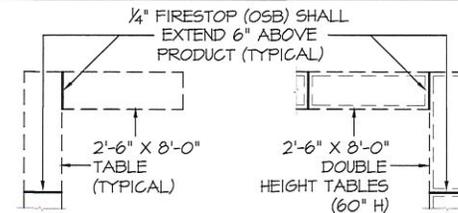
JAN 17 2018

BY: \_\_\_\_\_

GENERAL NOTES

- TENT SHALL HAVE (2) TWO FIRE EXTINGUISHERS LOCATED ON OPPOSITE SIDES OF THE STRUCTURE. MAINTAIN A MAXIMUM TRAVEL DISTANCE OF NOT GREATER THAN 35'-0" TO EITHER EXTINGUISHER. PROVIDE (1) ONE 5# ABC CHEMICAL RATED 3A BC AND (1) ONE 2 1/2 GALLON RATED 2A.
- TENT SHALL HAVE (3) THREE EXITS AS SHOWN ON THE FLOOR PLAN DRAWING.
- SINGLE HEIGHT TABLES SHALL BE 30" ABOVE THE GROUND.
- STACKED TABLES SHALL BE 60" ABOVE THE GROUND.
- THE AISLE AND EXIT WIDTHS SHALL BE 48" OR GREATER AS SHOWN ON THE FLOOR PLAN.
- ALL MERCHANDISE SHALL BE SET BACK FROM THE TENT PERIMETER A MINIMUM OF 3'-0".
- WEIGHT OF PRODUCT IS 10,400 POUNDS.
- FLAME BREAK LOCATIONS ARE AT 8'-0" INTERVALS AND SHALL EXTEND UP VERTICALLY 6" ABOVE THE PRODUCT. NO FLAME BREAK IS REQUIRED WHEN A 48" OR GREATER SPACE IS BETWEEN TABLES.
- PERCENTAGE OF PRODUCT IS EQUAL OR LESS THAN 40% OF THE FLOOR AREA OF THE TENT.
- PERCENTAGE OF PRODUCT TO FLOOR AREA OF 40 X 40 TENT IS 21.25%.

TYPICAL FIRESTOP DETAIL



SINGLE HEIGHT TABLES

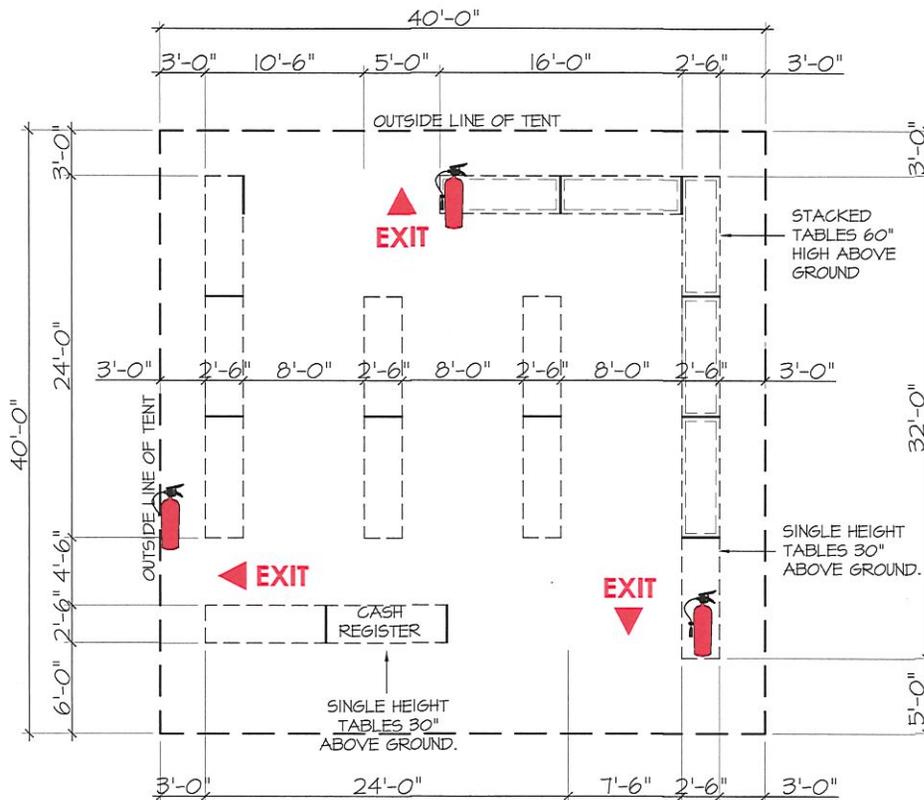
DOUBLE HEIGHT TABLES

PHANTOM FIREWORKS  
 40' X 40' TENT

*JAN BURTON*

REVISION	DATE	DESCRIPTION

CHECKED BY: ANE  
 DRAWN BY: JDS  
 JOB NO: 2012-09  
 SHEET NO: **A-1.04**  
 DATE: 05-10-2012



**A** 40' X 40' TENT LAYOUT AND EVACUATION PLAN  
 A-1.04 SCALE: 1/8" = 1'-0"



**RECEIVED**

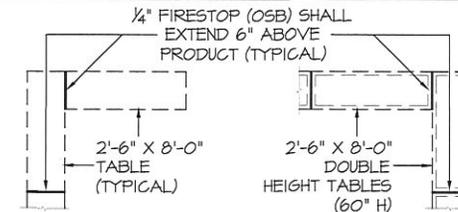
JAN 17 2018

BY: \_\_\_\_\_

**GENERAL NOTES**

- 1) TENT SHALL HAVE (2) TWO FIRE EXTINGUISHERS LOCATED ON OPPOSITE SIDES OF THE STRUCTURE. MAINTAIN A MAXIMUM TRAVEL DISTANCE OF NOT GREATER THAN 35'-0" TO EITHER EXTINGUISHER. PROVIDE (1) ONE 5# ABC CHEMICAL RATED 3A BC AND (1) ONE 2 1/2 GALLON RATED 2A.
- 2) TENT SHALL HAVE (3) THREE EXITS AS SHOWN ON THE FLOOR PLAN DRAWING.
- 3) SINGLE HEIGHT TABLES SHALL BE 30" ABOVE THE GROUND.
- 4) STACKED TABLES SHALL BE 60" ABOVE THE GROUND.
- 5) THE AISLE AND EXIT WIDTHS SHALL BE 48" OR GREATER AS SHOWN ON THE FLOOR PLAN.
- 6) ALL MERCHANDISE SHALL BE SET BACK FROM THE TENT PERIMETER A MINIMUM OF 3'-0".
- 7) WEIGHT OF PRODUCT IS 10,400 POUNDS.
- 8) FLAME BREAK LOCATIONS ARE AT 8'-0" INTERVALS AND SHALL EXTEND UP VERTICALLY 6" ABOVE THE PRODUCT. NO FLAME BREAK IS REQUIRED WHEN A 48" OR GREATER SPACE IS BETWEEN TABLES.
- 9) PERCENTAGE OF PRODUCT IS EQUAL OR LESS THAN 40% OF THE FLOOR AREA OF THE TENT.
- 10) PERCENTAGE OF PRODUCT TO FLOOR AREA OF 40 X 40 TENT IS 21.25%.

