

The Planning Commission will hold a public hearing and meeting on November 7, 2019 at 6:30 p.m. EST to take comments from the public regarding the following proposed amendments to the Zoning Ordinance. The Planning Commission will recommend some or all of these amendments to the Village Council who will vote on the amendments at the November 20, 2019 Council meeting.

2019 PROPOSED GRAND BEACH ZONING ORDINANCE AMENDMENTS

Definition Changes

Fence – (Definition) (Remove “permanent”)

Fence – A **permanent** partition, structure or gate erected as a dividing marker, barrier or enclosure, and not a part of a principal building or structure or other accessory structure.

Lot Coverage (Definition) (Changes to include that decks less than 12” above ground are excluded)

Lot Coverage – That percentage of the lot or parcel covered by all buildings and structures located in the lot or parcel. When determining the percent of lot coverage on any lots or parcels in all Zoning Districts, all buildings and structures, whether above or below ground level or on the ground surface shall be included in the computations so as to provide greater assurance for surface water percolation or necessary on-site impoundment in instances of excessive rainfall, flooding or other water accumulation circumstances. Brick pavers shall be calculated based on manufacturer specifications for installation and rate of absorption. **Permeable decks less than 12” above ground as determined by the Zoning Administrator shall be excluded.**

Setback (Definition) (Remove “window mounted air conditioners”)

Setback – The minimum distance between a front, side, or rear lot line and the nearest point of the closest building projected to the ground if it is not already on the ground. This shall include any attached projections such as bay windows, cantilevers, roof eaves,

~~window mounted air conditioners~~, and decks. Each zoning district provides minimum setback requirements for each yard (see Yard).

Section 4.03, 5.03, 6.03 – Permitted Accessory Uses

(Remove from Item C. “Pools, Including, Hot Tubs, Jacuzzis, Whirlpools, Other Pools and Ponds”)

C. Pools, Including Swimming Pools, ~~Hot Tubs, Jacuzzis, Whirlpools, Other Pools, and Ponds~~

(ADD NEW SECTION-Will Be Section D) Outdoor Hot Tubs, Spas, Jacuzzis and Whirlpools

1. No hot tub, spa, Jacuzzi or whirlpool regulated by this section shall be constructed, installed, enlarged or altered until a permit has been obtained from the Building Inspector.
2. There shall be a distance of not less than twenty (20) feet between the adjoining property line and outside of the hot tub, spa, Jacuzzi or whirlpool wall unless a greater separation is required below.
3. The hot tub, spa, Jacuzzi or whirlpool shall satisfy the rear yard setback standard of the district in which it is located.
4. No hot tub, spa, Jacuzzi or whirlpool shall be located less than fifty (50) feet from any front lot line.
5. If electrical service drop conductors or other utility wires cross under or over a proposed hot tub, spa, Jacuzzi or whirlpool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation of wires before a permit shall be issued only if the hot tub, spa, Jacuzzi or whirlpool is located at least ten (10) feet from the nearest power line or any accessory to it.
6. No hot tub, spa, Jacuzzi or whirlpool shall be located in an easement.

7. For the protection of the public, all hot tubs, spas, Jacuzzis and whirlpools shall be equipped with a locking hard cover that shall be locked at all times when the hot tub, spa, Jacuzzi or whirlpool is unoccupied.

Section 4.03, 5.03, – Permitted Accessory Uses

- E. (Will change to Section F) Outdoor, detached utility units (such as air conditioning condensers, **pool equipment** or generators) shall be considered accessory to the principal use located on the site and are permitted to be located adjacent to the principal structure to which it is associated. The **installation or relocation of such** utility units **require a valid building permit issued by the Zoning Administrator and** must satisfy all minimum setback requirements and shall be installed in compliance with the requirements of the Michigan Building Code.

Section 6.03 – Permitted Accessory Uses

- E. (Will change to Section F) Outdoor, detached utility units (such as air conditioning condensers, **pool equipment** or generators) shall be considered accessory to the principal use located on the site and are permitted to be located adjacent to the principal structure to which it is associated. The **installation or relocation of such** utility units **require a valid building permit issued by the Zoning Administrator and** shall be installed in compliance with the requirements of the Michigan Building Code. **All utility units should be contained where possible in an aesthetically pleasing enclosure in order to muffle the sound emitted from the utility unit. No utility unit shall be located more than two (2) feet into the side yard or back yard setback.**

Section 4.07, 5.07, 6.07 – Fences

- A. The erection, construction, or alteration of any fence or other type of protective barrier shall be approved through permit by the Zoning

Administrator as to their conforming to the requirements of the zoning districts wherein they are required.

