



Planning Commission
97 North Broad Street
Hillsdale, Michigan 49242-1695
(517) 437-6440 Fax: (517) 437-6450

Planning Commission Agenda
June 18, 2019

- I. Call to Order 5:30**
 - A. Pledge of Allegiance
 - B. Roll Call
- II. Public Comment**
 - Any Commission related item – 3 min. limit
- III. Consent Items/Communications**
 - A. Approval of agenda – **Action**
 - B. Approval of Planning Commission 05.21.2019 minutes – **Action**
- IV. Site Plan Review**
 - A. 3461 Beck Rd. – New Storage Building – **Action**
 - B. 3383 W. Carleton Rd. – New Restaurant Addition – **Action**
- V. Old Business**
 - Annual Planning Commission Report – **Discussion**
- VI. New Business**
 - None
- VII. Master Plan Review**
 - None
- VIII. Zoning Ordinance Review**
 - A. Sec. 36-149 Landscape Ordinance - **Discussion**
 - B. Secs. 36-431 & 36-432 Accessory Structure Ordinance – **Discussion**
- IX. Zoning Administrator Report**
- X. Commissioner’s Comments**
- XI. Adjournment**

Next meeting July 16, 2019 at 5:30 pm

PLANNING COMMISSION MINUTES

HILLSDALE CITY HALL,

97 N. Broad Street

May 21, 2019 at 5:30 PM

I. Call to Order

- A. Chairwoman Yoder called the meeting to order at 5:30 pm
- B. Members present: Chairwoman Amber Yoder, Vice Chairman Samuel Nutter, Commissioners Eric Moore, Ron Scholl and Penny Swan
- C. Others present: Alan Beeker, Secretary Kerry Laycock, Rick Jenkins, Jake Hammel, Ted Jansen, Mayor Pro-tem William Morrissey

II. Public Comment

Ted Jansen spoke to Council about creating an ordinance about regulating plantings in the terrace along the right-of-way.

III. Consent Items/Communications

Commissioner Nutter moved to amend the agenda to add discussion of a new ordinance under ordinance review to the consent agenda. Commissioner Swan seconded. All were in favor. Commissioner Scholl asked to amend the minutes from the April meeting, the MEDC meeting was in April, not May. Commissioner Swan supported, all were in favor.

IV. Site Plan Review

Commonwealth Development as owner of the Hillsdale Commons Condominium Project has submitted documents for the final site plan review. The drawings that are in the packet were submitted to the Planning Office on May 1, 2019. On May 6, 2019, a preliminary review meeting was held with the City Department Heads and the owners. Included in the packet are the results of that meeting. The revised drawings, dated May 21, 2019, are submitted for this meeting.

Comm. Nutter asked about the marketability of the project. Comm. Scholl asked if there was adequate planning put into the ownership structure and the extents of owner vs. Home Owner's Association (HOA). Mr. Jenkins stated that his focus was the plans more than the master deed development. Comm. Scholl questioned the mechanics of the mortgaging and wanted to caution that the legal deeds be carefully reviewed. Comm. Swan also noted the funding for the infrastructure maintenance may need to be strengthened. Mr. Beeker will follow up with the City Attorney regarding his review of the Master Deed. Mr. Beeker informed the Commission that the City Engineer asked that if the plans were approved, they be approved contingent on meeting the DEQ water main details and permitting process. Mr. Jenkins asked if they could start grading in the near future. Mr. Beeker asked that Mr. Jenkins satisfy the City Engineer in the storm water calculations and grading and have a current right-of-way permit prior to beginning any work. Comm. Moore asked about exterior finishes. Mr. Jenkins indicated the roof would be steel, walls would be premium vinyl siding and carriage lighting on the facades. BPU will be involved in the sanitary, water and electric utilities and Michigan Gas will be involved in the gas lines. Comm. Nutter moved to approve the site plan contingent on meeting the requirements listed in the site plan review notes and issuance of a Right-of-Way permit. Comm. Swan seconded. Motion passed unanimously.

V. Old business

There was no old business.

VI. New Business

- A. **3980 W. Carleton Rd. Parcel Division** – The owner of the property located at 3980 W. Carleton is asking to divide the existing 3.4 acre parcel into two parcels of 1.4 acres and 2.0 acres. The 2.0 acre parcel would have to be deeded to owner of the adjacent property as there would be no developed road frontage and would therefore create a landlocked parcel. Comm. Nutter moves to recommend to Council for approval with Assessor’s requirements, Comm. Moore seconded. Approved by all.
- B. **48 McClellan & 67 College Parcel Division** – The owner of property located at 48 McClellan is asking to divide the property and deed the new parcel (Parcel B2 in the attachment) to the owner of 67 College. This would make the property at 67 College compliant with current zoning setback requirements. The remaining parcel at 48 McClellan would continue to be in compliance with zoning setback requirements. Comm. Scholl moved to recommend to Council as submitted. Comm. Nutter seconded. All were in favor.

VII. Master Plan review

There was no discussion of the Master Plan update.

VIII. Zoning Ordinance Review

- A. **Secs. 36-431 and 36-432.** Due to a lack of time, the review was tabled until the June regular meeting.
- B. **Chapter 14.** At the April Planning Commission meeting, it was decided to create a presentation to Council regarding the possible amendment of Chapter 14 in the Municipal Code. On April 19, Commissioner Laycock and Mr. Beeker met with the City Forester to discuss the idea. During the meeting, the future role of the Shade Tree Committee was also discussed. At that meeting, it was decided to invite members of the Shade Tree Committee and to discuss further how to proceed in this matter.
Mr. Hammel stated that the terrace area is being squeezed for room with increased signage requirements, wider walks, street lights, and upgraded underground utilities. Any encouragement to retain trees on private property is supported by the Street Department. Comm. Nutter asked what funds the “Tree Fund”. Mr. Hammel informed the Commission that all of those funds come from the valuation of trees removed from the ROW.
- C. **Suggested amendment or addition to Right-of-Way plantings.** Mr. Beeker asked that this not be a zoning ordinance because it would need to be part of the landscape ord. Any plantings required in the ROW by private individuals would become a donation to the City and would be in jeopardy of being removed by the City at a later date. The ordinance should be part of the Street Dept. and should be created by the Public Services Committee under Council. The Planning Commission recommended the issue be returned to Council for their continued review.