**TYPICAL FIRESTOP DETAIL**



SINGLE HEIGHT TABLES

DOUBLE HEIGHT TABLES

**PHANTOM FIREWORKS**  
40' X 40' TENT

REVISION	DATE	DESCRIPTION

CHECKED BY: ANE

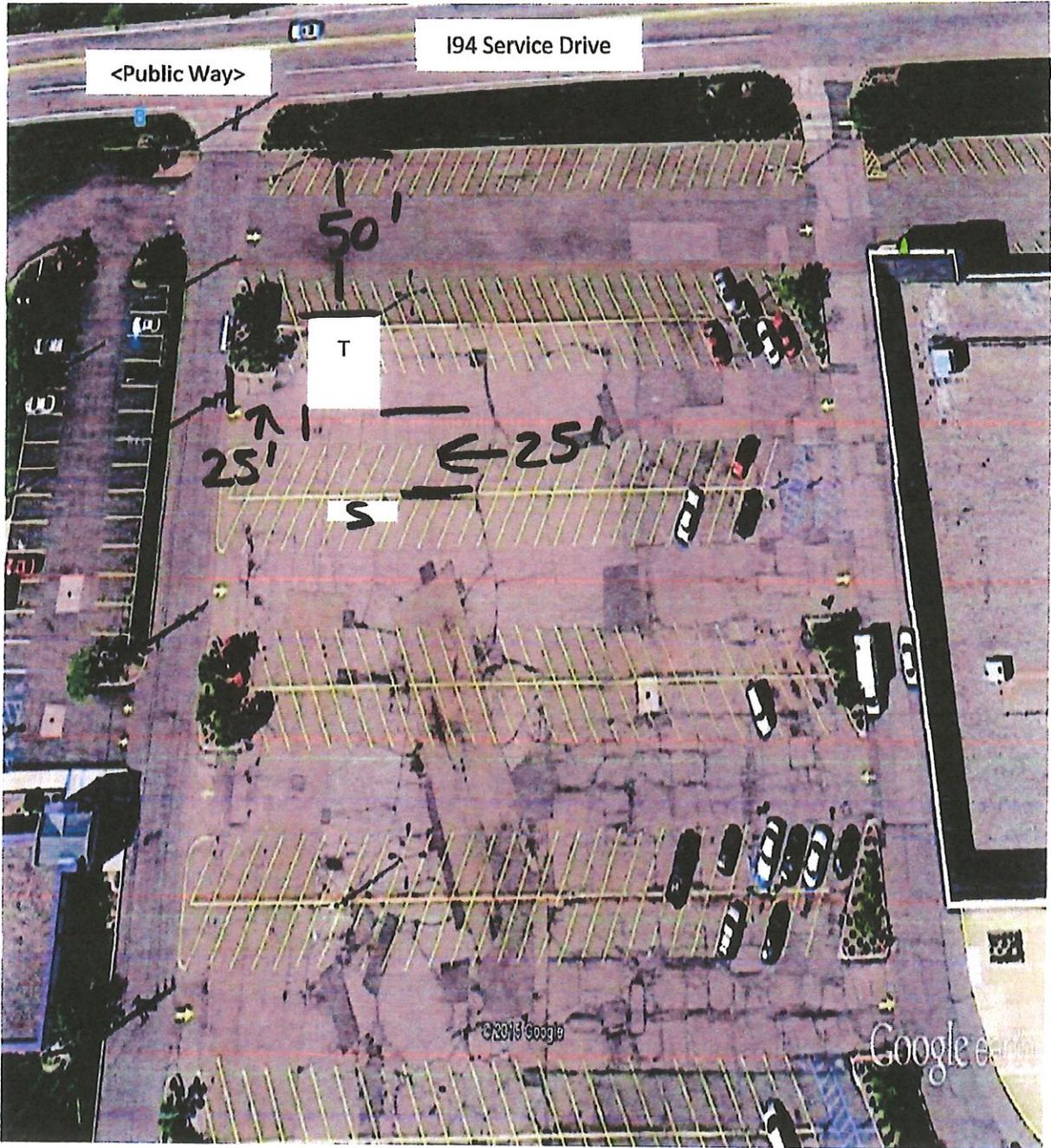
DRAWN BY: JDS

JOB NO: 2012-09

SHEET NO:

**A-1.04**

DATE: 05-10-2012



<Public Way>

194 Service Drive

50'

T

25'

← 25'

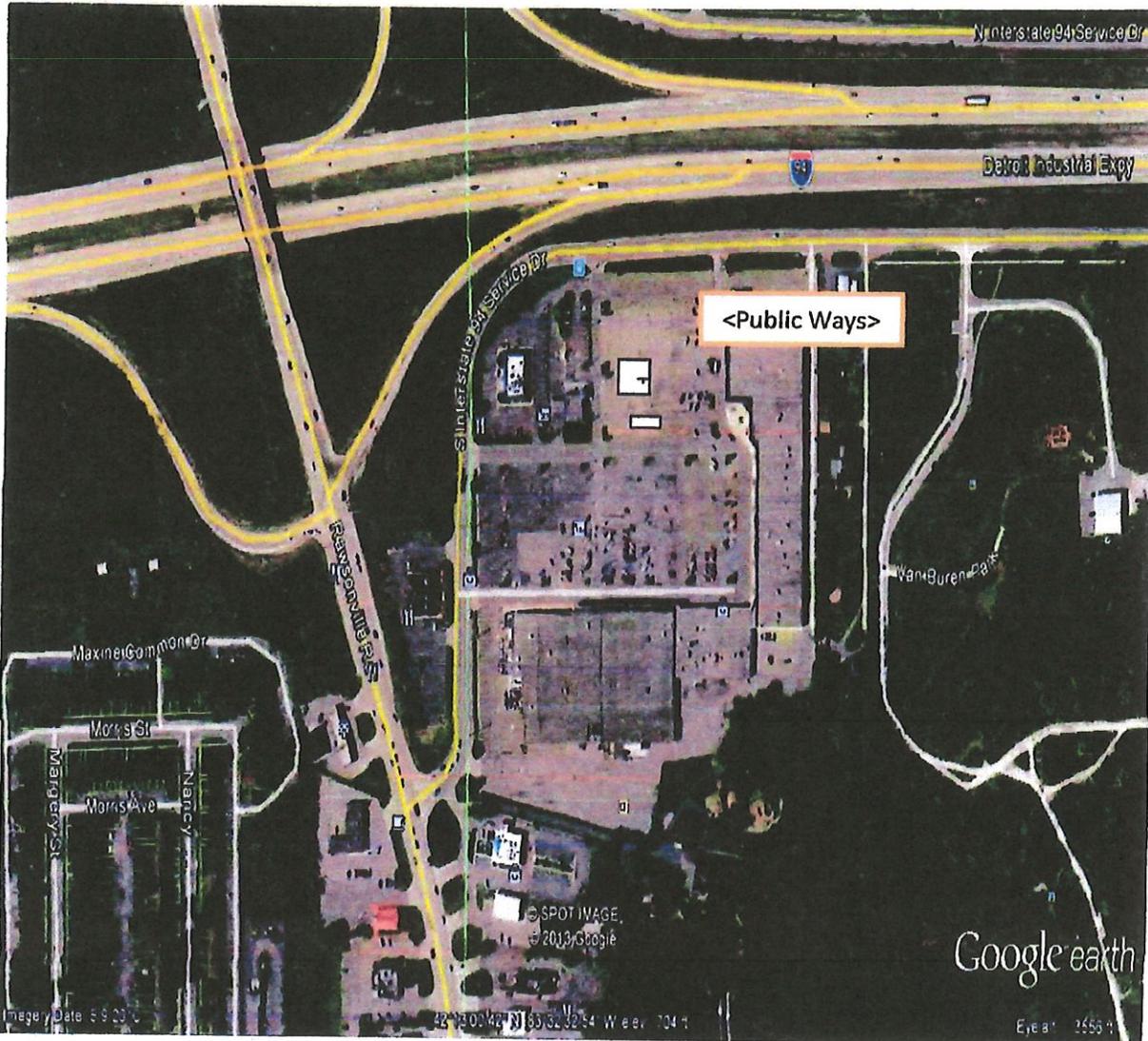
S

© 2018 Google

Google earth

Exhibit A

Van Buren Twp, I-94 & 2095 Rawsonville Road Lakewood Center 48111



T- Pole Tent 40'X40' S- Storage Unit 8'X40' X- Generator  
There are no gas stations, propane stations, flammable gas bulk dispenser, etc on this property or surrounding properties within 300 feet.

Over 800 parking spaces available on the asphalt, using 30 parking spaces. There is no parking within 10 feet of the tent. There are public ways within 150 feet of the tent and storage unit.

X \_\_\_\_\_

# Phantom Fireworks Eastern Region, LLC

2445 Belmont Ave, Youngstown, Ohio 44505  
330-746-1064

## PROPERTY PERMISSION FORM

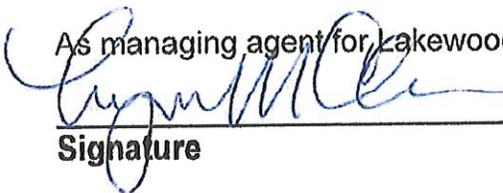
The undersigned, owner and/or controlling party, of the property listed below hereby grants permission to Phantom Fireworks Eastern Region, LLC to use the property for the temporary sale of fireworks at the following location:

**Name:** Lakewood Shopping Center **Parcel No:**  
**Address:** 1-94 and 2095 Rawsonville Road  
**City:** Belleville **ST:** MI **Zip:** 48111 **County:** Wayne

This Temporary Use Permission Form is for the purposes of obtaining state and local licenses, permits, and other uses pertinent to the retail sale of Class C state approved fireworks at the location for the 2018 season.

