

PROPOSED AGENDA

**CHARTER TOWNSHIP OF BRIGHTON
PLANNING COMMISSION
4363 BUNO ROAD
BRIGHTON, MI 48114**

**AUGUST 11, 2025
REGULAR MEETING
6:30 P.M.
(810) 229.0562**

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. CALL TO THE PUBLIC**
- E. AGENDA**
- F. MINUTES**

1. JUNE 9, 2025 REGULAR MEETING

G. BUSINESS

- 1. PUBLIC HEARING ON ZONING ORDINANCE AMENDMENT TO *ARTICLE 3, RESIDENTIAL DISTRICTS, SEC. 3-02, USES PERMITTED*, AND DISCUSSION ON GENERAL ORDINANCE AMENDMENT TO *CHAPTER 5, ANIMALS***

- H. REPORTS AND CORRESPONDENCE**
- I. CALL TO THE PUBLIC**
- J. ADJOURNMENT**

The Charter Township of Brighton will provide the necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon 10 days' notice to the Charter Township of Brighton, Attn: Township Manager. Individuals should contact the Charter Township of Brighton by writing or contacting the following: Kelly Mathews, 4363 Buno Road, Brighton, MI 48114. Telephone: 810-229-0562 or e-mail planner@brightontwp.com.

MEMORANDUM

TO: BRIGHTON TOWNSHIP RESIDENTS
FROM: JOSEPH R. RIKER, CLERK
SUBJECT: PLANNING COMMISSION ELECTRONIC PACKETS
DATE: JANUARY 31, 2019

Packets for the Brighton Township Planning Commission meetings posted to the website contain scanned original documents. These electronic packets are subject to change based on meeting material presented to the Planning Commission throughout the course of the meeting. For a complete original packet following the Planning Commission meeting contact the Clerk's Office at 810-229-0560 or via email: clerk@brightontwp.com

PROPOSED MINUTES

**CHARTER TOWNSHIP OF BRIGHTON
PLANNING COMMISSION
4363 BUNO ROAD
BRIGHTON, MI 48114**

**JUNE 9, 2025
REGULAR MEETING
6:30 P.M.
(810) 229.0562**

Chairperson S. Holden called the meeting to order at 6:30 P.M. The Pledge of Allegiance was said.

Present: C. Doughty, W. Hofsess, B. Anderson, J. Rose, S. Holden

Absent: L. Herzinger, A. Lutes

CALL TO THE PUBLIC

None.

AGENDA

J. Rose moved and B. Anderson seconded **to approve the agenda.**

Motion carried.

MINUTES

B. Anderson moved and C. Doughty seconded **to approve the May 12, 2025 regular meeting minutes as presented.**

Abstain: S. Holden

Motion carried.

PUBLIC HEARING ON PUD REZONING RZ #25/01 FOR THE COVE AT WOODLAND LAKE; ADDRESS: VACANT DANN/N. CHRISTINE; OWNER AND APPLICANT: MITCH HARRIS BUILDING COMPANY; TAX ID#: 12-18-300-011 AND 12-18-400-027; EXISTING ZONING: R-2 (RESIDENTIAL SINGLE FAMILY); PROPOSED ZONING: RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD)

Applicant Representative Brent LaVanway overviewed the plans for The Cove at Woodland Lake which is proposed for 37 single family lots and 8 detached condominiums. Mitch Harris and Colbie Harris, property owners, were also in attendance. G. Rose, Township Engineer, overviewed his letter dated May 27, 2025. BAFA's letter dated March 20, 2025 was read into the record. The City of Brighton's letter dated May 14, 2025 was acknowledged. K. Mathews, Township Planner, overviewed her letter dated May 15, 2025.

PUBLIC HEARING

The public hearing opened at 6:55 p.m.

A letter was read into the record that had the following persons sign the same letter regarding environmental and water quality issues, boating density, aquatic life threats, public launch overcapacity, dock regulations, wetland preservation, sewer and infrastructure requirements, and drainage impact mitigation. Persons signing the letters included Cheryl Wasilewski, Michael and Kathleen Urbats, Tammy Cooper, Susan and Ron Scott, Kim and Andy Drake, Doug Boralce, James Ortiz, Michelle Morris, Robert Farris, Jane Pendleton, Timothy Roberts, Barbara Becker, Daniel Zonca, Florence Zonca, Barbara Williams, Michael Gray, Rebecca William, Andrew Becker, Melissa Lee, Scott Lee, Jodee Roberts, Colleen Kowalske, Melanie Klenk, Sue Andrews, Dean and Cheryl Guard, Todd Miller, Sheri and Steve Sarate, Michael Lindlbauer, Sean Foran, Joseph Mashni, Teri and Howard Dembs, Kristin Schenk, Angela Templeton, Jake Dadd, Jim Talbott, Christine Jordan, James Vance, James Kahut, Lorrie Hayden, Ronald Kalvenas, Doreen Kalvenas, Marc Senters, Nanci McGraw, Tonya Senters, Steve Belanger, Valerie Prince, Jacob Heikkinen, Shamil Halabh, Jennifer Barshaw, Susan Farris, Thomas Prince, Jane Wasilewski, Mary Agnello, Stacey Robosen, Tim Agnello, Michael Trombley, David Kempa, Michael Winship, Donna Gee, Jennifer Marks, Anthony Laubach, Eleanor Evarian, James Ortiz, Margaret Mitter, Susan Happ, Bette Knedgen, David Bernhardt, Russ Ward, Greg Gierlach, Michele Reynolds, Mailyn Kramer, Thomas Wilson, Gregory Blastic, Peter Molitor, Mark Lesniak, Denise Lesniak, Ronald Parkinson, Jaylene Laubach, Gregory Schmidtke, Susanne Schmidtke, Kathleen Barden, and Paul Adams.