IX. Zoning Administrator’s Report

Mr. Beeker updated the Planning Commission on the Dawn Theater grant.

X. Commissioner Comments

Comm. Moore signed up for the Advanced Citizen Planner Course on June 5.

XI. Adjournment

Commissioner Nutter motioned to adjourn. Commissioner Swan seconded. All in favor. Meeting adjourned at 6:59 pm.

Next meeting: June 18, 2019 at 5:30 pm.

DRAFT



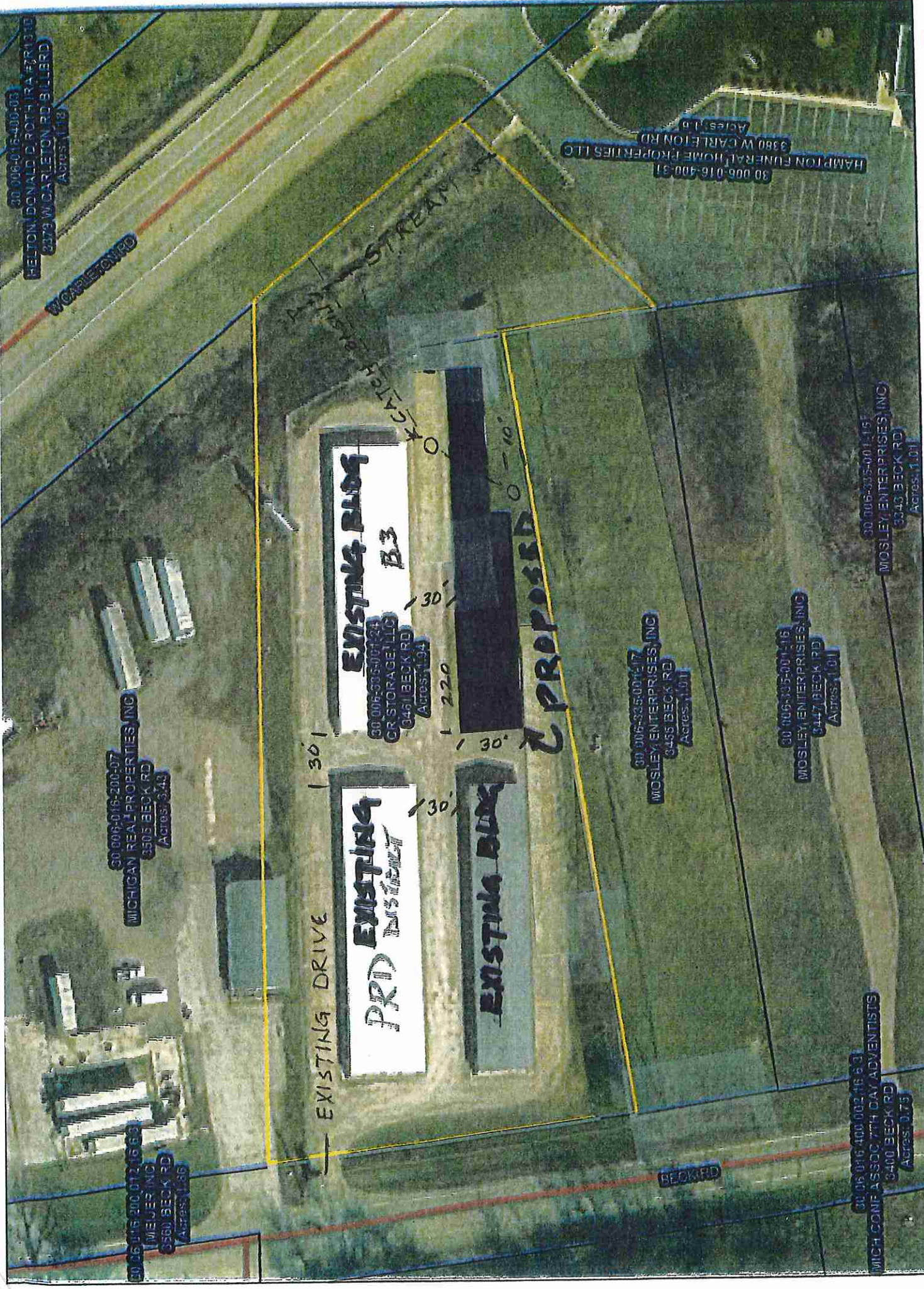
TO: Planning Commission

FROM: Zoning Administrator

DATE: June 11, 2019

RE: 3461 Beck Rd. Project

Background: Ron Gow as owner of CR Storage located at 3461 Beck Road has submitted documents for site plan review. The drawings that are in the packet were submitted to the Planning Office on May 20, 2019. On June 7, 2019, a preliminary review meeting was held with the City Department Heads. Included in the packet are the results of that meeting.



30 006-016-400-03
HELTON DONALD D. ROY IRA #R130
2379 W CARLETON RD BILLERD
Acres: 1.19

W CARLETON RD

30 006-016-200-07
MICHIGAN REAL PROPERTIES INC
3505 BECK RD
Acres: 3.43

30 06 016 200 072 16 53
WELLES INC
3500 BECK RD
Acres: 1.86

EXISTING DRIVE

EXISTING BLDG
PRD BUS GARAGE

EXISTING BLDG
CR STORAGE

EXISTING BLDG
B3

EXISTING BLDG

PROPOSED

OK CATCHMENT AREA
STREAM

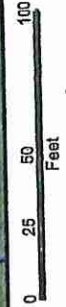
30 006-325-001-17
MOSLEY ENTERPRISES INC
3455 BECK RD
Acres: 1.01

30 006-335-001-16
MOSLEY ENTERPRISES INC
3447 BECK RD
Acres: 1.01

30 06 016 400 002 16 53
MICH CONF ASSOC 7TH DAY ADVENTISTS
3400 BECK RD
Acres: 0.73

30 006-335-001-15
MOSLEY ENTERPRISES INC
3343 BECK RD
Acres: 1.01

30 006-016-400-31
HAMPTON FUNERAL HOME PROPERTIES LLC
3380 W CARLETON RD
Acres: 1.0



City of Hillside

CR STORAGE 3461 BECK RD 4/22/19


NOT A SURVEY
This map is for informational use only.
Issued: April, 2018
Map Date: April, 2019



