

## MEMO

**TO:** Northfield Township Planning Commission  
**FROM:** Patrick Sloan, AICP, Senior Principal Planner  
**SUBJECT:** Proposed Zoning Ordinance Amendments – Open and Unroofed Terraces, Patios, and Porches  
**DATE:** June 1, 2017

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At the May 3, 2017 Planning Commission meeting we discussed proposed changes to the type of structures that are exempt from area, placement, and height regulations in Sub-section 36-98(g)(1) of the Zoning Ordinance. Currently, open or unroofed terraces, patios, and porches are exempt from such regulations. However, the Zoning Ordinance requires structures *attached* to the home to also meet the minimum setbacks of the home. Additionally, terraces, patios, and porches that are *detached* from a home can have massing that should be subject to setback requirements. After discussing these issues at the May 3<sup>rd</sup> Planning Commission meeting, we recommend removing “open and unroofed terraces, patios, porches” and “awnings” from the list of exempted structures regardless of whether they are attached or detached from the principal building. With these recommended changes, Sub-section 36-98(g)(1) would read as follows:

**(g)** *Exemptions from area, placement, and height regulations.*

- (1)** The following structures may be located anywhere on any lot: ~~open and unroofed terraces, patios, porches and steps; awnings;~~ flag poles; hydrants; laundry drying equipment; trellises; recreation equipment; outdoor cooking equipment; at-grade sidewalks and private driveways; trees, plants, shrubs, and hedges; fences complying with standards within section 36-715; mailboxes; and light poles. Anything constructed, erected, placed, or planted, or allowed to grow, shall conform to the provisions of section 36-98(h).

ORDINANCE NO. 18-56

NORTHFIELD TOWNSHIP, WASHTENAW COUNTY MI

AN ORDINANCE OF THE BOARD OF TRUSTEES OF NORTHFIELD TOWNSHIP, MICHIGAN, TO AMEND ZONING ORDINANCE SUB-SECTION 36-98(g)(1) BY REMOVING "OPEN AND UNROOFED TERRACES, PATIOS, PORCHES" AND "AWNINGS" FROM THE LIST OF EXEMPTED STRUCTURES

**Whereas** Northfield Township's Zoning Ordinance states that open or unroofed terraces, patios, and porches are exempt from area, placement, and height regulations in Sub-section 36-98(g)(1); and,

**Whereas** The Zoning Ordinance requires structures *attached* to the home to meet minimum setbacks of the home; and

**Whereas** It is recognized that terraces, patios, and porches that are *detached* from a home can have massing that should be subject to setback requirements.

**Now, therefore, be it ordained** by the Northfield Township Board of Trustees that the Zoning Ordinance be amended as follows:

**Section 1:** Section 36-98

(g) *Exemptions from area, placement, and height regulations.*

(1) The following structures may be located anywhere on any lot: ~~open and unroofed terraces, patios, porches, and steps; awnings;~~ flag poles; hydrants; laundry drying equipment; trellises; recreation equipment; outdoor cooking equipment; at grade sidewalks and private driveways; trees, plants, shrubs, and hedges; fences complying with standards within section 36-715; mailboxes; and light poles. Anything constructed, erected, placed, or planted, or allowed to grow, shall conform to the provisions of section 36-98(h).

**Section 2:** MISCELLANEOUS

If any portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of any other portion of this Ordinance.

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. Provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, re-established and confirmed.

**Section 3:** Effective Date

The provisions of this Zoning Code amendment are hereby ordered to take effect 7 days following its publication in a newspaper of general circulation within the Township. This Ordinance is

hereby declared to have been adopted by the Township Board of Trustees of the Township of Northfield in a meeting duly called and held on this 9th day of January, 2018.

**TOWNSHIP OF NORTHFIELD,  
WASHTENAW COUNTY, MICHIGAN**

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Marlene Chockley, Supervisor

ATTEST:

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Kathleen Manley, Clerk

I, Kathleen Manley, Northfield Township Clerk, hereby certify as follows:

- A. The above Ordinance was passed by the Northfield Township Board of Trustees on the 9th day of January, 2018. The names of the members voting thereon and how each member voted was as follows:

Yeas:

Nays:

Absent

- B. A true copy of the above Ordinance was published in Ann Arbor News, a newspaper circulating within the Township, on the \_\_\_th day of \_\_\_, 2018, and;

- C. The effective date of the above Ordinance is the \_\_\_th day of \_\_\_ 2018.