Other e-mails were read into the record which included:

6/9/25 e-mail from Barb Potocki regarding fertilizers, drains, docks, and taxes.

6/9/25 e-mail from Stan Lawrence stating the developer should develop as R-2 unless he can prove he can't do this.

6/5/25 e-mail from Jennifer Marks regarding lake overcapacity and runoff.

5/27/25 - e-mail from Keith Walker, Brighton Airport, regarding houses near Woodland Shore Drive falling into an airport zone which does not allow additional density from the underlying zoning.

5/13/25 - e-mail from Cheryl Wasilewski regarding environmental and water quality issues, boating density, aquatic life threats, public launch overcapacity, dock regulations, wetland preservation, sewer and infrastructure requirements, and drainage impact mitigation.

A rezoning petition with 282 signatures signed by Woodland Hills, Airway Hills, and the Toby Drive Neighborhood Associations regarding traffic, construction vehicles, trash vehicles, SAD's to repair roads, property values, and environmental impacts was submitted into the record.

Mark Swesso, 8448 Woodland Shore Drive - runoff, PUD get 10 more homes.

Joe Zrenchik, 8834 N. Christine - discussed water and sewer along N. Christine, emergency access, 2 ways in and out ingress/egress needed.

Sandra Schultz, 2534 Doris - Developer should put monies into an escrow for SAD for repair of public roads.

Ken Waite, 8890 N. Christine - increased traffic, TIS, trash vehicles.

Robert Schroder, 8921 Margo - traffic, TIS, fund maintenance and repair SAD.

Bev Schroder, 8921 Margo - should not be a gated community.

Sandy Weston, 8909 Margo - TIS, traffic.

Keith Walker, Brighton Airport - increased density not allowed, traffic, noise.

Frank Grapentien, 3148 Hideaway Beach - TIS, traffic.

Anita Grapentien, 3149 Hideaway Beach, Master Plan states unified houses, drainage into the lake, increased docks, wetland delineation study, traffic, boat safety.

Jack Campbell, 8921 N. Christine - TIS, water quality.

John Astle, 8302 Airport Lane - high density - runway.

Joe Moylan, 2784 Toby - water and sewer - concerned about wells, EIS.

Cheryl Wasilewski, 2621 S. Hacker - 24 lot max. on 1 road and 750 ft. in length, 40,000 sq. ft. verses 16,000 sq. ft. lots, larger lot coverage, larger natural features and wetlands setbacks, is sewer line going through wetlands.

Stuart Meyers, 8432 Woodland Shore - increased boat docks, wetlands, wildlife features, logging in past, EIS study.

Larry McKillop, 8799 Skylane - Safety, road maintenance, no sidewalks, children, buses.

Jim Vance, 3120 Hideaway Beach - water quality, traffic, TIS should include delivery trucks.

Dean Guard, 8334 Point Drive - 10 v. 6 riparian lots, EIS completed, water quality, 3rd party EIS assessment, past logging, master plan, lawsuit.

Cheryl Guard, 8334 Pointe Drive - easement for water and sewer, pond, drainage.

Colleen Podina, 2527 Kathleen - agree with everyone.

Mike Podina, 2527 Kathleen - tree destruction, traffic safety.

Rebecca Robinett, 8933 Margo - TIS, subdivision has to repair roads and pay for snow removal.

Oliver Warner, 3176 Hideaway Beach - 30% too dense, R-2 is a stretch, fertilizer, need retention ponds, no docks on park area, increased boats, TIS, 2 ingress/egress needed.

Tim Fuller, 2621 Woodland Cove - Who owns these parcels, landlocked, hotel on lake, wetlands, dumping.

Gary Mitter, 8400 Woodland Shore Drive - landlocked parcel added land, logged trees.

Tim Roberts, 9050 Hunter Bay - boats, traffic, marina, boat launch, TIS, R-2 OK not PUD.

Eric Horton, 2642 Jennifer - Master plan, "may" not "shall" density bonus, R-2 challenges - only can do a PUD, length of road.

Heather Ketchel, 8993 N. Christine - TIS, wetlands, animals, drainage, trash vehicles.

John Boland, 3275 Hideaway Beach - boat capacity on lake, no new docks, reduce boat launch.