NORTH ROW Gow 517-398-6401

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec. 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM CITY OF HILLSDALE ASSESSOR 97 N BROAD ST HILLSDALE, MI 49242	PARCEL IDENTIFICATION PARCEL CODE NUMBER: 30-006-335-001-24 PROPERTY ADDRESS: 3461 BECK RD HILLSDALE, MI 49242
NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL: *****AUTO**ALL FOR AADC 481 CR STORAGE, LLC GOW, RONALD M & CONNIE J PO BOX 32 JONESVILLE, MI 49250-0032  517-398-6401	PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 201 (201 COMMERCIAL IMPROVED)

PRIOR YEAR'S CLASSIFICATION: 201 (201 COMMERCIAL IMPROVED)

The change in taxable value will increase/decrease your tax bill for this year by approximately: -\$199	PRIOR AMOUNT YEAR: 2018	CURRENT TENTATIVE AMOUNT YEAR: 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	129,700	126,200	-3,500
2. ASSESSED VALUE:	146,000	126,200	-19,800
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	146,000	126,200	-19,800
5. There WAS/WAS NOT a transfer of ownership on this property in 2018. WAS NOT			

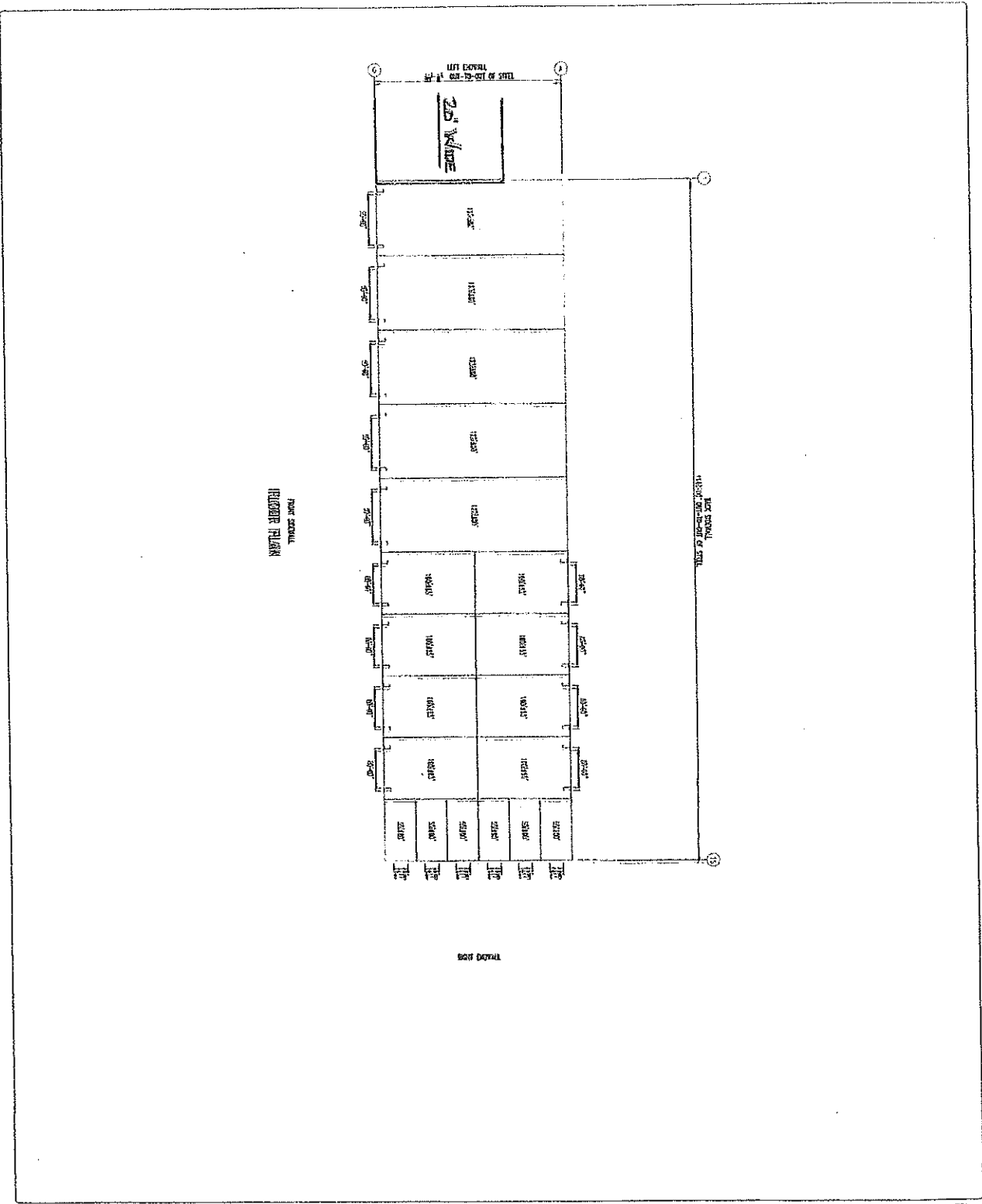
The 2019 Inflation rate Multiplier is: 1.024

Legal Description: BEG NW COR LOT 21 JACOB BECK SUB TH N7°28'00"W ALG ELY LN BECK RD 85.75 FT TH E480.28 FT TO WLY LN HWY M-99 TH S39°18'42"E ALG SD WLY LN HWY M-99 154.17 FT TH S44°28'46"W 149.98 FT TO NE COR LOT 19 SD JACOB BECK SUB TH N7°28'00"W ALG ELY LN LOT 20 100 FT TH S82°32'00"W ALG NLY LN LOT 20 440 FT TO NW COR SD LOT 20 TH N7°28'00"W ALG W LN LOT 21 100 FT TO POB 1.95A+/- LOT 21 JACOB BECK SUB & UNPLATTED SEC 16 T6S R3W SE

March Board of Review Appeal Information:
 The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at www.michigan.gov/taxes. Click on Property Taxes Box, then click on Forms and Instructions, then Board of Review to obtain Form 618 (L-4035), Petition to the Board of Review

March Board of Review Information:
MONDAY, MARCH 11, 2019 9:00 A.M. - 3:00 P.M.
TUESDAY, MARCH 12, 2019 3:00 P.M. - 9:00 P.M.
 CITY HALL, 2ND FLOOR CONFERENCE ROOM, 97 N BROAD ST, HILLSDALE, MI 49242
ALL APPEALS MUST BE ACCOMPANIED BY FORM 618, L-4035, AVAILABLE FROM THE ASSESSOR OR ONLINE AT WWW.MICHIGAN.GOV/PROPERTYTAX. ANY TAXPAYER MAY APPEAL BY LETTER; MUST BE RECEIVED BY 5:00 P.M. MARCH 12, 2019. FOR QUESTIONS OR TO RESERVE AN APPOINTMENT WITH THE BOARD OF REVIEW, EMAIL ASSESSOR@CITYOFHILLSDALE.ORG OR CALL (517)437-6455.