NORTHFIELD TOWNSHIP BOARD

By: \_\_\_\_\_

Kathleen Manley, Clerk

**NORTHFIELD TOWNSHIP PLANNING COMMISSION  
NOTICE OF REGULAR MEETING  
July 19, 2017 at 7:00 p.m.  
Second Floor, Public Safety Building  
8350 Main Street, Whitmore Lake, MI 48189**

**AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPTION OF AGENDA**
- 5. CALL TO THE PUBLIC**
- 6. CLARIFICATIONS FROM COMMISSION**
- 7. CORRESPONDENCE**
- 8. PUBLIC HEARINGS:**
  - A. Proposed Zoning Ordinance Amendment – Open and Unroofed Terraces, Patios, and Porches
- 9. REPORTS OF COMMITTEES**
  - A. Board of Trustees
  - B. ZBA
  - C. Staff
  - D. Planning Consultant
  - E. Parks and Recreation
- 10. UNFINISHED BUSINESS:**
  - A. Proposed Zoning Ordinance Amendment – Open and Unroofed Terraces, Patios, and Porches
  - B. Proposed Update to Zoning Ordinance – Sign Regulations
- 11. NEW BUSINESS:**
  - A. Discussion Ann Arbor Dog Training Club – CUP/Site Plan Public Ad approval
  - B. Discussion of Section 36-936(b) Powers and Duties of Board of Appeals
  - C. Zoning Administrator – Quarterly Report
- 12. APPROVAL OF PRECEDING MINUTES:** June 7, 2017 Regular Meeting
- 13. FINAL CALL TO THE PUBLIC**
- 14. COMMENTS FROM THE COMMISSIONERS**
- 15. ANNOUNCEMENT:** Next Regular Meeting – August 2, 2017
- 16. ADJOURNMENT**

This notice is posted in compliance with PA 267 Of 1976 as amended (open meetings act) MCLA 41.7 2A (2) (3) and the Americans with Disabilities Act. (ADA) Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Office, (734) 449-5000 seven days in advance.

8350 Main Street, Whitmore Lake, MI 48189-0576  
[www.twp.northfield.mi.us](http://www.twp.northfield.mi.us)

Telephone: (734) 449-5000

Fax: (734) 449 –0123

Website:

# NORTHFIELD TOWNSHIP PLANNING COMMISSION

## NOTICE OF PUBLIC HEARING

The Northfield Township Planning Commission will hold a public hearing at the request of Northfield Township 8350 Main Street, Whitmore Lake, MI 48189, to propose amending Zoning Ordinance – Section 36-98 g (1) – Exemptions from area, placement, and height regulations. The Planning Commission recommends the following: “The following structures may be located anywhere on any lot: ~~open and unroofed terraces, patios, porches and steps; awnings;~~ flag poles; hydrants; laundry drying equipment; trellises; recreation equipment; outdoor cooking equipment; at-grade sidewalks and private driveways; trees, plants; shrubs; and hedges; fences complying with standards within section 36-715; mailboxes; and light poles. Anything constructed, erected, placed or planted, or allowed to grow, shall conform to the provisions of section 36-98 (h)”.

The public hearing will be held on **Wednesday, July 19, 2017** at 7:00 p.m. on the second floor for the Northfield Township Public Safety Building, 8350 Main Street, Whitmore Lake, MI 48189. The proposed amendment is on file at the Northfield Township Building/Zoning Department, 8350 Main Street, Whitmore Lake, MI 48189, and may be reviewed Monday through Friday, 8:00 a.m. to 4:30 p.m. Written comments may be submitted to the Building/Zoning Department at the Township Hall (8350 Main St.) before 12:00 p.m. on the day of the meeting.

This notice is in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA 41.7, 2A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at 743-449-2880 seven days in advance.

Kathy Manley – Northfield Township Clerk

Publish: Sunday, July 2, 2017

Newspaper: legalads@mlive.com

# NORTHFIELD TOWNSHIP PLANNING COMMISSION Minutes of Regular Meeting July 19, 2017

## 1. CALL TO ORDER

The meeting was called to order by Chair Roman at 7:03 P.M. at 8350 Main Street.

## 2. PLEDGE OF ALLEGIANCE

## 3. ROLL CALL AND DETERMINATION OF QUORUM

Roll call:	
Janet Chick	Present
Brad Cousino	Present
Sam Iaquinto	Absent with notice
Cecilia Infante	Present
Larry Roman	Present
Amy Steffens	Present
John Zarzecki	Present

Also present:  
Assessing & Building Assistant Mary Bird  
Planning Consultant Patrick Sloan, McKenna Associates  
Planning Consultant Paul Lippens, McKenna Associates  
Recording Secretary Lisa Lemble  
Members of the Community

## 4. ADOPTION OF AGENDA

- **Motion:** Roman moved, Steffens supported, that the agenda be adopted with the addition of Item 9F, Downtown Planning Group Report  
**Motion carried 6—0 on a voice vote.**

## 5. FIRST CALL TO THE PUBLIC

David Gordon asked about zoning ordinance provisions for land preservation.

## 6. CLARIFICATIONS FROM THE COMMISSION

None.

## 7. CORRESPONDENCE

None.

## 8. PUBLIC HEARING

### 8A. Proposed Zoning Ordinance Amendment: Open and Unroofed Terraces, Patios, and Porches.

- **Motion:** Roman moved, Chick supported, that the public hearing be opened.  
**Motion carried 6—0 on a roll call vote.**

Sloan explained that this amendment would remove open and unroofed terraces, patios, porches and steps, and awnings from the list of structures exempt from area, placement, and height regulations.