Tom Walker, 8654 N. Christine - traffic, too dense.

Doug Taylor, 3319 Oak Knoll - fertilizer, drainage, what surface on road, docks, no bonus - keep R-2, preserve lake - crown jewel.

Barb Potocki, 8420 Woodland Shore Drive - beautiful to be 4/5 large lots only, association thought about purchasing property, too dense, fertilizer.

Casey Thorton, 8921 N. Christine - road conditions, logging, maintenance of roads.

Catherine Taylor, 8615 Dann - corner house, safety concerns, wildlife, preserve land.

The public hearing closed at 8:32 p.m.

Discussion from the Applicant included fertilizer restrictions will be put into master deed, will have common area, water and sewer will protect wells, no docks on park site, TIS performed to LCRC standards, wetland delineation will be

completed soon; is similar to 10-year ago plans, EGLE will regulate docks and wetlands crossing, and more benefit to PUD than straight R-2 zoning for preservation of natural features. Planning Commission discussion included PUD ordinance, developer will sign onto a future road SAD and pay his fair share and put money into escrow to that effect, traffic, density, grades between lots - is it feasible both parallel plan and PUD plan, increase 2 detached condos near lake setback, attorney re-review water and sewer easement and emergency access easement, decreased road ROW allows less tree removal, discharge into forebays into ponds, need detailed drainage calculations which will come in future plans, some lots will require retaining walls, developer will share in snow removal and maintenance of road and place in master deed/bylaws, density bonus "may", and TIS include Hyne and Hilton intersections.

B. Anderson moved and J. Rose seconded **to extend the meeting until 10:15 p.m.**

Motion carried.

Additional conversation included fertilizer, boats, safety, the number of docks verses existing R-2 zoning docks, will add fertilizer restrictions and statement regarding signing onto neighborhood snow removal in master deed, updated wetlands study is almost done, explained TIS timing and process, airport e-mail regarding additional lots in airport zone verses underlying zoning.

B. Anderson moved and C. Doughty seconded **to table PUD rezoning RZ #25/01 for The Cove at Woodland Lake; Address: Vacant Dann/N. Christine; Owner and Applicant: Mitch Harris Building Company; Tax ID#: 12-18-300-011 and 12-18-400-027; Existing Zoning: R-2 (Residential Single Family); Proposed Zoning: Residential Planned Unit Development (PUD) for the developer to bring back more information regarding sewer and water and emergency access easements, storm drainage information, concerns with construction traffic liability in subdivision, airport question, present a realistic parallel plan, state docks are for owner use only especially on the condominium sites, clarify non-motorized boat usage verses motorized boat usage, information on fertilizer and drainage, updated wetlands study, and review density bonuses for the PUD.**

Motion carried.

DISCUSSION ON CHICKEN ORDINANCE

K. Mathews and C. Doughty overviewed the Township Board's recent discussions regarding reducing the minimum acreage in order to have chickens for personal use on residential property. The Planning Commission briefly discussed and stated they are open to reducing the size, possibly one-acre minimum size sites and will bring back for more discussion at a subsequent meeting.

Brian Fullerton, 3880 VanAmberg, stated there is a group very interested in having chickens for personal use on their properties, they took a poll regarding the issue, and many other municipalities allow chickens on smaller acreage.

REPORTS AND CORRESPONDENCE

C. Doughty - TB update: gateway signs, Ashley Land Development bought Natural Aggregates gravel pit.

S. Holden - ZBA update: last 2 meetings included six residential properties which had variances including setbacks, lot coverage, and waterfront setbacks for home additions, new homes, and pole barns which were approved.

CALL TO THE PUBLIC

F. Grapentien, 3148 Hideaway Beach Drive - Cautioned on the Coves lot sizes because they may need ZBA variances in the future and EGLE permits docks, clearing, and drainage and we don't know details for the lots at this time.

ADJOURNMENT

J. Rose moved and W. Hofsess seconded **to adjourn.**

Motion carried.

The meeting adjourned at 10:15 P.M.

Respectfully submitted,

Steve Holden, Chairperson

William Hofsess, Secretary

Kelly Mathews, Recording Secretary

ARTICLE 3
RESIDENTIAL DISTRICTS

Sec. 3-01 Description and Purpose

(a) The regulations concerning Residential Districts provide for a variety of residential opportunities to meet the housing needs of people who choose to live in the Township. The Township shall consist of an environment of predominantly low density, single family dwelling units, with a limited range of other uses that are considered necessary or appropriate to enhance the quality of life within the Township's residential areas. Generally, the regulations set forth herein are intended to:

(1) Provide a high quality residential living environment which encourages safety and enhancement of property values.

(2) Protect open areas, lakes, woodlands, wetlands, topography, and other distinctive natural features that contribute to the overall quality of life.

(3) Promote residential patterns and designs that integrate and conserve environmental features rather than removing the features.

(4) Prevent overcrowding by establishing standards for density, minimum lot sizes, and minimum yard dimensions.

(5) Direct higher density residential development to areas adequately served by transportation and public utilities and facilities.