Schostak Brothers & Co., INC

As managing agent for Lakewood Shopping Center LLC

  
\_\_\_\_\_  
**Signature**

Lynore M Clark, CSM, CRX

**Name- Please Print - Property Owner/Controller of Property-**

Schostak Brothers Inc. Director of Property Management - Shopping Centers  
as managing agent for  
Lakewood Shopping Center LLC

**Company/Title**

12/13/17  
\_\_\_\_\_  
**Date**



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/27/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 216-658-7100      FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS: info@brittongallagher.com	
	<b>INSURER(S) AFFORDING COVERAGE</b> <b>NAIC #</b>	
<b>INSURED</b> Phantom Fireworks Eastern Region, LLC 2445 Belmont Avenue Youngstown OH 44505	<b>INSURER A:</b> Everest Indemnity Insurance Co.      10851	
	<b>INSURER B:</b> Maxum Indemnity Company      26743	
	<b>INSURER C:</b> Axis Surplus Ins Company      26620	
	<b>INSURER D:</b> Everest National Insurance Company      10120	
	<b>INSURER E:</b> Berkshire Hathaway Homestate Ins Co	
	<b>INSURER F:</b>	

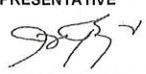
**COVERAGES**      **CERTIFICATE NUMBER:** 1293735039      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Non-Owned Stand <input type="checkbox"/> End't Included GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	Y	SI8GL00643-171	10/30/2017	10/30/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
D	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	SI8CA00095-171	10/30/2017	10/30/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$	Y	Y	EXC6025343-04	10/30/2017	10/30/2018	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
E	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	BJWC811936	10/30/2017	10/30/2018	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
C	Excess Liability #2	Y	Y	EAU784017	10/30/2017	10/30/2018	Each Occ/ Aggregate \$5,000,000 Total Limits \$10,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.  
 Tent Location: Lakewood Shopping Center, 2095 Rawsonville Rd, Belleville MI 48111  
 Dates of Operation: June 10th through July 20th  
 Lakewood Shopping Center LLC; Schostak Brothers & Company Inc, Van Buren Township  
 The above listed are Additional Insureds with respect to General Liability as required by written contract.  
 Products/Completed Operations Coverage follows form through both excess policies listed on certificate.

<b>CERTIFICATE HOLDER</b>  Shostak Brothers & Co Inc 17800 Laurel Park Drive North Suite 200C Livonia MI 48152	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

IMPORTANT DOCUMENT

# Certificate of Flame Resistance

REGISTERED  
APPLICATION  
NUMBER

F121.4



Date of Manufacture  
4/22/98

Order Number  
183683

MANUFACTURERS OF THE FINISHED  
TENT PRODUCTS DESCRIBED HEREIN

**This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:**

S & R TENT  
30124 CALAHAN

ROSEVILLE

MI

48066

**Certification is hereby made that:**

**The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code, equal to exceeds NFPA 701, CPAI 84, ULC 109.**

**The method of the FR chemical application is:**

Serial #: (0001)

Description of item certified:  
40 x 40 Party Mate Tent

**Flame Retardant Process Used Will Not Be Removed By  
Washing And Is Effective For The Life Of The Fabric**

JOHN BOYLE & CO  
STATESVILLE, NC

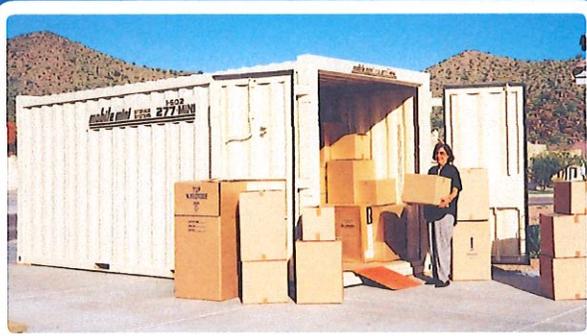
Name of Applicator of Flame Resistant Finish



Sign Banner on Tent- Tent is 18' High  
5'X16'



## PORTABLE STORAGE CONTAINERS



- Container delivered to your home or business provides secure & convenient ground level access.
- Units available with shelving and painted light beige for quality appearance.
- All steel containers include your choice of patented door & locking systems.
- Easy opening, waist high, single lever doors on one end, both ends or sides.
- Sizes range from 10' to 40' lengths and 8' or 10' widths.

### ANYONE CAN SELL STORAGE - WE SELL SECURE STORAGE!

Our patented high security locking system includes three solid interior locking bars, padlock pocket and concealed lever lock. It also utilizes Mobile Mini's exclusive high security ContainerGuard Lock™.



### COMMERCIAL APPLICATIONS

Trusted for Over 25 Years

Ideal for job site, additional warehouse or seasonal storage needs. Mobile Mini's secure containers are available in 100 different sizes and configurations to meet your needs at your location. Our high security containers are used by over 100,000 customers nationwide.



### RESIDENTIAL APPLICATIONS

Storage Made Easy

Ideal for home remodels! A Mobile Mini storage container delivered to your home provides easy and convenient, ground-level access and easy opening doors. Our hassle free low cost service allows you to access your belongings anytime at your location and eliminates the need to rent a truck or drive to a self storage facility.



### WIDER IS BETTER

10' Wide Storage Units

An exclusive Mobile Mini product, our extra-wide storage units are ideal for palletized storage. 20% more square footage, but 40% more usable space compared to a standard 8' wide unit! Units are 10' wide and available in lengths of 18' or 25'.



### DOORS WHERE YOU NEED THEM

Maximize your Storage Space

Our standard rental units are equipped with our exclusive high-security doors on one end. We also offer rental units with our doors on both ends or on the sides for efficient storage and convenient side or end access. Side door configurations are available with one to four side double doors. The choice is yours!





# PLANNING & ZONING APPLICATION

Case number 17-024

Date Submitted 7-17-17

## APPLICANT INFORMATION

Applicant Ben Griffin Phone (313) 565-2800

Address 24442 Michigan Avenue Fax (313) 565-6182

City, State Dearborn, Michigan Zip 48124

E:mail benjaygriffin46@gmail.com Cell Phone Number (734) 756-2195

Property Owner Harold Smith Trustee and Authorized Owners Phone (734) 482-0360  
Representative

Address 50015 Michigan Avenue Fax

City, State Belleville, Michigan Zip 48111

Billing Contact Ben Griffin Phone (313)565-2800

Address 24442 Michigan Avenue Fax (313)565-6182

City, State Dearborn, Michigan Zip 48124

## SITE/ PROJECT INFORMATION

Name of Project Smith Rezoning

Parcel Id No. See attached Project Address 50015 Michigan avenue

### Attach Legal Description of Property

Property Location: On the South Side of Michigan Avenue Road; Between Denton Road  
and Rawsonville Road. Size of Lot Width 4,000 feet Depth 1,800 feet

Acreage of Site 75.57 acres Total Acres of Site to Review 75.57 Current Zoning of Site R-1C Single Family Residential

Project Description: Amend Master Plan from Low Density Single Family B (15,000 Sq. Ft.) to Light Industrial and Rezone from R-1C Single Family Residential to M-1 Light Industrial

Is a re-zoning of this parcel being requested? YES YES (if yes complete next line) NO  
Current Zoning of Site R-1C Single Family Residential Requested Zoning M-1 Light Industrial

## SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? YES (if yes complete next line) NO  
Section of Zoning Ordinance for which you are applying \_\_\_\_\_

Is there an official Woodland within parcel? \_\_\_\_\_ Woodland acreage

List total number of regulated trees outside the Woodland area? \_\_\_\_\_ Total number of trees

Detailed description for cutting trees

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the

Signature of Property Owner:

Harold W. Smith

Harold Smith, Trustee and Authorized Owners' Representative

STATE OF MICHIGAN  
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this 7th day of June 2017 Amy L. Wess Notary Public,  
Wayne County, Michigan My Commission expires 3-20-18, 2018 Amy L. Wess

Rev 1/12/06

AMY L. WESS  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Mar 20, 2018  
ACTING IN COUNTY OF Oakland

Ben Griffin  
24442 Michigan Avenue  
Dearborn, Michigan 48124

June 28, 2017

Ron Akers  
Director Planning & Economic Development  
46425 Tyler Road  
Van Buren Township, Michigan 48111

Re: Various Parcels c/k/a "Smith Farm" (the subject property)

Dear Mr. Akers,

Please accept this letter and the attached rezoning application as our formal request to rezone the approx. 75-acre tract referenced above -- located on the south side of Michigan Avenue, between Denton and Rawsonville Roads -- from R-1C Single Family Residential to M-1 Light Industrial. We understand this would require that the Master Plan be amended from Low Density Single Family Residential B (15,000 Sq. Ft.) to Light Industrial, and that the amended Master Plan and Zoning Map would include a residential protection (buffer zone) along the east boundary of the property.

In the section below, we have summarized the land use patterns in the vicinity, and have given our justification for the proposed rezoning.

The subject property currently consists of nine parcels and has been farmed by the same family for over 100 years. All utilities (sewer, water, gas, electric) are in the right-of way adjacent to the site. The land uses for the areas adjoining the subject property are as follows:

To the north is 4,000 feet of frontage on Michigan Avenue (US-12), a state divided highway.

To the south is the active Norfolk Southern Rail line and General Motors Service Parts Operations (distribution center).

To the east is The Denton Cemetery and single family residential.

To the west is Michigan Avenue (US-12).

The property is surrounded on three sides (north, south and west) by Michigan Avenue (US-12) and the Norfolk Southern Railroad. We believe this makes the site non conducive for current residential development and that impacts on the established residential neighborhood to the east would be mitigated by the required residential protection (buffer zone).

We feel that this is an appropriate location for an M-1 Light Industrial zone -- and that the requested rezoning will not alter the essential character of the area. Therefore, we feel that the recommendation of the Planning Department and Planning Commission in support of the requested rezoning (and Master Plan amendment) will observe, and be consistent with, the spirit of the Ordinance.

