

**Proposed Amendments  
Hamilton Township  
Zoning Ordinance  
11 February 2003  
(Revised 19 March 2003)**

1. Add to: **Article 2 Definitions: Accessory Building**

A freestanding building that is located on the same lot on which a principal use or principal building is located, and that is devoted to and occupied by a use that is incidental and subordinate to the principal use. Examples of accessory buildings include, but are not limited to, detached residential garages and sheds, boat houses, snowmobile sheds, greenhouses, guard or gate houses, and barns *or pole buildings*.

2. Change: **Article 2 Definitions: Building Height**

The vertical distance from the established grade at the center of the front of the building to the highest point of a flat roof, to the deck line of a mansard roof, *or to the ridge of peak of a gable, hip or gambrel roof*.

3. Delete from: **Article 2 Definitions**

*Figure 2*

4. Add to: **Article 2 Definitions: Lot**

A parcel of land separated from other parcels of land by description on a recorded plat or by a metes and bounds description, including a condominium unit site in a site condominium subdivision; having frontage upon a public or private street and having sufficient size to comply with the requirements of the Ordinance for minimum area, setbacks, coverage, and open space. A lot may or may not be specifically designated as part of the public record. *For the purposes of determining lot size, setbacks, and other regulations of this Ordinance, recorded contiguous lots or parcels owned by a single person or entity shall be considered one lot or parcel.*

5. Add to: **Section 3.16 Approval of Land Divisions and Open Space Preservation Developments**

All land divisions created after the effective date of this Ordinance shall comply with all requirements of the Michigan Land Division Act (Act 591 P.A. 1996, as amended). All land divisions created after the effective date of this Ordinance shall also comply with the lot area, width, setback, and all other dimensional requirements of the zoning district in which such land divisions are located. *Open Space Preservation developments shall be allowed in accordance with Section 16h of the Township Zoning Act (P.A. 184 of 1943) under Section 6.5 of this Ordinance.*

6. Add to: **Section 6.4.1 A-1 Agricultural Zoning District Regulations**

a) **Permitted Uses**

12. *Planned developments in accordance with Section 6.4.6.*

6. Add to: **Section 6.4.1 A-1 Agricultural Zoning District Regulations** (continued)
  - b) **Other Provisions:**  
*Accessory structures may be used for home occupations. All accessory structures may be constructed or installed prior to construction or installation of the principal structure upon approval of a Special Use Permit in accordance with Article 7 of the Ordinance.*
  - c) **Special Uses Subject to Review and Approval as Specified in Article 7**  
*10. Accessory uses and structures installed before a primary structure is in place.*
7. Add to: **Section 6.4.2 R-1 Rural Residential Zoning District Regulations**
  - a) **Permitted Uses**  
*12. Planned developments in accordance with Section 6.4.6.*
  - b) **Other Provisions:**  
*Accessory structures may be used for home occupations. An accessory structure may be constructed or installed prior to construction or installment of the principal structure upon approval of a Special Use Permit in accordance with Article 7 of this Ordinance.*
  - c) **Special Uses Subject to Review and Approval as Specified in Article 7**  
*9. Accessory uses and structures installed before a primary structure is in place.*
8. Add to: **Section 6.4.3 R-2 Single Family Residential Zoning District Regulations**
  - a) **Permitted Uses**  
*12 Planned developments in accordance with Section 6.4.6.*
9. Add to: **Section 6.4.4 R-3 Residential Zoning District Regulations**
  - a) **Permitted Uses**  
*12 Planned developments in accordance with Section 6.4.6.*
10. Add to: **Section 6.4.5 C-1 Commercial Zoning District Regulations**
  - a) **Permitted Uses**
    - 16. Institutional uses*
    - 17. Accessory uses and structures*
    - 18. Planned developments in accordance with Section 6.4.6*
11. Add to: **Section 6.4.6 PUD Planned Unit Development Zoning District Regulations**
  - a) **Intent and Purpose**  
*4. To provide for Open Space Preservation developments in accordance with Section 16h of the Township Zoning Act (P.A. 184 of 1943).*

11. Add to: **Section 6.4.6 PUD Planned Unit Development Zoning District Regulations** (continued)

- b) **Additional District Requirements** change to
  - 1. *A PUD may be established in all zoning districts.*

12. Change: **Section 6.5.1 Purpose**

- g. Other purposes, including *open space preservation developments* as outlined in Section 16c and 16h of the Township Zoning Act (P.A. 184 of 1943, as amended).

13. Change: **Section 6.5.2 General Requirements, Restrictions, and Standards**

b. **Location**

A proposed PUD land development project may be established *in any zoning district in accordance with the regulations of this section and other applicable regulations of this Ordinance.*

d. **Design of Improvements and Functional Elements**

**(12) Yards and Open Space**

Yards, common areas, and other open space shall be compatible with the uses to be established in the PUD, and shall be consistent with the character of the area in which the proposed PUD is to be located.

Furthermore, a minimum of *[sixty percent (60%)]* of the project site shall be devoted to permanent, landscaped open space for use by residents of the PUD or by the public at large. The open space provided in this manner shall not include public or private streets, driveways, sidewalks, *or* parking areas.

14. Add to: **Section 7.12.1 Special Land Use Requirements**

**Special Land Use**

*Accessory Uses and Structures installed before a primary structure is in place.*

**Minimum Lot Area and Other Dimensional Requirements**

*Accessory structures must meet all minimum setbacks and other dimensional requirements of the district in which the structure or use is proposed. Greater requirements may be required to protect neighboring properties.*

**Other Requirements**

1. *The development site plan shall show the location of the future primary structure and the proposed accessory structure and indicate the time when the primary structure shall be constructed or installed.*
2. *Approval of a Special Use Permit for this purpose shall depend upon the location, timing of primary structure installation, and the evaluation of the proposed use and structure in relation to the neighboring properties and the Township as a whole. If satisfactory conditions to prevent adverse effects by the proposed accessory structure cannot be established and agreed to, the permit shall not be approved.*

## RESOLUTION FOR HAMILTON TOWNSHIP

### FOR CHANGES TO TOWNSHIP ZONING ORDINANCE

BE IT RESOLVED, that a resolution be made for said revisions to the Zoning Ordinance:

#### 3.5 Accessory Building

Accessory building shall be subject to the following regulations:

- a. Where an accessory building is attached to a main building, it shall be subject to and must conform to all requirements of this Ordinance applicable to the main building.
- b. Accessory buildings shall be located no closer than ten (10) feet to the rear; three (3) feet to any side or rear lot line and comply with setback regulations.
- c. Accessory buildings in the R-1 Zoning District shall not exceed twenty-five (25) feet in height. Accessory buildings in the R-2 and R-3 Zoning Districts shall not exceed sixteen (16) feet in height.
- d. Barns are permitted of any size in the Agricultural (A-1) Zoning District if they are located at least twenty-five (25) feet from any property line.
- e. Accessory buildings not more than one hundred (100) square feet in area shall not require a building permit or a zoning permit. Compliance with rear and side yard setback regulations is required.
- f. If an accessory building is located on a corner lot where the side lot line is a continuation of the front lot line of the lot to its rear, then the accessory building shall not project beyond the front yard setback on the lot in the rear of such a corner lot.

Upon roll call of adoption of said resolution: Conway – yes Iutzi – yes M. Duby – yes  
B. Duby – yes Zelt – yes

The supervisor declare this resolution duly adopted on this date of May 5, 2007.