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.
 Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.
 State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.
 IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value will be the same as your 2019 State Equalized Value.
 IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value is calculated by multiplying your 2018 Taxable Value by 1.024 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2019 Taxable Value cannot be higher than your 2019 State Equalized Value.
 The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.
 Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing of a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at www.michigan.gov/taxtrib.
HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.



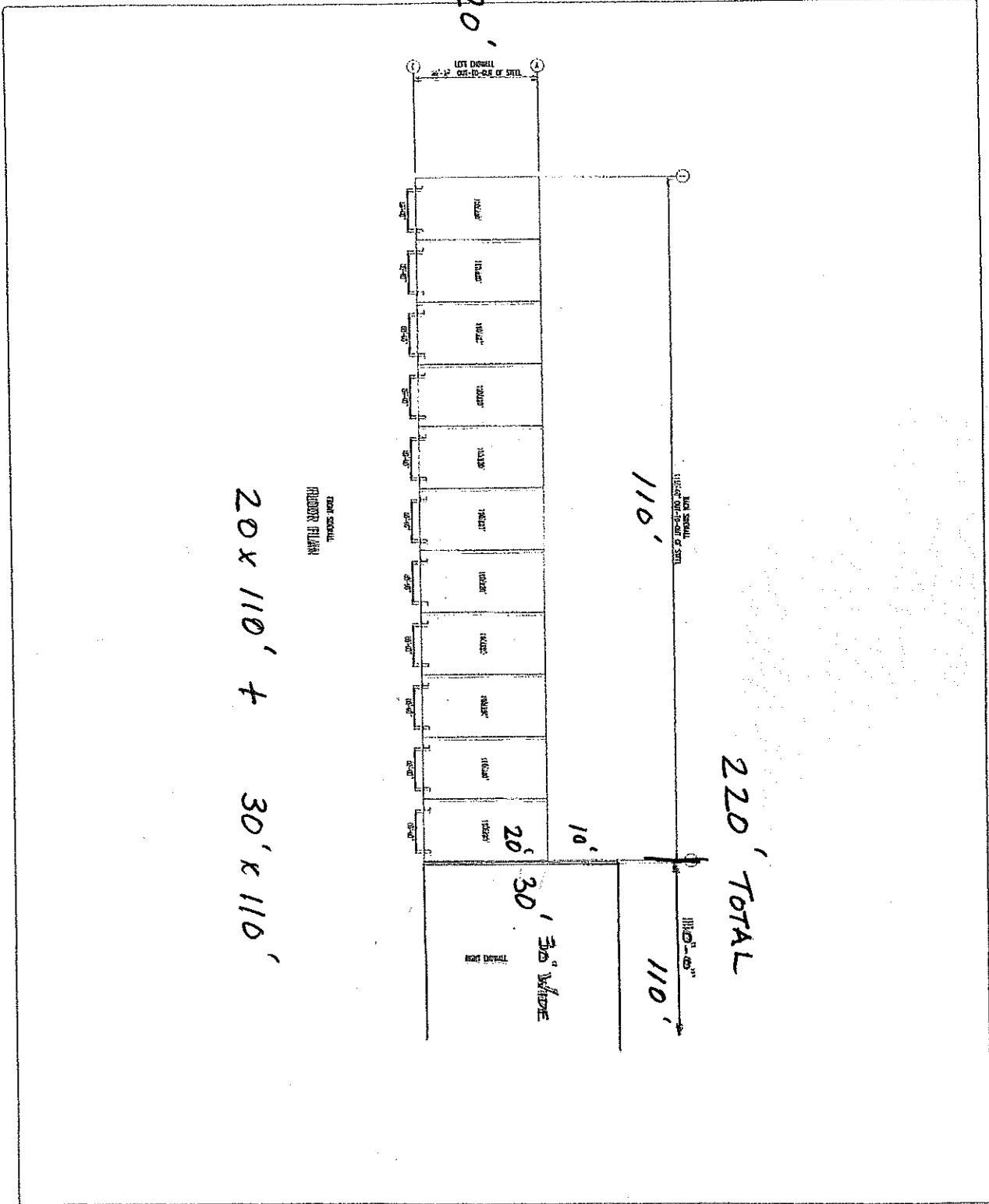
5
Shepard
CR 30

Wilbur
Smith
375-A B. 45th Street
Rogers, AR 72768
Phone: 478-968-0311

CR STORAGE 30
PROJECT: 30 x 110 x 8.5
LOCATION: Hillsdale, MI 48242
CR Storage

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APPROVAL	5/13/19
PRINTS ISSUED FOR	BT
DATE	