A handwritten signature in black ink, appearing to be 'Ben Griffin', with a long horizontal stroke extending to the right.

Ben Griffin



# Memo

**TO: Planning Commission**  
**FROM: Ron Akers, AICP**  
**Director of Planning and Economic Development**  
**RE: 17-024 Harold Smith Farm Future Land Use Map Amendment**  
**DATE: February 9, 2018**

---

The statutory 42 day comment and review period for the Master Plan amendment has ended. We have received comment from only one of the notified public agencies and I have attached that letter to this memo. The next step in the amendment process is for the Planning Commission to make a motion to schedule a public hearing for the amendment to the Township's future land use map. If the Planning Commission decides to move forward we will schedule the public hearing for March 14, 2018. I have attached to this memo a revised timeline, the plan distribution letter sent to the public agencies, the mailing labels of the public agencies which were mailed the notice, and a response we received from the Ann Arbor Transit Authority. I look forward to further discussion on this issue.



# Memorandum

**TO:** Van Buren Township Planning Commission

**CC:** Ron Akers, AICP, Director of Planning & Economic Development  
Matthew Best, M.S., Deputy Director of Planning & Economic Development

**FROM:** Patrick Sloan, AICP; Senior Principal Planner  
Deanna Dupuy; Assistant Planner

**SUBJECT:** Proposed Master Plan Amendment for Harold Smith Property

**DATE:** November 8, 2017

---

Van Buren Township recently received a rezoning application from We have reviewed the application by Ben Griffin (“applicant”) on behalf of Harold Smith Trustee and Authorized Owners (“owner”) to rezone 9 parcels from R-1C (Single Family Residential) to M-1 (Light Industrial), which are illustrated in our rezoning review letter of August 1, 2017. These 9 parcels are located in a triangular area bounded on the north side by Michigan Ave., on the south side by Conrail railroad, and on the east side by a single-family residential area. While we stated that the proposed rezoning is not supported by the current Township Master Plan, we acknowledge that the Master Plan should be reviewed to determine if there is a sufficient amount of industrial-planned and –zoned land to accommodate future demand while still preserving the character of the community that is residential, commercial, and rural character.

Van Buren Township has recently experienced a high demand for new industrial development and expansions of existing industrial land uses. Recently approved industrial site plans include L&W Engineering, Bayloff Industries, Constellium, Contractor’s Steel, Costco, Ashley Capital, Denski Warehouse, Maysen Polymer, and Continental Canteen. Additionally, a site plan for Ashley Capital Crossroads North is currently under review by the Township. With the continued economic growth of the region and Van Buren Township’s proximity to I-94, I-275, and 2 major airports, we expect demand for industrial development to continue in the township.

As part of the general update to the Master Plan that has recently been initiated, we are still in the process of generating an inventory of large vacant parcels that are planned and/or zoned for industrial use. Some of these large areas are reserved for future expansion by the current owner/user, making it unmarketable for a new user. Other areas are not suitable for development because they may contain significant wetlands.

Given the increasing demand for industrial land and the above limitations on some of the existing industrial-zoned areas, it is critical for the Township to identify if there are other areas not already zoned or planned for industrial, that are suitable for future industrial development. The following are the specific criteria that often indicate if an area is suitable for industrial development:

- 
1. **Size.** Large contiguous areas that are vacant.
  2. **Convenient Access.** Areas located along major corridors and near expressway interchanges. The proximity of rail is also a consideration.
  3. **Utilities.** Areas connected to (or have potential to be connected to) existing water and sewer services.
  4. **Residential Protection.** Areas that are either separate from residential uses or have sufficient area to provide an adequate buffer.

Using these criteria, we have so far identified two significant areas of the Future Land Use Map that may be suitable for an industrial future land use classification: 1) the Harold Smith property at the intersection of Michigan Avenue and the Conrail Railroad; and 2) the vacant area northeast of the I-94 and Haggerty Road interchange. The following are our recommendations to insure that at these sites, the Future Land Use Plan reflects the areas' highest and best use:

- **Area at Michigan Avenue and the Conrail Rail Road.** This is zoned and planned for Single Family Residential (R1-C) and planned for Low Density Single Family (B). We recommend amending the Future Land Use Map classification of this site to Light Industrial, provided there is a residential protection buffer (similar to the industrial sites to the south and east). Please refer to the attached draft of the Future Land Use Map.
- **Vacant area northeast of I-94 and Haggerty Road interchange, which is south of I-275.** Although this site is zoned M-1, it is classified as Office Research on the Future Land Use Map. While a change to the Future Land Use Map is not imminent in this area, we recommend further review during the Master Plan process to determine if an industrial Future Land Use designation is appropriate.

If the proposed changes to the Future Land Use Plan and attached map are acceptable, we recommend distributing it to surrounding communities and required agencies for review pursuant to the Michigan Planning Enabling Act. If you have any questions or comments in the meantime, please let us know. Thank you.





# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

January 11, 2018

Ben Griffin  
Dearborn Real Estate  
24442 Michigan Avenue  
Dearborn, MI 48124

**RE: Case 17-024 Master Plan Amendment Harold Smith Farm Future Land Use Projected Timeline**

Mr. Griffin,

The following is a revised projected timeline for the amendment to the Township's Future Land Use Map if everything is approved in a timely manner by the required boards and commissions:

October 25, 2017: Introduction to the Planning Commission. Planning Commission considers submitting notice of intent to plan.  
October 30, 2017: Notice of Intent to Plan Sent Out  
November 8, 2017: Planning Commission acts to submit the proposed plan amendments to the Township Board.  
November 20, 2017: Township Board work study.  
November 21, 2017: Township Board approves plan distribution.  
December 26, 2017: Notices for 42 day comment period sent out.  
February 14, 2018: Planning Commission moves to decide to hold a public hearing.  
March 14, 2018: Planning Commission holds public hearing. Votes to adopt Master Plan amendment.  
April 2, 2018: Township Board Workstudy  
April 3, 2018: Township Board decision.  
April 6, 2018: Notice of adoptions sent out.  
April 25, 2018: Public Hearing for Rezoning of property. Recommendation made by the Planning Commission.  
May 14, 2018: Township Board Workstudy  
May 15, 2018: Township Board 1<sup>st</sup> reading of Ordinance amendment  
June 5, 2018: Township Board 2<sup>nd</sup> reading.

If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

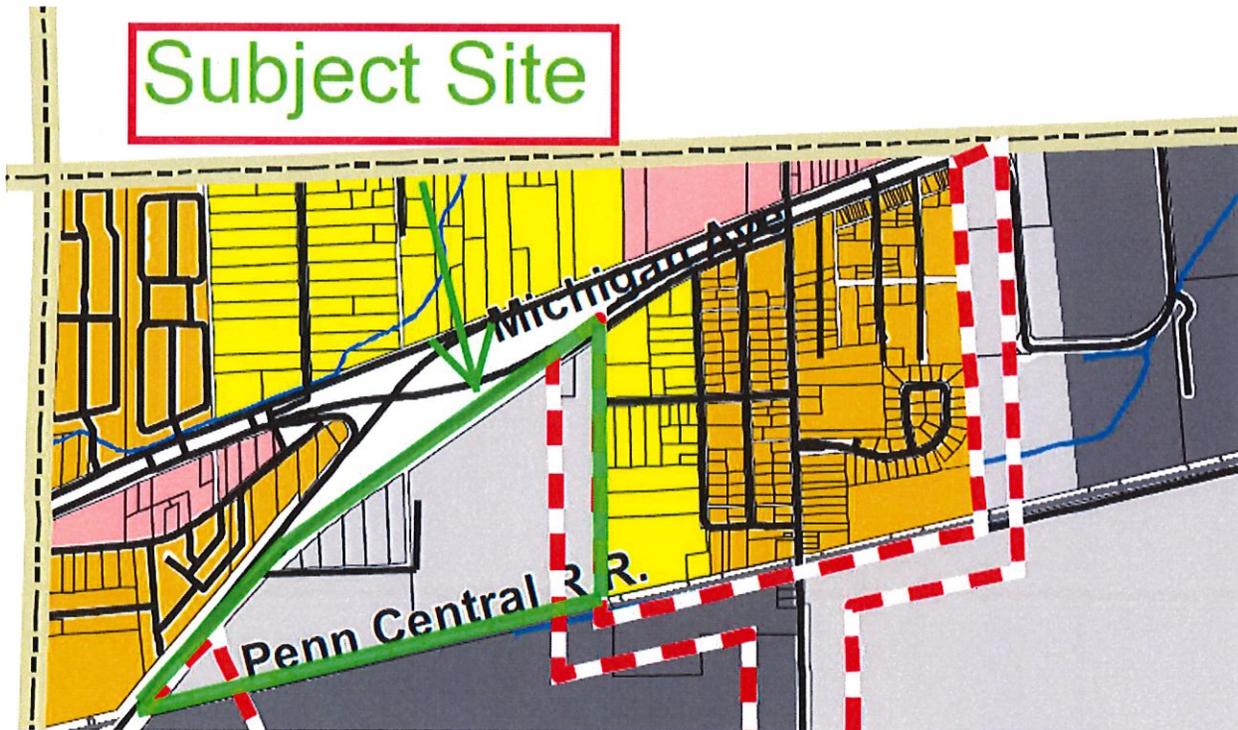
Ron Akers, AICP  
Director of Planning and Economic Development