- B. Any existing fence not in conformance with this Ordinance shall not be altered or modified, without approval of the Zoning Administrator and only in such manner as to reduce the non-conformity. Fences shall conform to the following requirements:
1. No fence shall hereafter be erected along the line dividing lots or parcels of land or located within any required side or rear yard in excess of three (3) feet in height above the grade of the surrounding land, except fences enclosing a permitted pool area shall be of a height of six feet. **If placed on a man-made elevated surface, that elevation above the natural grade will be considered in the total fence height measurement. When natural grade is questioned, the Village Council reserves all rights to establish the final fence height.**
 2. Barbed wire, spikes, nails or any other sharp point or instrument of any kind on top or on the sides of any fence, electric current or charge in said fences is prohibited. Barbed wire cradles may be placed on top of fences enclosing public utility buildings and structures and elsewhere or whenever deemed by the Village Council to be necessary in the interests of public safety, and with the approval of the Village Council the height of fences enclosing utility buildings and structures may be a maximum of eight (8) feet in height.
 3. **All fences shall be constructed and maintained in a sound manner to assure long-term structural integrity and visual character.**
 4. **Fences are to be constructed of wood, metal, vinyl, composite material or aluminum. Examples of a fence would include, but not be limited to the following: a chain link of aluminum or metal posts, traditional board and batten fence, a traditional fence with lattice top, a full lattice or trellis fence with posts or a similar structure, a scalloped or arched picket fence, a solid wood, milled stockade fence, a French or Gothic picket fence, or arched or scalloped picket fence.**

5. Fences on all lots in all Residential Districts which extend toward the front of the lot, past the front line of the main building shall not exceed three (3) feet in height in all street and waterfront yards.
6. No fence or structure shall be erected, established or maintained on any corner lot which will obstruct the view of a vehicle approaching the intersection, and shall meet the requirements of Section 4.07(B.1). Use same for Section 5.07(B.1) or 6.07(B.1).
7. No fence, wall, hedge, screen, sign, structure, vegetation, planting or other obstruction shall be higher than three (3) feet above street grade on any corner lot or parcel in the zoning district requiring front and side yards within the triangular area formed by the intersecting street right-of-way lines and a straight line joining the two street lines at points which are twenty (20) feet distant from the point of intersection, measured along the street right-of-way lines.
8. **Fences shall not be erected within any street right-of-way, easement, public property or neighboring property.**
9. **The finished side of the fence shall face the abutting property.**

Pods, Dumpsters and Trailers

[New HDR, MDR and LDR separate Sections 4.14, 5.14, 6.14]

Sections 4.14, 5.14, 6.14 Temporary Structures

A. Temporary Construction Buildings, Construction Trailers, Portable Restrooms and Storage Pods Incidental to Construction Work

Temporary construction buildings, construction trailers, portable restrooms and storage pods incidental to construction work may be placed on a lot subject to the following conditions:

1. *They may only be used for the temporary storage of materials, tools, supplies and equipment for construction management, temporary storage of building contents such as furniture during remodeling, and for temporary on-site sanitation facilities related to construction activity on the same property.*
2. *No more than one temporary construction building, construction trailer or storage pod is allowed on the property unless remodeling requires the use of a storage pod for temporary contents storage in addition to a temporary construction building or trailer. In addition, one portable restroom shall be allowed on the property.*
3. *They may not be used as a dwelling unit.*
4. *Construction buildings, construction trailers and storage pods may be no larger than 10' x 20' in size.*
5. *They must be aesthetically pleasing. If there is a question of whether the unit is aesthetically pleasing, the decision to allow or deny the temporary use of the unit will be made by the Village Council.*
6. *They must be located on private property and no part of any unit shall be located within the setback, or on a street right-of-way, street, or neighboring public or private property.*
7. *They may be placed on the property only in conjunction with active ongoing construction or remodeling work. They shall be removed within fifteen (15) days after completion or abandonment of construction or remodeling work on the property.*

B. Dumpsters

One temporary dumpster for the collection of construction debris shall be allowed on a construction site subject to the following conditions:

1. *One dumpster may be used for the collection of debris generated by a construction site. Once filled, it shall be removed within fourteen (14) days.*
2. *If it is not being used for collection of debris, it should be removed immediately.*
3. *It shall be removed from the property within fifteen (15) days after completion or abandonment of construction work on the property.*

Section 11.04 Signs in the Residential District

- D. One (1) subdivision sign per entrance for each residential subdivision provided no sign shall exceed sixteen (16) square feet in area. **The subdivision sign may include the name of the subdivision and a plat of lots, but nothing additional.**
- E. In addition, one (1) sign not over sixteen (16) square feet in area announcing the opening or sale of lots in a legally approved subdivision may be temporarily erected on each plat or development, provided the location **and information included on proposed** sign is approved by the Building Inspector **in advance of installation and is allowed** for a duration not to exceed one (1) year.

Said sign may include the following information only:

1. **Subdivision name and/or company name**
2. **Plat map or lot numbers offered for sale**
3. **Real estate company name and agent name**
4. **Telephone number**
5. **Website address**

In addition, each lot offered for sale within the subdivision shall be allowed one lot number sign to be posted on the lot, but not on the street right-of-way or property owned by others. The lot number sign shall not exceed one (1) square foot in size.