Roman called for comments from the public. There were none.

- **Motion:** Roman moved, Chick supported, that the public hearing be closed.  
**Motion carried 6—0 on a roll call vote.**

## 9. REPORTS

### 9A. Board of Trustees

Chick reported that the Board approved zoning ordinance amendments recommended by the Planning Commission, made appointments to the ZBA, and approved the Township Manager contract.

### 9B. ZBA

Has not met.

### 9C. Staff Report

Nothing to report.

### 9D. Planning Consultant

Sloan said he will be recommending a clarification to section 36-936 of the zoning ordinance, and announced that Paul Lippens of McKenna Associates will be taking over as McKenna's planning consultant for the Commission.

### 9E. Parks and Recreation

No report.

### 9F. Downtown Planning Group

Infante and Lippens reported on public outreach efforts held on April 24 and June 25 and plans for more such events.

## 10. UNFINISHED BUSINESS

### 10A. Proposed Zoning Ordinance Amendment: Open and Unroofed Terraces, Patios, and Porches.

- **Motion:** Roman moved, Zarzecki supported, that the proposed language be forwarded to the Board of Trustees for approval.

There was a brief discussion about whether clotheslines should be addressed in this section.

**Motion carried 6—0 on a roll call vote.**

Northfield Township Planning Commission  
Minutes of Regular Meeting  
Public Safety Building; 8350 Main Street  
July 19, 2017

**10B. Proposed Zoning Ordinance Amendment:  
Sign Regulations.**

Postponed.

**11. NEW BUSINESS**

**11A. Discussion of Ann Arbor Dog Training Club:  
CUP/Site Plan Public Ad Approval.**

Sloan said he and the applicant agree that the requested use as a dog training facility is a conditional use and requires a public hearing; however, there is not agreement about the building setback. He said the Club maintains that while they are a "similar" use to a kennel, they do not board or breed dogs, so they are not a kennel and the 200 foot building setback should not apply. Sloan said the application is complete enough to be scheduled for public hearing.

Commissioners said they would prefer that this issue and others (including screening requirements and paving of the gravel parking lot) be worked out before the hearing is scheduled.

**11B. Discussion of Section 36-936(b); Powers and  
Duties of Board of Appeals**

Roman and Sloan explained that an amendment to Section 36-936(b) is recommended to bring it into compliance with Michigan's Zoning Enabling Act regarding the powers of the Zoning Board of Appeals to hear variance requests in specific situations, such as related to Conditional Use Permits. Sloan said an amendment to address this may be brought as part of a group with other minor amendments recommended by Zoning Administrator Vidya Krishnan.

**11C. Zoning Administrator—Quarterly Report.**

Sloan referred to the April-June quarterly report from the Vidya Krishnan, noting that 38 zoning compliance applications were approved and five were denied, and that Krishnan identified some issues that should be

addressed in the zoning ordinance or on the zoning map. Commissioners indicated this is very useful information for them, voiced their support for Krishnan's decisions, and noted that her work has contributed to the fact that the ZBA has not had to meet recently.

**12. MINUTES**

**June 7, 2017, Regular Meeting**  
Chick made one minor correction.

- **Motion:** Roman moved, Chick supported, that the minutes of the June 7, 2017, regular meeting be approved as corrected, and to dispense with the reading. **Motion carried 6—0 on a voice vote.**

**13. SECOND CALL TO THE PUBLIC**

Myron Rollison, 175 Barker Road, questioned a recent zoning compliance denial by the Township regarding his property.

**14. COMMENTS FROM THE COMMISSIONERS**

Commissioners thanked Sloan for his work, welcomed Lippens, and noted that the discussion regarding the dog training application was in the interest of making sure the applicant has a complete application.

**15. ANNOUNCEMENT OF NEXT MEETING**

**August 2, 2017, at 7:00 P.M.** at the Public Safety Building was announced as the next regular Commission meeting time and location.

**16. ADJOURNMENT**

- **Motion:** Chick moved, Zarzecki supported, that the meeting be adjourned.  
**Motion carried 7—0 on a voice vote.**

The meeting was adjourned at 7:58 P.M.

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Prepared by Lisa Lemble.

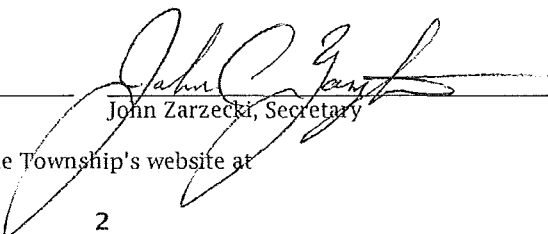
Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;

Wording added is underlined.

Adopted on August 16, 2017.

  
Larry Roman, Chair

  
John Zarzecki, Secretary

Official minutes of all meetings are available on the Township's website at  
<http://www.twp-northfield.org/government/>