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
MASTER PLAN AMENDMENT DISTRIBUTION**

Consistent with the provisions of the Michigan Planning Enabling Act, Act 33 of the Public Acts of 2008, as amended, the Van Buren Township Planning Commission is distributing an amendment to the Township's Future Land Use Map in the Township's Master Plan to change the future land use designation of the following property from Low Density Single Family Residential B (15,000 square feet) to Light Industrial:

Parcels:

83-021-99-0001-000	83-022-01-0004-003	83-022-01-0007-001	83-021-99-0002-000
83-022-01-0005-005	83-022-01-0008-003	83-022-01-0003-004	83-022-01-0006-001
83-023-99-0005-000			



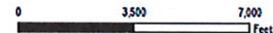
**DRAFT**

November 8, 2017

**Future Land Use Plan**

Van Buren Township,  
Wayne County, Michigan

Base Map: Wayne County O.G. 2004  
Data Source: Van Buren Township Master Plan 1995  
Single Family Residential Plan 1999, Escape-Highway Corridor  
Plan 2003, Office Land Area Plan 2001, South Side Master Plan  
2007 and Belleville Road District Plan 2010



**Land Use Category**

**Residential**

- Rural Settlement  
1 acre lot area
- Low Density Single Family A  
20,000 Sq Ft
- Low Density Single Family B  
15,000 Sq Ft
- Medium Density Single Family A  
10,000 Sq Ft
- Medium Density Single Family B  
8,400 Sq Ft
- Village Residential  
8,400 Sq Ft
- Multiple Family Residential  
10 du/acre

**Commercial**

- South Side Commercial
- Local Commercial
- General Commercial
- Town Center Edge
- Town Center Core
- Gateway Commercial
- Highway Service
- CBD

**Mixed Use**

- Commercial/ Office
- Office Research
- Mixed Use\*
- Office/ Light Industrial

**Industrial**

- Light Industrial
- Industrial Trucking
- Heavy Industrial

**Other**

- Airport
- Parks/ Open Space
- Public/ Semi Public
- Private Open Space
- Consent Judgment
- Residential Protection
- Urban Services Boundary
- 1 Footnotes  
(see South Side Master Plan)
- A Footnotes  
(see Belleville Rd District Plan)

Note: Circulation Plans are not reflected on this map.  
\* See Associated Sub Area Plan for details.

Please address any written comments to the Van Buren Township Planning Commission at, 46425 Tyler Road, Van Buren Township, MI 48111 or by e-mail at [rakers@vanburen-mi.org](mailto:rakers@vanburen-mi.org). I have attached a copy of the updated Future Land Use Map for your convenience. As provided in the Act, your organization has forty-two (42) days to provide written comments to the Township Planning Commission. We ask that you would please submit you comments no later than March 6, 2018. Regular meetings of the Township Planning Commission are held on the second and fourth Wednesday of each month at 7:30 P.M. at Van Buren Township Hall. We ask for your cooperation and invite your comments regarding this endeavor. Please feel free to contact me with any additional questions.

Sincerely,

A handwritten signature in blue ink that reads "Ron Akers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ron Akers, AICP  
Director of Planning & Economic Development  
Charter Township of Van Buren

Mailed: 12-26-17

A handwritten mark in blue ink consisting of a circled initial "R" followed by the date "12-26-17".

Sumpter Township  
Planning Commission  
23480 Sumpter Road  
Belleville, MI 48111

Ypsilanti Township  
Planning Commission  
7200 S. Huron River Drive  
Ypsilanti, MI 48197

City of Romulus  
Planning Commission  
11111 Wayne Road  
Romulus, MI 48174

Canton Township  
Planning Commission  
1150 S. Canton Center Road  
Canton, MI 48188

City of Belleville  
Planning Commission  
6 Main Street  
Belleville, MI 48111

Huron Township  
Planning Commission  
22950 Huron River Drive  
New Boston, MI 48164

City of Wayne  
Planning Commission  
3355 S. Wayne Road  
Wayne, MI 48184

Superior Township  
Planning Commission  
3040 N. Prospect  
Ypsilanti, MI 48198

Augusta Township  
Planning Commission  
8021 Talladay Road  
Whittaker, MI 48190

SEMCOG  
1001 Woodward Ave, Suite 1400  
Detroit, MI 48226

Wayne County  
Board of Commissioners  
500 Griswold St  
Detroit, MI 48226

Washtenaw County  
Board of Commissioners  
220 North Main Street  
Ann Arbor, MI 48108

SMART  
535 Griswold Street, Suite 600  
Detroit, MI 48226

AATA  
2700 S. Industrial Hwy  
Ann Arbor, MI 48104

Norfolk Southern Railroad  
1200 Peachtree Box 7-142  
Atlanta, GA 30309

Wayne County Airport Authority  
11050 Rogell Drive, Bldg. 602  
Detroit, MI 48242

Michigan Department of  
Transportation  
18101 W. Nine Mile Road  
Southfield, MI 48075

DTE Electric Company  
P.O. Box 33017  
Detroit, MI 48232

DTE Gas Company  
P.O. Box 33017  
Detroit, MI 48232

Wayne County  
Department of Public Services  
400 Monroe  
Detroit, MI 48226

Airport Manager  
Willow Run Airport  
801 Willow Run Airport  
Ypsilanti, MI 48198

International Transmission Company  
27175 Energy Way  
Novi, MI 48377



2700 S. Industrial Highway  
Ann Arbor, MI 48104  
734.973.6500 **Phone**  
734.973.6338 **Fax**  
TheRide.org **Online**

January 26, 2018

Dear Van Buren Township Planning Commission  
46425 Tyler Road,  
Van Buren Township, MI 48111

The Ann Arbor Area Transportation Authority (TheRide) has no objections or comments for the Planning Commission regarding the Master Plan Amendment for the location adjacent to Michigan Avenue, identified in a letter send on 12-26-2017.

We do not operate service past Ridge Road in Washtenaw County and do not have the ability to extend our service past its current design. Although we recognize that local land use policy decisions are solely the decision of the local municipality, we appreciate the opportunity to comment on land use issues at an early stage.

Sincerely,

A handwritten signature in blue ink, appearing to read "William De Groot", with a large, sweeping flourish extending to the right.

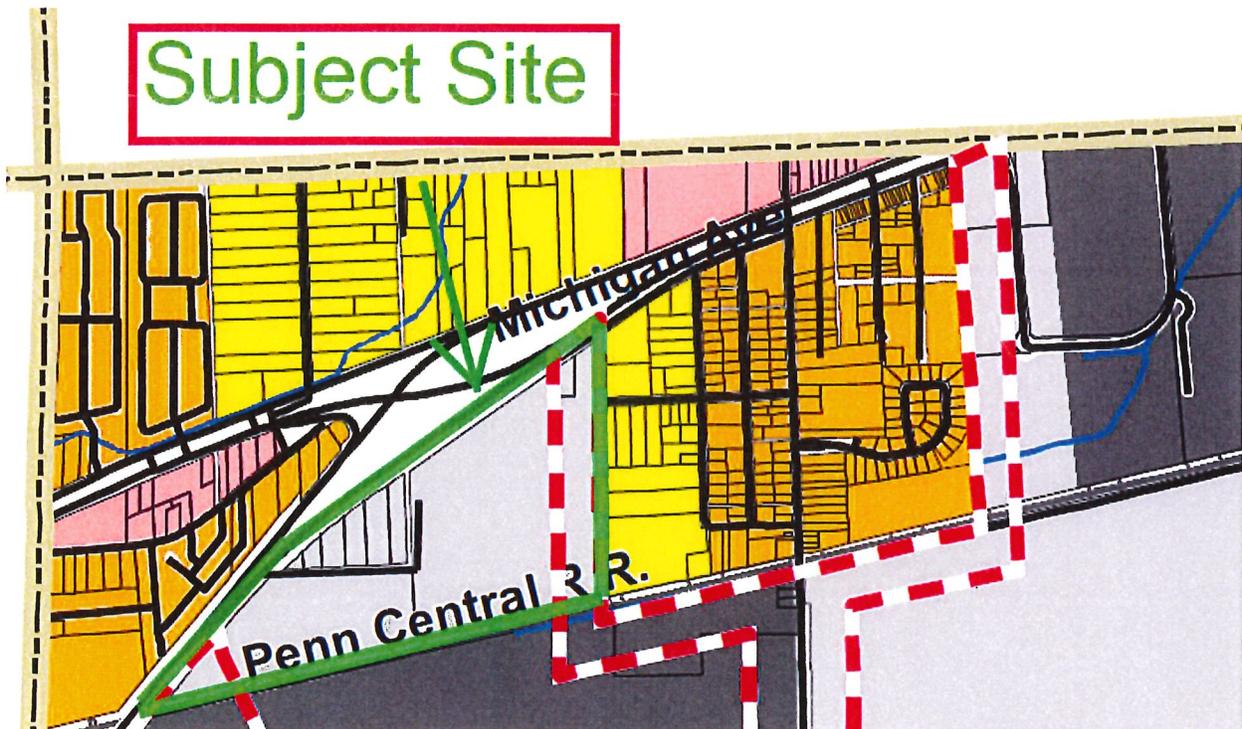
William De Groot  
Financial Analyst and Planner  
Ann Arbor Area Transportation Authority | TheRide  
2700 S. Industrial Hwy.  
Ann Arbor, MI 48104