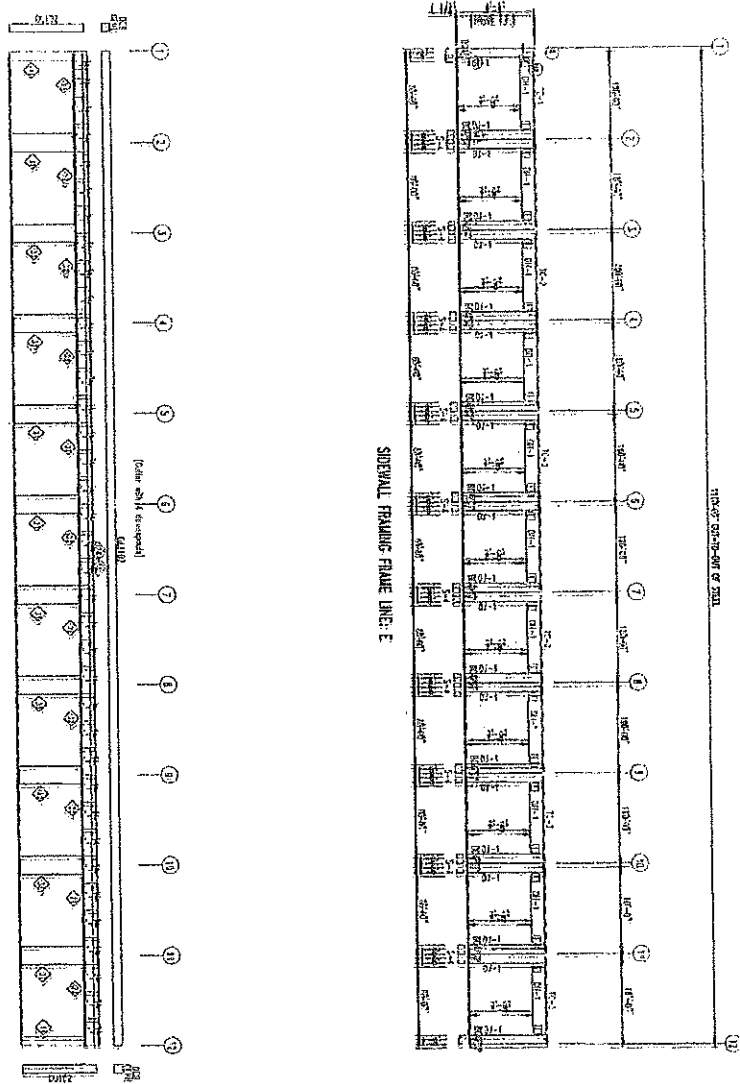
Sheet
1

Wilshar
STEEL
326-A S. 46th Street
Rogers, AR 72756
Phone: 479-366-0311

CR STORAGE
PROJECT: 20 x 110 x 8.5
LOCATION: Hillsdale, MI 49242
CR Storage

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APPROVAL	DATE
DATE ISSUED FIRST	BY DATE
	5/10/79



SIDEWALL SHEETING & TRIM FRAME LINE: E
 FINISH: 20' ON, 10' ON - 10' ON 10' ON

SIDEWALL FRAMING FRAME LINE: E

DATE	BY	REVISION
10/11/18	WILSHAR	ISSUE FOR PERMIT
08/14/18	WILSHAR	ISSUE FOR PERMIT
07/11/18	WILSHAR	ISSUE FOR PERMIT
06/11/18	WILSHAR	ISSUE FOR PERMIT
05/11/18	WILSHAR	ISSUE FOR PERMIT

5
 Sheet

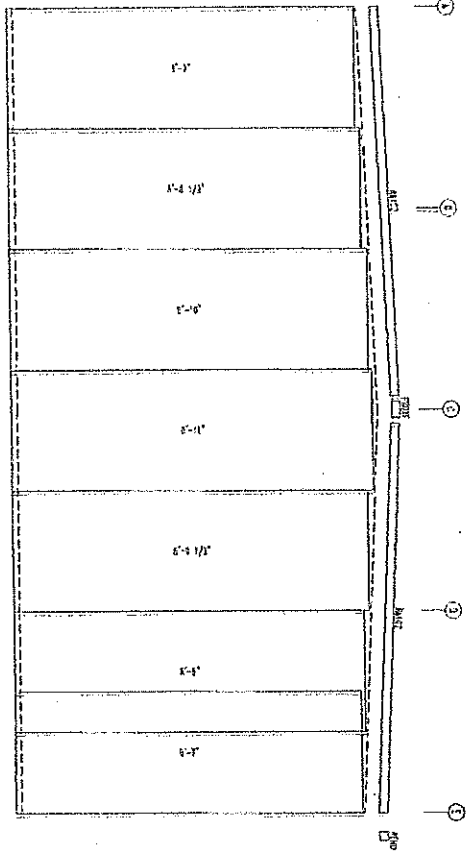
Wilshar
 325-A S. 45th Street
 Rogers, AR 72764
 Phone: 479-886-0311

CR STORAGE
 PROJECT: 20 x 110 x 8.5
 LOCATION: Hillsdale, MI 49242
 CR Storage

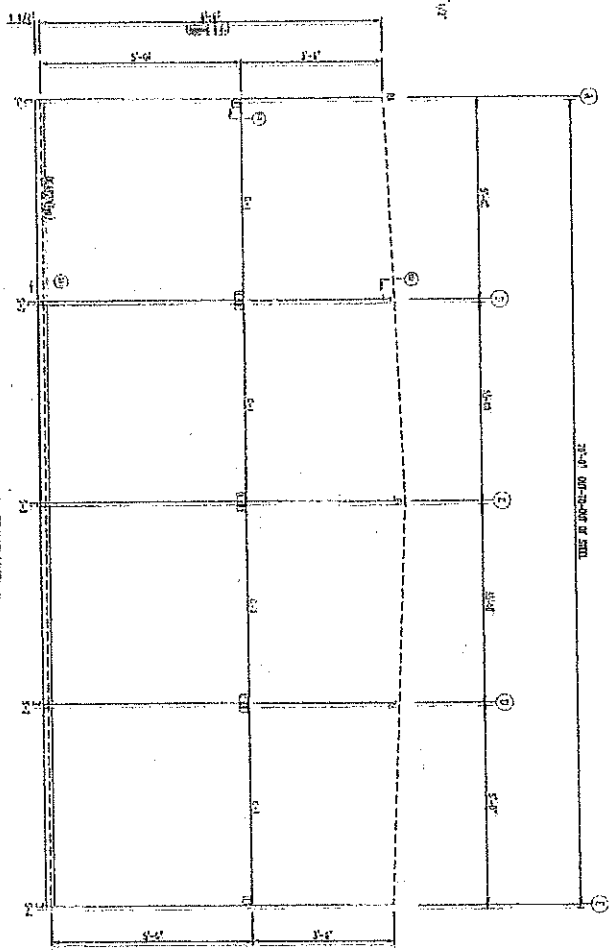
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APPROVAL	BY	DATE
		5/10/18
PRINTS ISSUED FOR		

ENDWALL SHEETING & TRIM FRAME LINE: 1
 DIMENSIONS IN INCHES - DIMENSIONS IN FEET



ENDWALL FRAMING FRAME LINE: 1



NO.	DATE	BY	DESCRIPTION
1	5/10/19	JL	ISSUED FOR PERMITS
2			
3			
4			
5			
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7			
8			
9			
10			