(6) Ensure development is in accordance with the availability of public utilities, facilities, and services.

(7) Ensure lot sizes for residential uses served by private septic systems and wells are adequate to meet Livingston County Public Health Department regulations.

(8) Require high standards in housing developments so that attractive neighborhoods, good housing design and construction, privacy, and access to usable and convenient open space are achieved.

5 (9) Accommodate institutional uses such as primary schools, Township facilities, public buildings, and places of worship or public assembly that serve neighborhood residents and are of a scale and design that is compatible with Single Family Residential Districts.

10 (10) Remove or reduce the impacts of conflicting or undesirable land uses near residential areas and prevent the creation of new conflicts.

(b) **RC and RCE Residential Country and Country Estates Districts.**

15 Residential Country Districts and Residential Country Estates Districts are intended to protect the rural character of those area of the Township where large parcel home sites, farming, dairying, forestry operations, and other rural activities are found. The district protects land needed for low density residential and agricultural pursuits from encroachment by untimely, unplanned urban residential, commercial, and industrial development.

20 (c) **R-1 and R-2 Residential Single Family Districts.** The R-1 and R-2 Residential Single Family Districts are intended to provide predominantly for low-density, single family detached dwellings along with other residentially related facilities which serve the residents in the district.

25 (d) **R-3 and R-4 Residential Single Family Districts.** The R-3 and R-4 Residential Single Family Districts are intended to provide for an environment of predominantly single family detached dwellings on smaller lots, typically found in established neighborhoods near the City of Brighton. Other
30 residentially related facilities which serve the residents in the district are permitted in these districts.

(e) **R-5 Waterfront Residential.** The R-5 District is intended to protect the Township's water resources. This district ensures that infill development is
35 consistent with the established character of older lakefront neighborhoods, compatible with the scale of surrounding homes, does not overbuild small lakefront lots, and protects open views of the waterfront.

- (f) **RM-1 Residential Multiple-Family District.** The RM-1 Residential Multiple-Family District is intended to provide sites for two-family and multiple family dwelling structures, and related uses, which will generally serve as zones of transition between Non-Residential Districts and lower density Single Family Districts. The Multiple Family District is further provided to allow for a mixture of residential units attractive and affordable to a variety of household types, lifestyles, and individual preferences.

Sec. 3-02 Uses Permitted

- (a) Land and/or buildings in the districts indicated at the top of Table 3-02 may be used for the purposes denoted by a “P” in the column below by right. Land and/or buildings in the districts indicated at the top of Table 3-02 may be used for the purposes denoted by “S” after special land use approval by the Planning Commission in accordance with the procedures and requirements of *Article 18 and Article 19*. A notation of “--” indicates that the use is not permitted within the district. The “Requirements” column indicates additional requirements or conditions applicable to the use.

Table 3-02 Schedule of Residential Uses									
	R-CE	R-C	R-1	R-2	R-3	R-4	R-5	RM-1	Requirements
Residential									
Home Occupations	P	P	P	P	P	P	P	P	Sec. 3-07
Multiple Family Dwellings	--	--	--	--	--	--	--	P	--
Single Family Dwellings	P	P	P	P	P	P	P	P	Sec. 14-01(f)
Two Family Dwellings	--	--	--	--	--	S	S	P	
Temporary Accessory Residential Sales	P	P	P	P	P	P	P	P	Sec. 13-14(a)
Agriculture									
Commercial Kennels	P	P	--	--	--	--	--	--	(6)
Commercial Stables	P	P	--	--	--	--	--	--	(6)
Farms	P	P	P	P	P	P	P	--	(8)
Farm Employee Dwelling	--	--	--	--	--	--	--	--	--
Intensive Livestock Operation	S	--	--	--	--	--	--	--	(8)
Seasonal Accessory Roadside Stands	P	P	--	--	--	--	--	--	Sec. 13-14(a)
Tree/Shrub Farming	P	P	--	--	--	--	--	--	(8)
Care Facilities									
Adult Foster Care Family Home (1-6 Adults)	P	P	P	P	P	P	P	P	(1)
Adult Foster Care Small Group Home (7-12 Adults)	S	S	S	S	S	S	S	S	(1)
Adult Foster Care Large Group Home (13-20 Adults)	--	--	--	--	--	--	--	S	(1)
Foster Family Home (1-4 Children 24 hrs.)	P	P	P	P	P	P	P	P	--
Foster Family Group Home (5-6 Children 24 hrs.)	P	P	P	P	P	P	P	P	(1)
Family Day Care Home (1-6 Children < 24 hrs.)	P	P	P	P	P	P	P	P	(1)