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
MASTER PLAN AMENDMENT DISTRIBUTION**

Consistent with the provisions of the Michigan Planning Enabling Act, Act 33 of the Public Acts of 2008, as amended, the Van Buren Township Planning Commission is distributing an amendment to the Township's Future Land Use Map in the Township's Master Plan to change the future land use designation of the following property from Low Density Single Family Residential B (15,000 square feet) to Light Industrial:

Parcels:

83-021-99-0001-000	83-022-01-0004-003	83-022-01-0007-001	83-021-99-0002-000
83-022-01-0005-005	83-022-01-0008-003	83-022-01-0003-004	83-022-01-0006-001
83-023-99-0005-000			



**DRAFT**

November 8, 2017

**Future Land Use Plan**

Van Buren Township,  
Wayne County, Michigan

Base Map: Wayne County GIS, 2004  
Data Source: Van Buren Township Master Plan 1998,  
Single Family Residential Plan 1999, Escape-Legacy Center  
Plan 2004, Grand Land Area Plan 2001, South Side Master Plan  
2007 and Belleville Road District Plan 2010



**Land Use Category**

**Residential**

- Rural Settlement  
1 acre lot area
- Low Density Single Family A  
20,000 Sq Ft
- Low Density Single Family B  
15,000 Sq Ft
- Medium Density Single Family A  
10,000 Sq Ft
- Medium Density Single Family B  
8,400 Sq Ft
- Village Residential  
8,400 Sq Ft
- Multiple Family Residential  
10 du/acre

**Commercial**

- South Side Commercial
- Local Commercial
- General Commercial
- Town Center Edge
- Town Center Core
- Gateway Commercial
- Highway Commercial
- Freeway Service
- CBD

**Mixed Use**

- Commercial/ Office
- Office Research
- Mixed Use\*
- Office/ Light Industrial

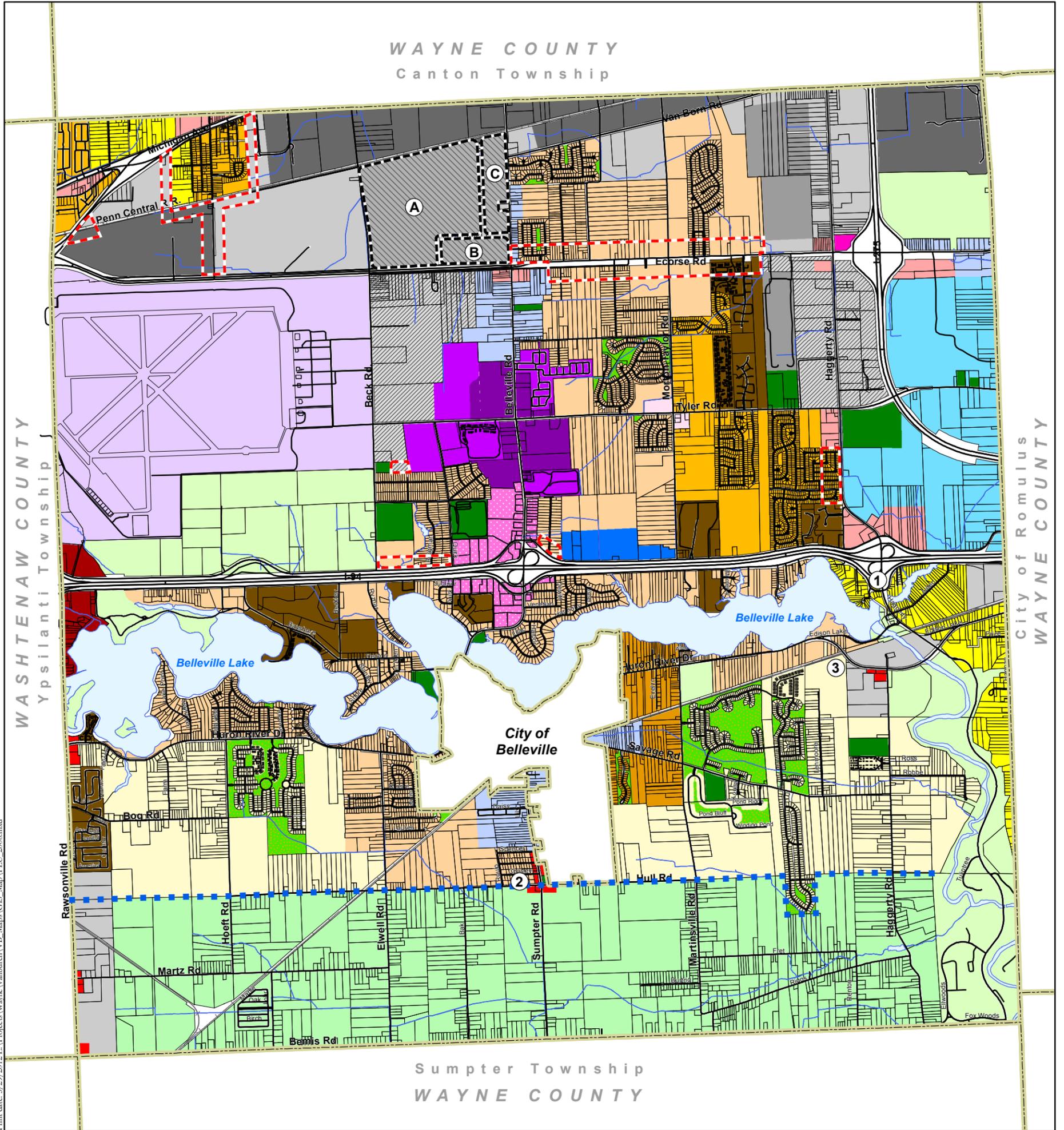
**Industrial**

- Light Industrial
- Industrial Trucking
- Heavy Industrial

**Other**

- Airport
- Parks/ Open Space
- Public/ Semi Public
- Private Open Space
- Consent Judgment
- Residential Protection
- Urban Services Boundary
- 1 Footnotes  
(see South Side Master Plan)
- A Footnotes  
(see Belleville Rd District Plan)

Note: Circulation Plans are not reflected on this map.  
\* See Associated Sub Area Plan for details.



Print date: 5/29/2012 11:51:00 AM Projects\Wayne\vanburen\VB\_Maps\GIS\_Map\_VLU\_2016.mxd

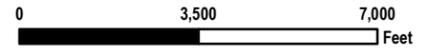
**DRAFT**

November 8, 2017

# Future Land Use Plan

Van Buren Township,  
Wayne County, Michigan

Base Map : Wayne County GIS, 2004  
Date Source : Van Buren Township Master Plan 1989,  
Single Family Residential Plan 1999, Ecorse-Haggerty Corridor  
Plan 2000, Grace Lake Area Plan 2001, South Side Master Plan  
2007 and Belleville Road District Plan 2010



## Land Use Category

### Residential

- Rural Settlement  
1 acre lot area
- Low Density Single Family A  
20,000 Sq Ft
- Low Density Single Family B  
15,000 Sq Ft
- Medium Density Single Family A  
10,000 Sq Ft
- Medium Density Single Family B  
8,400 Sq Ft
- Village Residential  
8,400 Sq Ft
- Multiple Family Residential  
10 du/acre

### Commercial

- South Side Commercial
- Local Commercial
- General Commercial
- Town Center Edge
- Town Center Core
- Gateway Commercial
- Highway Commercial
- Freeway Service
- CBD

### Mixed Use

- Commercial/ Office
- Office Research
- Mixed Use\*
- Office/ Light Industrial

### Industrial

- Light Industrial
- Industrial Trucking
- Heavy Industrial

### Other

- Airport
- Parks/ Open Space
- Public/ Semi Public
- Private Open Space
- Consent Judgment
- Residential Protection
- Urban Services Boundary

① Footnotes  
(see South Side Master Plan)

Ⓐ Footnotes  
(see Belleville Rd District Plan)

Note: Circulation Plans are not reflected on this map.  
\* See Associated Sub Area Plan for details.