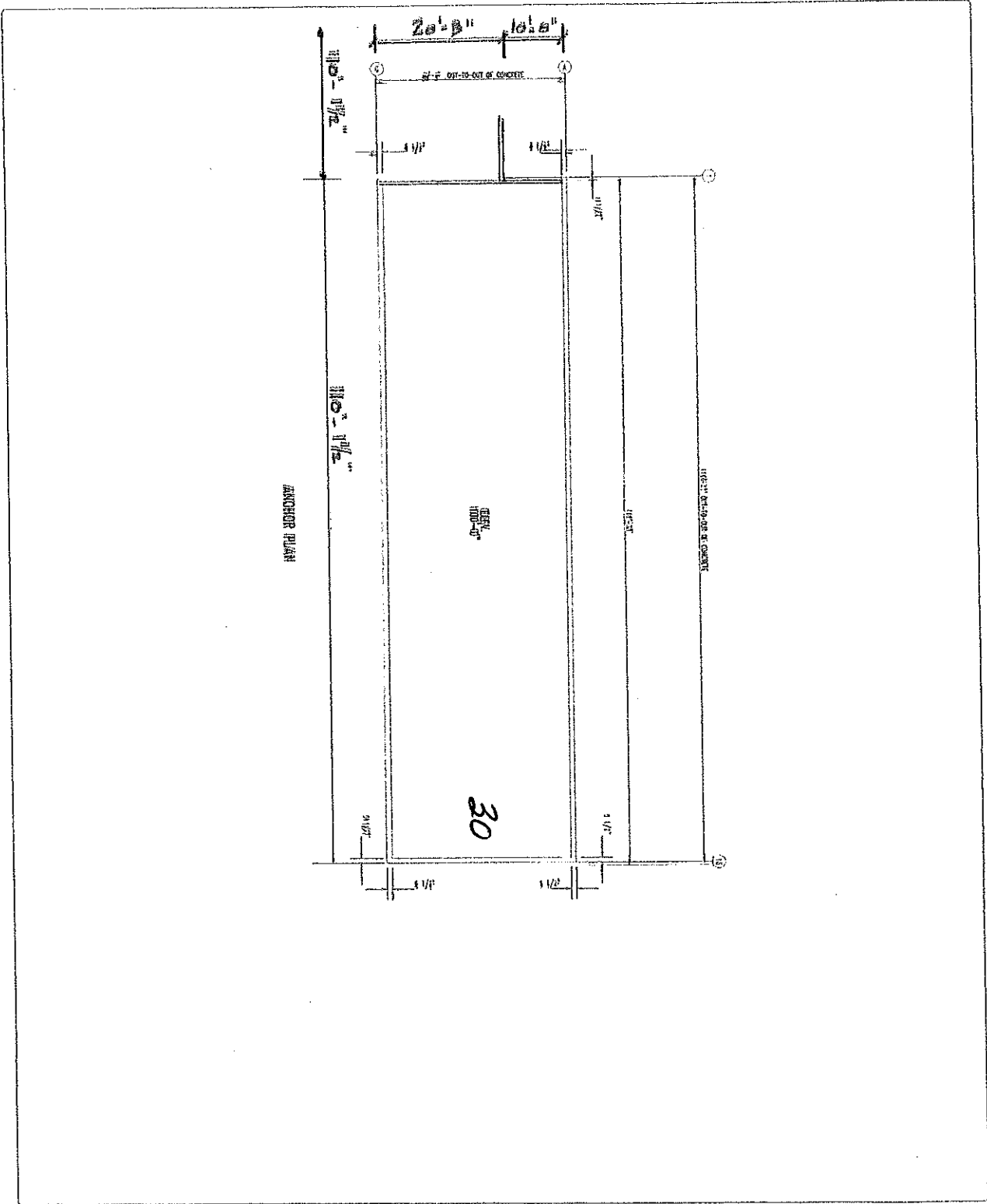
4
 Sheet

Wilhar
 825-A G. 4th Street
 Phoenix, AZ 85004
 Phone: 478-946-0311

CR STORAGE
 PROJECT: 20 x 110 x 8.5
 LOCATION: Hillsdale, MI 49242
 CR Storage

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APPROVAL	DATE
	5/10/19
PRINTS ISSUED FOR	BY
	DATE



Sheet

Anchor Plan

Project No.

Wilshar
 326 S. 45th Street
 Rogers, AR 72768
 Phone: 479-634-0311

CR STORAGE 30
PROJECT: 30 x 110 x 8.5
LOCATION: Hillsdale, MI 49242
CR Storage

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APPROVAL	BY	DATE
PRINTS ISSUED FOR		

CITY OF HILLSDALE



ALAN C. BEEKER
ZONING ADMINISTRATOR
97 NORTH BROAD STREET
HILLSDALE, MICHIGAN 49242-1695
(517) 437-6449 FAX: (517) 437-6450

June 7, 2019

Below is a list of the items cited during the meeting to review the plans of the proposed storage building to be located at 3641 Beck Rd.

Present: Matt Taylor (City Engineer), Scott Hephner (Police & Fire Chief), Jake Hammel (Dept. of Public Services Director), Bill Briggs (Board of Public Utilities Water Dept.), Alan Beeker (Zoning Administrator), Chris McArthur (Board of Public Utilities Director).

City Engineer

- Supply storm water calculations.
- Calculate existing run-off
- Calculate new run-off

Site Plan Checklist

- Items missing from plans:
 - Lot coverage in percentage
 - Site Area chart
 - Total Area
 - Impervious Area: Roof
 - Sidewalk
 - Pavement
 - Detention / Retention
 - Pervious Area: Grass / Lands cape
 - Impervious and pervious areas must equal total area
 - Erosion and Sedimentation control
 - Landscaping
 - Planting plan and schedule
 - Existing and new trees

Public Services

- No issues

Public Safety

- No issues

The Planning Commission will review the drawings at the regular meeting which will be held on June 18, 2019 at 5:30 pm. The location will be at City Hall, 97 N. Broad St. in the 2nd Floor Council Chambers.