Table 3-02 Schedule of Residential Uses									
	R-CE	R-C	R-1	R-2	R-3	R-4	R-5	RM-1	Requirements
Group Day Care Home (7-12 Children < 24 hrs.)	S	S	S	S	S	S	S	S	(1)
Senior Independent Housing	--	--	--	--	--	--	--	P	(12)
Senior "Interim Care" & "Intermediate Care" Units	--	--	--	--	--	--	--	S	(12)
Congregate Care & Dependent Care (Convalescent/ Nursing Home Units)	--	--	--	--	--	--	--	S	(12)
Services									
Airports & Related Uses	--	--	--	S	--	--	--	--	(2)
Bed & Breakfast Establishments	S	S	--	--	--	--	--	--	(3)
Cemeteries (Public Only)	S	S	S	S	S	S	S	S	(4)
Golf Courses	S	S	S	S	S	S	S	S	(9)
Parks & Public Recreation Facilities	P	P	P	P	P	P	P	P	--
Swimming Pool Clubs & Recreation Clubs	S	S	S	S	S	S	S	S	(13)
Public, Institutional, & Utilities									
Churches, Temples, & other Places of Worship or Public Assembly	S	S	S	S	S	S	S	P	(5)
Essential Public Services	P	P	P	P	P	P	P	P	(7)
Essential Public Service/Utility Buildings	S	S	S	S	S	S	S	S	(7)
Governmental Administrative Offices	P	P	P	P	P	P	P	P	(10)
Libraries	P	P	P	P	P	P	P	P	--
Police & Fire Stations	P	P	P	P	P	P	P	P	(10)
Schools, Primary including Charter, Montessori	P	P	P	P	P	P	P	P	(11)

(b) **Notes.** Uses noted in Table 3-02 shall comply with the following requirements:

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(1) Adult and Child State Licensed Residential Care Facilities

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a. All residential care uses shall be located within a residential building that has an appearance that is non-intrusive and consistent in color, materials, roof-line, and architecture with the Residential District in which it is located.

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b. All child day care uses shall provide sufficient indoor classroom, crib or play area meeting state requirements. Documentation of approved areas, as licensed by the state, shall be provided to the Township.

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c. All child day care uses shall provide sufficient outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a four (4) foot tall fence in accordance with **Section 13-04**, provided that no fence shall be located in a front yard.

- d. All day care uses shall provide an on site drive for drop offs\loading. This drive shall be arranged to allow maneuvers without creating a hazard to traffic flow on the public road or on the site.

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- e. The use shall comply with the sign provisions of *Article 17*.

- f. Off-street parking shall be provided for the maximum number of employees on site at any one time.

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- g. Lots containing adult foster care small group homes, foster family group homes or group day care homes shall be at least one thousand five hundred (1,500) feet from the lot line of any other of the above listed group care homes.

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(2) Airports and Related Uses

- a. The airport shall be limited to a single runway or an airport park. The plans for such facility shall have received approval by the Federal Aviation Agency (FAA) and the Michigan Department of Aeronautics (MDA) prior to submittal to the Township Board for their review and approval.

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- b. The standards of the FAA and MDA for determining obstruction to air navigation shall be complied with. These standards shall be applied by the class of airport as determined by the above agencies.

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- c. The area of the "runway protection zone or clear zone" (see FAA definition) shall be provided for within the land area under airport ownership.

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(3) Bed and Breakfast Establishments

- a. Each bed and breakfast establishment shall maintain a guest register on the premises.

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- b. A maximum of four (4) occupants per sleeping room shall be allowed.

- c. There shall be no separate cooking facilities within sleeping rooms or elsewhere in the structure.

d. All operations shall be conducted solely by the owner who also resides on the premises.

e. All proposed bed and breakfast establishments with access from a private road shall have the approval of the association or approval from a representative from each lot that has access rights to the road.

f. Signs identifying the bed and breakfast shall comply with ***Section 17-04***.

g. If more than two (2) sleeping rooms are made available for rent, each room shall have direct access to two (2) separate means of egress.

h. No bed and breakfast establishment may offer boating amenities to their guests.

i. One (1) off-street parking space shall be provided in the rear or side yard, behind the front building setback line, for each guest room.

j. All structures and operations shall comply with current and applicable Township, County, and State construction and health codes.

(4) **Cemeteries (Public/Institutional Only).** Any new cemetery shall comply with the following requirements:

a. The design and layout shall be harmonious with the sites natural features including topography, vegetation, preservation of view sheds, and maintenance of a park-like setting.

b. The building design, scale, and mass shall be planned to minimize environmental impacts and views from adjacent properties.

c. A buffer type A, as defined in ***Section 14-02***, shall be provided for property lines which abut a residential zoning district, buffer type B shall be provided when adjacent to other zoning districts. Existing vegetation shall be preserved within twenty-five (25) feet of any property line, or the required setback, whichever is greater.

d. Entrances to cemeteries shall be from a major thoroughfare with an existing or planned right-of-way width of at least eighty-six (86) feet.

e. Roads and parking within cemeteries shall be paved.

f. The Planning Commission may require the establishment of a perpetual care fund to ensure long term maintenance of the cemetery.