# Memo

**TO: Planning Commission**  
**FROM: Ron Akers, AICP**  
**Director of Planning and Economic Development**  
**RE: Detached Accessory Building – Zoning Ordinance Amendment**  
**DATE: February 9, 2018**

---

Attached to this memo are the changes to the Zoning Ordinance regarding detached accessory buildings, the public hearing notice which was posted in the Belleville Independent on January 25, 2018, and the December 22, 2017 memo describing the proposed changes. After the scheduled public hearing the Planning Commission can make a recommendation to the Township Board of Trustees regarding this Zoning Ordinance amendment. I look forward to further discussion on this matter.

# Chapter 1 Accessory Structures and Uses

Accessory structures and uses shall comply with the following regulations:

## Section 1.101 General Requirements

All accessory structures, buildings and uses shall be subject to the following regulations except as otherwise permitted in this Ordinance:

- (A) **Timing of Construction.** No accessory structure, building, or use shall be constructed or established on a parcel unless there is a principal building, structure or use being legally constructed or already established on the same zoning lot.
- (B) **Site Plan Approval.** If site plan approval is required for the principal use, then site plan approval shall also be required for accessory structures, buildings, and uses. The site plan shall indicate the location of all proposed accessory structures and uses, the existing grade and proposed finished grade, and all other information necessary to review the plan for conformance to the regulations of this Section.
- (C) **Nuisances.** Accessory buildings, structures and uses such as household animal enclosures, dog runs, central air conditioning units, heat pumps, and other mechanical equipment that could produce noise, odors, or other nuisances shall not be located adjacent to an adjoining property owner's living or sleeping area or public area where windows and/or doors would be exposed to the nuisance.
- (D) **Act 347.** When applicable, all accessory buildings shall be constructed entirely in accordance with the Soil Erosion and Sedimentation Control Act, Act 347 of the Public Acts of 1972, as amended.
- (E) **Sanitary Code.** When applicable, all accessory buildings shall be built in accordance with the County sanitary code and be located so as not to infringe on an existing septic tank filter field or preclude the adequate area which may be required for a replacement septic tank filter field in the future.
- (F) **Located on the Same Lot as the Principal Building.** Accessory buildings and structures must be located on the same lot as a principal building and occupied by or devoted exclusively to an accessory use, including, but not limited to, a private garage. Agricultural buildings located on a farm are exempt from this requirement.

## Section 1.102 Accessory Structures and Buildings – All Districts

Unless otherwise specifically provided in this Ordinance, the following regulations shall apply to accessory structures or buildings in all zoning districts:

- (A) **Dimensional Regulations.** Unless explicitly permitted elsewhere in this Ordinance, accessory buildings and structures shall meet the following requirements:

**Table 13: Dimensional Regulations of Accessory Buildings and Structures**

	Attached Accessory Buildings	Detached Accessory Buildings	Detached Accessory Structures (Non-Building)
<b>Location</b>	Same as principal building.	Permitted in side or rear yard only, unless explicitly permitted elsewhere in this Ordinance.	Permitted in side or rear yard only, unless explicitly permitted elsewhere in this Ordinance.
<b>Minimum Setbacks</b>	Same as principal building.	<p><u>1. Zoning District Regulations:</u></p> <p><u>i. In the AG, R-1A, R-2A, R-1B, R-1C, RMH and RM districts and for residential uses in non-residential districts:</u> 5 ft. setback from side or rear lot line. On double frontage or corner lots, detached accessory buildings shall comply with front yard setbacks on all street frontages.</p> <p><u>ii. In all other districts, except as otherwise specified: A detached accessory building shall meet the same setbacks required for principal buildings in the district.</u></p> <p>2. Detached accessory buildings (≤768 sq. ft. floor area): 10 ft. from the principal structure.</p> <p>3. Detached accessory buildings (&gt;768 sq. ft. floor area): 24 ft. from the principal structure, <u>or a distance equal to the longest length of the accessory building, whichever is greater.</u></p>	
<b>Maximum Height</b>	Maximum height permitted for a principal building, or height of the principal building, whichever is less.	<p>1. R-1A, R-2A, R-1B, R-1C, RM, Districts: See Footnote <u>(1)(4)</u> below. The maximum height may be increased by 2 feet on lots 1 acre in area or larger.</p> <p>2. AG District: 20 ft. The maximum height may be increased by 2 feet on lots 1 acre in area or larger.</p> <p>3. All other districts: Maximum height permitted by <u>Error! Reference source not found.Article 4.</u></p>	<p>1. R-1A, R-2A, R-1B, R-1C, RM Districts: 14 ft.</p> <p>2. AG District: 20 ft.</p> <p>3. All other districts: Max. height permitted by <u>Error! Reference source not found.Article 4.</u></p>
<b>Maximum Lot Coverage</b>	Same as principal building.	<p>1. Shall be included in computations to determine compliance with maximum permitted lot coverage for the zoning district.</p> <p>2. The maximum lot coverage of all detached accessory buildings on any lot shall be the lesser of the following: <u>[see shed exceptions in section 7.202(D)(3)]</u></p> <p>a. 4,800 sq. ft.; or</p> <p>b. the maximum area permitted by the lot coverage standards in <u>Error! Reference source not found.Article 4;</u> or</p> <p>c. the area of the parcel (in acres) multiplied by 1,280, subject to <u>Section 1.102(D)(2)Section 7.202(D)(2).</u></p> <p>3. For agricultural buildings located on a farm of at least 10 acres in the AG district, the lot coverage of all agricultural buildings may exceed the lot coverage limits above, provided the lot complies with the lot coverage standards of the zoning district.</p> <p>4. For non-residential uses in a non-residential zoning district, the Planning Commission may permit the lot coverage of all detached accessory buildings to</p>	If 30 inches or higher above grade, shall be included in computations to determine compliance with maximum permitted lot coverage for the zoning district.

Formatted Table  
Formatted: Indent: Left: 0.27"

Formatted: Indent: Left: 0.01", Hanging: 0.15"

	<p>exceed the lot coverage limits above <del>via special land use approval</del>, provided the lot complies with the lot coverage standards of the zoning district, <del>and the application meets the special land use requirements of Section 12.306</del>. The approval process for a detached accessory building that exceeds the lot coverage limits shall be the same as the approval process for the principal use to which the detached building is accessory.</p> <p><u>Example:</u> Detached accessory buildings on a 1.5 acre lot would be permitted to cover no more than (1.5 x 1,280) = 1,920 sq. ft., subject to the maximum permitted lot coverage for the zoning district.</p>	
--	---	--

**Table 3 Footnotes:**

- (1) Except as otherwise permitted in this Ordinance, the maximum permitted height of detached accessory buildings in single-family and multiple-family residential districts shall be as listed in the following table:

Roof Pitch	Maximum Height
4/12 – 6/12	14 feet
6.01/12 – 8/12	16 feet
>8/12	17 feet

- (2) All detached accessory buildings shall have a roof with a minimum pitch of 4/12. Flat roofs and roofs with a pitch less than 4/12 are prohibited; however, a shallower roof pitch may be permitted to exactly match the roof pitch of the principal structure.

**(B) Appearance and Materials.** Accessory structures and buildings shall meet the following standards:

- (1) **Appearance.** Accessory structures and buildings shall be designed and constructed to be compatible with the design and construction of the principal building on the site. Compatibility includes similarity of architectural features including, but not limited to, roof pitch, windows, facades, and building material appearance. Accessory buildings attached to a single family dwelling shall also comply with the Single Family Residential Architectural Design Standards included in ~~Error! Reference source not found.~~ Section 5.115 of this Zoning Ordinance.

- (2) **Concrete Floor and Rat Wall.** Any accessory building located on a single family residential zoned lot with a lot area less than 2.5 acres, ~~or on an agricultural zoned lot with a lot area less than 2.5 acres and~~ with a residential principal use, shall have a concrete floor or pad and a rat wall.

**(C) Specific Requirements for Attached Accessory Structures and Buildings.** Accessory structures and buildings which are attached to the principal building or structure via a completely enclosed area with a finished floor or via shared wall construction (an unenclosed breezeway is not a sufficient attachment) shall be considered part of the principal building or structure, and shall meet all requirements of this Ordinance for the principal building or structure, except to the extent the requirements are inconsistent with Section 1.102(A)~~Section 7.202(A)~~.

(D) **Specific Requirements for Detached Accessory Buildings.** Detached accessory buildings shall comply with the following:

- (1) **Scenic Lots.** On a scenic lot, a detached accessory building may be erected on the street frontage of the lot except that the required setback from the street frontage shall be a minimum of 35 feet.
- (2) **Detached Garages ~~and Sheds~~ on ~~Smaller~~ **Smaller than 18,000 Square Foot Lots.** It is the intent of this Ordinance to permit each single family residential dwelling unit to have a detached garage, ~~and a detached shed.~~ The detached accessory building lot coverage regulations in ~~Section 1.102(A)~~Section 7.202(A) limit the floor area of detached accessory buildings, including detached garages.**

In order to permit detached garages on lots smaller than 18,000 square feet, a principal single family residential dwelling unit without a garage (either attached or detached) may be permitted to construct a detached garage up to 528 square feet in floor area ~~and a detached shed up to 120 square feet in floor area~~, provided that all other requirements of this Ordinance are met.