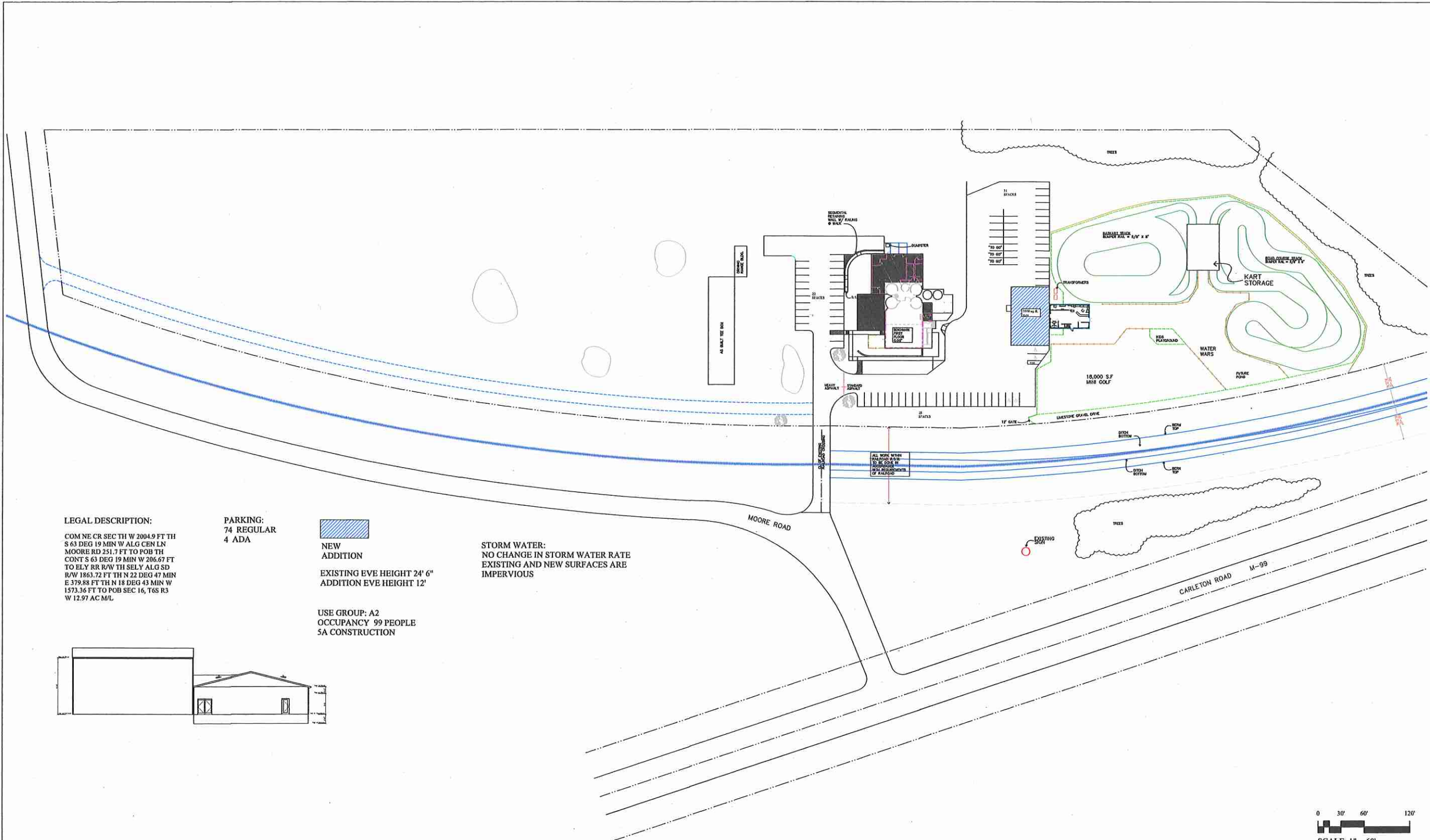
TO: Planning Commission

FROM: Zoning Administrator

DATE: June 11, 2019


RE: 3383 W. Carleton Rd. Project

Background: Olmstead LLC in cooperation with Mill Development LLC owner of The Silos located at 3383 W. Carleton Road has submitted documents for site plan review. The project is a 3800 s.f. addition to the existing restaurant/arcade building. The drawings that are in the packet were submitted to the Planning Office on June 3, 2019. On June 7, 2019, a preliminary review meeting was held with the City Department Heads. Included in the packet are the results of that meeting.



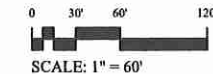
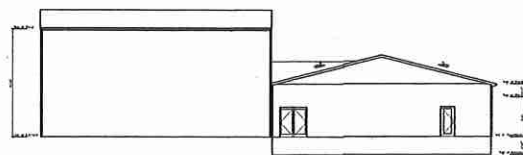
LEGAL DESCRIPTION:
 COM NE CR SEC TH W 2004.9 FT TH
 S 63 DEG 19 MIN W ALG CEN LN
 MOORE RD 251.7 FT TO POB TH
 CONT S 63 DEG 19 MIN W 206.67 FT
 TO ELY RR RW TH SELY ALG SD
 R/W 1863.72 FT TH N 22 DEG 47 MIN
 E 379.88 FT TH N 18 DEG 43 MIN W
 1573.36 FT TO POB SEC 16, T6S R3
 W 12.97 AC M/L

PARKING:
 74 REGULAR
 4 ADA

 **NEW ADDITION**
 EXISTING EVE HEIGHT 24' 6"
 ADDITION EVE HEIGHT 12'

STORM WATER:
 NO CHANGE IN STORM WATER RATE
 EXISTING AND NEW SURFACES ARE IMPERVIOUS

USE GROUP: A2
OCCUPANCY 99 PEOPLE
5A CONSTRUCTION



**MECHANICAL DESIGN SERVICES
 DESIGNERS & CONSULTANTS**
 1339 BANKERS RD.
 Hillsdale, MI 49242
 Phone: 517-398-3245

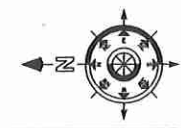
OLMSTEAD LLC
 3383 W.CHARLTON RD.
 HILLSDALE, MI. 49242
 517-439-9191

These plans are solely owned by Mechanical Design Services. The Designer, Specifications and other documents prepared by Mechanical Design Services for this Project are hereby assigned to the Project and shall remain the property of Mechanical Design Services. No part of these plans, specifications or other documents shall be used for any other project without the written consent of Mechanical Design Services.