(5) Churches, Temples, and other Places of Religious Worship or Public Assembly

a. The site shall have ingress and egress directly onto an arterial or collector road having an existing or planned right-of-way at least eighty-six (86) feet in width.

b. The height of main buildings shall not exceed the height limitation permitted in the district.

c. Off-street parking shall not be permitted in the required side yard setback. Parking in the front of the building (i.e. the front yard, as defined) shall be limited to drop-off activities and a limited amount of parking for disabled persons and seniors. The Planning Commission may allow up to twenty-five percent (25%) of the required parking in front yard upon a finding this is compatible with surrounding uses or better preserves natural features than alternative parking locations.

d. Parking/loading and staging spaces for service vehicles or buses shall only be located within the rear yard, provided the Planning Commission may allow use of the side yard upon a finding site conditions make exclusive use of the rear yard impractical.

e. A landscape berm as required in **Section 14-02 (f)(1)** shall be required along parking and paved areas adjacent to a Residential District or use lot line, to screen outdoor activities and headlight glare.

f. Accessory uses shall be limited to those commonly associated with the principal use. For churches, this may include living quarters for clergy, church ministry or other members of religious orders who carry out their primary duties on the site, religious education classes, private

schools, church sponsored day care, unlighted outdoor recreation facilities, religious office space, youth centers and other similar uses commonly associated with church or religious activities. Clinics, rescue missions, residences for those not engaged in the ministry and other uses not specifically noted are prohibited.

g. Places of religious worship or public assembly with more than fifty thousand (50,000) square feet of gross floor area, or a seating capacity of one thousand (1,000) or more, shall also meet the following conditions in order to address potential demands on the roadways and maintain compatibility with adjacent uses:

1. The site shall consist of at least twenty (20) acres.

2. The site shall provide a transition between Residential Districts or uses and Non-Residential Districts and uses.

3. Buildings shall be set back fifty (50) feet from side property lines and seventy five (75) feet from the rear property line when adjacent to a Residential District or use.

4. Traffic from events, including worship services and other large assemblies, shall be controlled by the institution, church or its agents so as not to create congestion or unreasonable delays on a public road. A schedule of expected frequency of events, including worship services and assemblies and a description of the methods of traffic control shall be submitted to the Township for review and approval as part of the site plan.

(6) Commercial Kennels and Stables

a. Public stables and riding academies shall be allowed on sites with a minimum of forty (40) acres.

b. The keeping of animals must be in accordance with *Chapter 5 Animals* of the Township Code of Ordinances.

(7) **Essential Public Service/Utility Buildings and Uses (without Storage Yards).** Utility and public service buildings and uses (without storage yards) shall only be permitted when operating requirements necessitate the locating of the building or use within the district in order to serve the immediate vicinity.

(8) **Farms and Related Uses**

a. Farms shall only be located on those parcels of land separately owned outside the boundaries of either a proprietary or supervisor's plat, having an area of not less than five (5) acres except for chickens (no roosters) which are allowed on one acre or more, all subject to the health and sanitation provisions of the Township,

b. All accessory farm buildings for uses other than those usually incidental to the dwelling, shall be located not less than one hundred (100) feet from any dwelling, except for chicken coops which are allowed in the rear yard and not less than twenty-five (25) feet from any lot line or property boundary or the minimum side yard setback, for the zoning district, whichever is larger, with the exception that the main farm barn building(s) shall not be less than one hundred fifty (150) feet from the front property line. This requirement shall not apply to the alteration or addition to an existing barn or other farm buildings, except dwellings, which are located closer to the road and which existed prior to the adoption of this Ordinance.

(9) **Golf Courses**

a. The site shall provide all access directly an arterial or collector road (a road of at least eighty-six (86) feet of right-of-way, existing or proposed).

b. The relationship between the arterial or collector road and any proposed service roads, entrances, driveways, and parking areas shall be designed to maintain pedestrian and vehicular traffic safety.

c. All principal and accessory buildings and structures shall be located to minimize any adverse effects upon adjacent property. All principal or accessory buildings and structures shall be not less than two hundred

(200) feet from any property line abutting Residential Districts; provided that where topographic conditions are such that buildings would be screened from view the Planning Commission may reduce this requirement.

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- d. Whenever a swimming pool is constructed under this Ordinance, the pool area shall be developed in accordance with *Section 13-13*.

(10) Government Buildings and Uses

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- a. Outdoor storage of materials is not permitted.
- b. Municipal uses will be permitted where not in conflict with the residential character of the area, in the opinion of the Planning Commission.

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(11) Schools, Primary including Charter, Montessori

- a. All access to the site shall be directly from an arterial or collector road of at least eighty-six (86) feet of right-of-way, existing or proposed.
- b. No building shall be closer than one hundred fifty (150) feet to any property line.

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(12) Senior Independent Housing, Senior "Interim Care" & "Intermediate Care" Units, Congregate Care & Dependent Care (Convalescent/ Nursing Home Units)

- a. All buildings must be connected to the public sewer and water system.
- b. The site shall provide five hundred (500) square feet of open space for each one (1) bed. The open space shall provide for landscape setting, service drives, loading space, yard requirements, and space required for accessory uses. The five hundred (500) square feet requirement is over and above the lot coverage area.
- c. Main and accessory buildings shall be setback at least forty (40) feet from any property line.