- ~~(3)~~ **Detached Shed Exemptions.** In residential and agricultural districts, one (1) detached accessory building of up to one hundred twenty (120) square feet may be permitted in addition to the permitted lot coverage as described in Section 7.202(A). No permit shall be required for an accessory building of one hundred twenty (120) square feet or less, but the accessory building will still be required to meet the setback, height, and location standards in Section 7.202(A) and all other applicable standards of this ordinance.

- ~~(3)~~**(4) Lot Coverage.** All detached buildings, except as otherwise specified, shall be considered when calculating compliance with the permitted lot coverage as described in ~~Section 1.102(A)~~Section 7.202(A).

### Section 1.103 Accessory Structures or Buildings - Residential and Agricultural Districts

The following regulations shall apply to accessory structures or buildings located in Residential and Agricultural zoning districts (including R-1A, R-2A, R-1B, R-1C, RM, and AG Districts).

- (A) **Use of Accessory Structures.** Attached and detached accessory structures in Residential Districts shall not be used as dwelling units or for any business, trade, profession, or occupation.
- (B) **Prohibited Accessory Structures.** The following accessory structures and buildings are prohibited in Residential and Agricultural Zoning Districts:
  - (1) Accessory buildings and structures which are principally constructed of clear plastic, glass, or membrane type materials shall be prohibited in Residential Districts, except as specifically permitted under ~~Section 1.103(E)~~Section 7.203(E).
  - (2) Temporary carports.

Formatted: Indent: Left: 0"

(C) **Permitted Yard Encroachments.** The following accessory structures and buildings may be constructed in yard setbacks in Residential Districts, subject to the following requirements:

(1) **Open Decks, Paved Terraces and Patios in the Rear Yard Setback.** Open decks, paved terraces and patios which have no roof or other projections above any required railing and which are at or below the finished first floor level of the building may encroach up to ten (10) feet into the required rear yard setback area on any lot, provided that in no case may any paved terrace, patio, deck, or other similar structure be located closer than 25 feet a regulated wetland(s) or a detention pond or non-regulated wetland as shown on an approved site plan.

(2) **Open Decks, Paved Terraces and Patios in the Front Yard Setback.** Open decks, paved terraces, and patios which are at or below the finished first floor level of the building may encroach up to six (6) feet into the required front yard setback area on any lot, provided that in no case may any paved terrace, patio, deck, or other similar structure be located closer than 25 feet a regulated wetland(s) or a detention pond or non-regulated wetland as shown on an approved site plan. Open decks, paved terraces, and patios that encroach into the required front yard setback area may have a required railing and a be covered with a roof that is no higher than the first story and does not encroach more than 6 feet into the front yard setback area. Any deck, terrace or patio that encroaches into the front yard setback must remain open and shall not be enclosed.

(3) **Landscaping, Garden, and Retaining Walls.** Landscaping, garden, and retaining walls raised three feet or less above the finished grade may be located in a yard setback.

(4) **Architectural Features.** Architectural features such as steps may be permitted to encroach into required yards in accordance with [Error! Reference source not found. Section 7.118.](#)

(5) **Swimming Pools.** Swimming pools may be located in required yard setback subject to the requirements in [Error! Reference source not found. Section 7.206.](#)

(6) **Walls, Fences, and Other Protective Barriers.** Walls, fences, and other protective barriers may be located in a yard setback pursuant to [Error! Reference source not found. Section 7.205.](#)

(D) **Flagpoles.** Flagpoles shall not exceed 35 feet in height, and may be located in any required yard setback.

(E) **Greenhouses.** Greenhouses in Residential Districts shall be used only for agricultural or horticultural purposes and shall not be used as storage facilities. Greenhouses are exempt from the requirements in [Section 1.103\(B\)Section 7.203\(B\)](#), but shall meet all other requirements of this [Article 1, Chapter 1Article 7, Chapter 2.](#)

(F) **Carports.** In the case of attached condominiums or apartments, carports may be located in the front yard provided they are not located in a front yard setback area.

## Section 1.104 Accessory Structures or Buildings - Non-Residential Districts and Non-Agricultural Districts

**(A) Decks, Patios, and Porches.** Decks, patios, porches and other similar structures shall not encroach into required setbacks, buffers or greenbelts.

~~**(B) Walls, Fences, and Other Protective Barriers.**~~ Walls, fences, and other protective barriers shall comply with *Error! Reference source not found. Section 7.205.*

**(B)**

Formatted: Heading 4



# Memo

**TO: Planning Commission**  
**FROM: Ron Akers, AICP**  
**Director of Planning and Economic Development**  
**RE: Accessory Structure Zoning Ordinance Modifications**  
**DATE: December 22, 2017**

---

Over the last several months there have been a few issues raised regarding the accessory structure standards of our Zoning Ordinance. There have been a few examples which I can touch on further at the meeting. Based on some of these situations I have drafted some proposed changes to this section of the Zoning Ordinance. These changes are as follows:

- A. **Minimum Setbacks:** Our Zoning Ordinance does not currently differentiate between the minimum required setbacks for accessory buildings for residential/agricultural use and commercial/industrial uses. Commercial/industrial uses have a tendency to be larger in size and have more activity than a traditional residential or agricultural use. This proposed change in section 1 allows for the more flexible five (5) foot setback in residential/agricultural situations and requires that detached accessory buildings in non-residential districts meet the same setbacks as principal buildings.

The other change is with regards to the removal of the requirement for larger accessory buildings to be setback from the principal building a distance equal to the longest length of the accessory building. This provision has created a few issues in commercial and industrial situations where the required setback was so significant (100+ feet on one particular occasion) that a project was unable to move forward without a variance. Additionally, I can find no reason for this provision aside from aesthetics. I am proposing that the setback for the larger buildings (larger than 768 sf) simply be the existing minimum which is 24 feet. This allows for vehicular access and sufficient space on all sides of the building in the event of a fire.

- B. **Approval Process for Accessory Buildings Which Exceed the Lot Coverage Requirements in Non-Residential Districts.** This section was added when we updated our Zoning Ordinance and was mainly to address some of the situations over the past few years which have required variances (i.e. Menards & Costco). The strategy we used was to require these accessory buildings which exceeded the lot coverage size to obtain a special use permit from the Township Board. Special use permits are generally used for uses and building which have the ability to fit within a particular zoning district, but are given special consideration due to their potential for negative impacts on adjacent properties. It is due to this that the Zoning Enabling Act gives us the ability to place reasonable conditions on special uses outside of the Zoning Ordinance and we can require special uses to meet a higher approval standard. The change I

am proposing will change the approval process for these accessory buildings which exceeds the lot coverage requirements. If the building is accessory to a use/building that is a permitted use, then the approval process will be the same as a permitted use (site plan review), but if the building is accessory to use/building that is a special use, then the accessory building will require special use approval. The reason for the change is that under the current rule there are situations where we can require special use approval for the accessory building when the main building which is larger and more significant only requires site plan review. For industrial and commercial developments this can create a standard in which the higher standard of approval may be inappropriate for the improvement.

- C. **Concrete Floor and Rat Wall In Agricultural Districts.** The requirement of have a concrete floor and rat wall for detached accessory buildings is necessary to prevent the spread of rodents in higher density areas. It is less common to see these type of issues in agricultural areas. In addition, it is far more common for a detached shed or pole building either be placed on skids or have a dirt floor in these less dense areas. This is an issue we deal with regularly at the counter and due to this we are recommending this change.
  
- D. **Detached Shed Exemptions.** Under these changes we are proposing to create an exemption to the lot coverage requirements of the district to allow a detached accessory building up to 120 square feet (10' x 12') to be permitted in addition to the permitted lot coverage. The reason for this changes is simply that we get regular requests to place sheds on properties which have already exceeded their lot coverage under our rules. We made an effort to address this in the update to our Zoning Ordinance by adding a provision for lots smaller than 18,000 square feet to have a two car garage and a shed. One of the challenges we faced in implementation was that the accessory building lot coverage of lots slightly larger than 18,000 square feet (which was not able to take advantage of the standard) created an unequal situation. This is intended to provide a solution which is equitable.

The other standard that was added was a clarification regarding whether or not we require a building permit for sheds below a certain size. Currently, the long standing practice of the building department was to not require a permit for detached accessory buildings under the minimum size allowed by the building code (200 square feet). This has created confusion over the years as it is not consistent with the Township's Zoning Ordinance. This text amendment proposes that we do not require a building permit for detached accessory buildings 120 square feet or less and clarifies that even though we do not require a building permit, the shed will still be required to meet all of the applicable standards of the Zoning Ordinance.

Please feel free to contact me if there are any questions and I look forward to further discussion regarding these items.