No.	Description	Date
1		
2		
3		
4		
5		

SITE PLAN

SITE	
Project number	19007
Date	5-31-19
Drawn by	dwb
Checked by	dwb
Approved by	dwb
Sheet No.	S-1
Scale	1" = 60'



CITY OF HILLSDALE



ALAN C. BEEKER
ZONING ADMINISTRATOR
97 NORTH BROAD STREET
HILLSDALE, MICHIGAN 49242-1695
(517) 437-6449 FAX: (517) 437-6450

June 7, 2019

Below is a list of the items cited during the meeting to review the plans of the proposed storage building to be located at 3383 W. Carleton Rd.

Present: Matt Taylor (City Engineer), Scott Hephner (Police & Fire Chief), Jake Hammel (Dept. of Public Services Director), Bill Briggs (Board of Public Utilities Water Dept.), Alan Beeker (Zoning Administrator), Chris McArthur (Board of Public Utilities Director).

City Engineer

- Supply storm water calculations.
- Calculate existing run-off
- Lighting and photometrics

Site Plan Checklist

- Items missing from plans:
 - Lot coverage in percent
 - Site Area chart
 - Total Area
 - Impervious Area: Roof
 - Sidewalk
 - Pavement
 - Detention / Retention
 - Pervious Area: Grass / Lands cape
 - Impervious and pervious areas must equal total area
 - Erosion and Sedimentation control
 - Parking Numbers
 - Landscaping
 - Planting plan and schedule
 - Existing and new trees

Public Services

- Fire suppression required?
- Fire Connection to building for suppression

Public Safety

- No issues

Board of Public Utilities

- Show utilities on plan, existing and new
- Show Grease Interceptor

The Planning Commission will review the drawings at the regular meeting which will be held on June 18, 2019 at 5:30 pm. The location will be at City Hall, 97 N. Broad St. in the 2nd Floor Council Chambers.



TO: Planning Commission

FROM: Zoning Administrator

DATE: June 11, 2019

RE: Sec. 36-149 Landscape Ordinance

Background: The Planning Commission has been discussing the revision of Chapter 14, Municipal Tree Ordinance. The intent is to require developers work harder to retain mature trees. After several discussions, I would like to discuss amending the landscape ordinance instead of the municipal tree ordinance.



TO: Planning Commission

FROM: Zoning Administrator

DATE: June 11, 2019

RE: Secs. 36-431 and 36-432 Accessory Structure Ordinance

Background:

At the May regular meeting, the review of this proposed amendment was tabled to the June meeting. In continuing to review the Zoning Ordinance, I noticed there is a conflict between Sec. 36-411 and Secs. 36-431 and 36-432. I am proposing some amendments to address that conflict and to clean up a couple of other things.

Sec. 36-431. - Accessory buildings.

Accessory buildings and accessory structures shall be subject to the following regulations, which shall apply in all zone districts:

- (1) All accessory buildings and accessory structures are permitted in all zone districts subject to compliance with all of the following:
 - a. The accessory building and/or accessory structure is customarily and clearly incidental to a use that is permitted under this chapter and/or is a permitted use in the zone district in which it is or they are located or to be located;
 - b. The accessory building and/or accessory structure does not create a nuisance or hazard; and
 - c. The accessory building and/or accessory structure meets and is in accordance with all applicable limitations, requirements and provisions of this article and the applicable zone district.
- (2) No accessory buildings or accessory structures shall be established until the principal use to which it is an accessory has been established or a building, placement or construction permit for the principal use has been obtained.
- (3) Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all yard regulations of this title, applicable to the main buildings.
- (4) Accessory buildings or other accessory structures shall not be erected, placed or established in any required yard, unless otherwise permitted by this chapter.
- (5) No detached accessory building or other accessory structure shall be located closer than ten feet to any main building or structure, unless it can conform to all other yard regulations as required for the main building or structure. **Accessory buildings with a total area of 200 square feet or less may be placed within three feet of a side or rear lot line. Accessory buildings exceeding 200 square feet must meet all setback requirements as set forth in Sec. 36-411.** ~~It shall not be located any closer than three feet to any side or rear lot line, unless otherwise permitted by this chapter. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building or accessory structure shall be no closer than one foot to such rear lot line. In no instance shall an accessory building or accessory structure be located within a dedicated easement right-of-way.~~
- (6) When an accessory building or accessory structure is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, the accessory building or accessory structure shall not project beyond the front line of the existing main structure on the lot in rear of such corner lot. An accessory building or accessory structure shall not be located within ten feet of a street right-of-way line.

Sec. 36-432. - Accessory buildings in residential districts.

Accessory buildings and accessory structures located in any residential zone districts shall be subject to the following regulations except as otherwise permitted in this chapter:

- (1) ~~No detached accessory building or accessory structure in an R-1, RD-1, or RM-1 district shall exceed one story or 15 feet in height.~~ **All accessory structures are subject to height requirements of Sec. 36-411.**
- (2) No accessory building or accessory structure inclusive of the main structure may exceed the required density requirements of section 36-411.
- (3) Playhouses, greenhouses and gazebos may not be located in side and rear yards within three feet of the property line.
- (4) Swimming pools shall be regulated by the Michigan Residential Building Code. Swimming pools, excepting inflatable swimming pools having a length or diameter of less than five feet and/or a depth of less than 18 inches, shall be placed in the rear yard only. Inflatable swimming pools having a length or diameter of five feet or more and/or a depth of 18 inches or more shall be located within the rear or side yards only. No hot tub or swimming pool shall be located within three feet of the property line.
- (5) Porches and decks must conform to all yard setback, bulk and height requirements. Construction of new porches and decks and the reconstruction of existing porches and decks shall be subject to compliance with the requirements of sections 36-411 and 36-787.
- (6) Game courts, as defined in section 36-6, excepting basketball hoops, are allowed within the rear and side yards only. Notwithstanding anything herein to the contrary, basketball hoops may be located in the driveway to the main residential building or to an accessory building, to an attached or detached accessory building or accessory structure. No game courts, playground or other recreational equipment may be located within three feet of the property line.
- (7) Garbage and trash containers are allowed in the side and rear yards only, except at designated times of pickup, during which they may be located at the property line in accordance with and subject to the provisions of chapter 28 of this Code.
- (8) Clothes lines, supporting poles and similar natural laundry drying equipment are allowed within the side or rear yard but shall not be located within three feet of the property line.
- (9) Pet shelters, pens, cages and runs are allowed only in the rear yard but shall not be located within three feet of the property line.
- (10) The use of semi-trailers, enclosed trailers, trucks, rail cars or vehicles as storage buildings or structures or as accessory buildings or structures is prohibited.