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d. The proposed site shall have at least one (1) property line abutting an arterial or collector road (a road of least eighty-six (86) feet of right-of-way, existing or proposed).

5 e. All ingress and egress to any off-street parking areas shall be directly from an arterial or collector road.

(13) **Swimming Pool Clubs and Recreation Clubs.** Areas such as institutional or community recreation centers, non-profit swimming pool club.

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a. The proposed site shall have at least one (1) property line abutting an arterial or collector road (a road of at least eighty-six (86) feet of right-of-way, existing or proposed), and the site shall provide all access directly to that arterial or collector road.

15

b. Minimum front, side, and rear yards shall be eighty (80) feet wide, and shall be landscaped in trees, shrubs, and grass in accordance with **Section 14.02**. All landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to obscure the use from abutting residential districts.

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c. The Planning Commission may modify the off-street parking requirements of **Article 15** in those instances wherein it is specifically determined that the user will originate from the immediately adjacent areas, and will therefore be pedestrian. Prior to the issuance of a building permit or zoning compliance permit, by-laws of the organization shall be provided in order to establish the membership involved for computing the off-street parking requirements. In those cases wherein the proposed use or organization does not have by-laws or formal membership, the off-street parking requirement shall be determined by the Planning Commission on the basis of use.

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d. Whenever a swimming pool is constructed under this Ordinance, the pool area shall be developed in accordance with **Section 13-13**.

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(Ord. # 231, 12/27/05)

Sec. 3-03 District Regulations

- 5 (a) **Residential Schedule of Area and Bulk Requirements.** All lots, buildings, and structures shall comply with the area height and bulk requirements in Table 3-03.

Table 3-03 Residential Schedule of Area and Bulk Requirements (1)								
Districts	RCE	RC	R-1	R-2	R-3	R-4	R-5	RM-1
Lot Requirements								
Minimum Lot Area (sq.ft.)(2)	5.0 acres	2.5 acres	70,000	40,000	20,000 (3)	12,000 (3)	12,000 (11)	(13)
Minimum Lot Width(ft.)(4)(5)	330	200	180	160	80	65	65	- -
Setback Requirements (6)								
Front Yard(ft.)(7)(8)	60	60	40	35	30	25	25	30 (14)
Side Yard	Least One(ft.)	40	40	20	12	5	5 (15)	30 (14)
	Total Both(ft.)	80	80	40	24	10	10 (15)	(14)
Rear Yard(ft.)	60	60	35	35	35	35	35	30 (14)
Natural Feature/Waterfront(ft.)(9)	25	25	25	25	25	25	25	25
Maximum Building Height								
In Feet	35	35	35	35	35	35	35	40
In Stories	2	2	2	2	2	2	2	3
Minimum Useable Floor Area								
Min. Useable Floor Area (sq.ft.)	1,300	1,300	1,300	1,100	950	950	950(12)	(16)
Maximum Lot Coverage (10)								
Max. Lot Coverage (%)	5	5	10	15	20	25	25	25

- 10 (b) **Notes.** The following notes apply to Table 3-03.

- 15 (1) **PUD.** Modifications to dimensional requirements and maximum density may be permitted by the Township with a PUD approved under **Article 12**.
- 20 (2) **Lot Area.** The total horizontal area within the lot lines of the lot exclusive of any abutting public right-of-way. Any submerged area of a lake, river, pond, or stream at the shoreline or high water mark shall not count towards meeting the minimum lot area. Regulated wetlands may be included within the area of a lot, provided at least seventy-five percent (75%) of the minimum required lot area shall be buildable upland area.

(3) **Reduction of Lot Area.** In those instances where both a public sanitary sewer and public water system are provided, the minimum lot area requirements shall be as follows:

a. R-3 - minimum of fifteen thousand (15,000) square feet.

c. R-4 - minimum of nine thousand six hundred (9,600) square feet.

(4) **Lot Depth to Width Ratio.** The maximum ratio of lot depth to lot width shall not exceed a depth of four (4) times the width.

(5) **Lot Frontage.** All lots shall have frontage on a dedicated public road, approved private road, or shared driveway as required in *Section 13-12*, meeting the requirements of *Article 16* in order to be considered “accessible.” All lots must meet the minimum lot width requirements at the minimum setback line.

(6) **Projections into Yards.** Architectural features and vertical projections, may extend or project into a required yard as provided in *Section 13-10*.

(7) **Setbacks.** Setback requirements shall be provided whether the right-of-way is public, private, or an access easement.

(8) **Through Lots.** All double or multiple fronted lots or parcels of land shall provide the minimum front yard setback required by the zoning district in which it is located on each abutting road.

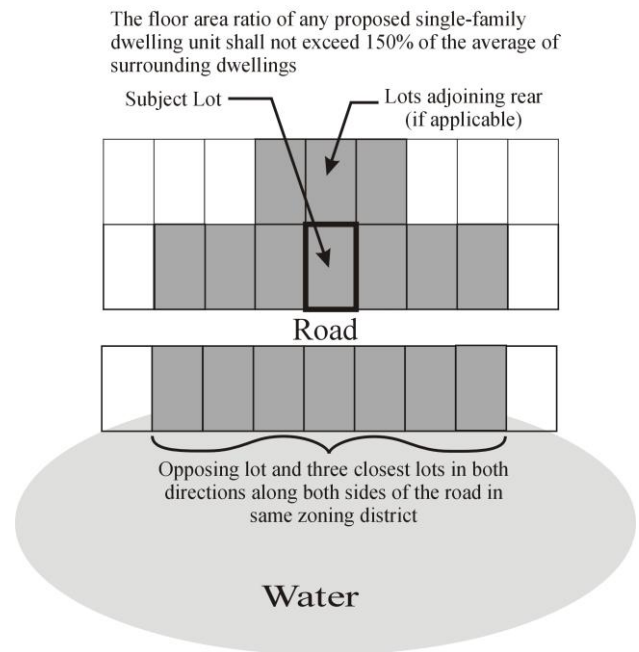
(9) **Natural Features Setback.** A twenty five (25) foot natural feature setback shall be maintained from the ordinary high water mark (shoreline) of any lake, pond, or stream and to the edge of any drainage way, or regulated wetland. Along lakes within all Single Family Residential districts, the setback from the shoreline of any main building subsequently erected shall not be less than the average shoreline setback of main buildings within three hundred (300) feet in both directions along the shoreline. Only waterfront structures and appurtenances permitted under *Section 3-05* may be located within the shoreline or the natural feature setback.

(10) **Maximum Lot Coverage.** The maximum lot coverage percentage shall be calculated as the maximum allowable ground area that may be covered

by main buildings and above ground accessory structures as a percentage of the lot area.

(11) **Waterfront Residential Minimum Lot Size.** No density bonus will be granted for any waterfront property regardless of the zoning.

(12) **Waterfront Residential Floor Area Ratio.** In the R-5 district, the floor area ratio shall not exceed one and one half (1.5) times the floor area ratio of surrounding dwellings located on the opposing lot, three (3) closest lots in each direction along both sides of the road that the subject lot fronts, and all lots abutting the rear lines of the subject lot. Only lots in the same zoning district as the subject lot shall be included. The floor area ratio shall be determined as the ratio of the residential floor area of the dwelling to the net lot area. The applicant is responsible for supplying the calculations.



(13) **Multiple Family Residential Density.** In the RM-1 Multiple-Family District the maximum density ,as defined in **Section 25-03**, shall be ten (10) dwelling units per each one net (1) acre of site area.

(14) **Multiple Family Residential Building Requirements.** In the RM-1 Multiple-Family District all buildings shall meet the following:

- a. Shall be setback a minimum of thirty (30) feet from the boundary of the site.
- b. Shall be setback a minimum of twenty (20) feet from any internal road, drive or parking lot within the site excluding drives connecting to garages.

c. Shall be a maximum of one hundred eighty (180) feet in length. The Planning Commission may allow an increase in building length up to two hundred fifty (250) feet in length if the facades of the building are varied in accordance with **Section 14-01 (c) (4)**.

d. Buildings located internally to the multiple family site shall be spaced a minimum of thirty (30) feet apart except that single family residences and single detached condominiums located in a RM-1 zoning district may have five (5) ft. side yard setbacks and two family dwellings may have ten (10) ft. side yard setbacks.

(15) Two Family Dwelling Residential Building Requirements.

Two-family dwellings located in an R-4 or R-5 zoning district shall have ten (10) ft. side yard setbacks.

(16) Multiple Family Residential Minimum Useable Floor Area.

Minimum sizes for multiple family units are as follows:

- a. Efficiency 350 sq. ft.
- b. 1 bedroom units 600 sq. ft.
- c. 2 bedroom units 800 sq. ft.
- d. 3 bedroom units 1,000 sq. ft.
- e. 4 bedroom units 1,200 sq. ft.

(Ord. #243, 8/1/08), (Ord. #231, 12/27/05),

Sec. 3-04 Accessory Buildings

Residential accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

(a) Accessory buildings shall only be permitted accessory to a principal use in the zoning district.

(b) Lots of less than five (5) acres may have no more than one (1) private detached garage plus one (1) accessory building shall be erected on a lot in a

Residential District. Lots of five (5) acres or more may have one private detached garage and two (2) accessory buildings.

5 (c) All detached accessory buildings shall be located in the rear or non-required side yards. On waterfront lots in the R-5 district accessory buildings shall be permitted in the front yard, provided the accessory building meets the setback requirements applicable to main buildings.

10 (d) Detached accessory buildings shall be located no closer than ten (10) feet from any main building and shall be set back a minimum of ten (10) feet from the rear lot line. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall be located no less than one (1) foot from the rear lot line. In no instance shall any accessory building be located within a dedicated easement right-of-way.

15 (e) Where the accessory building is structurally attached to a main building, it shall be subject to, all regulations of this Ordinance applicable to the main building.

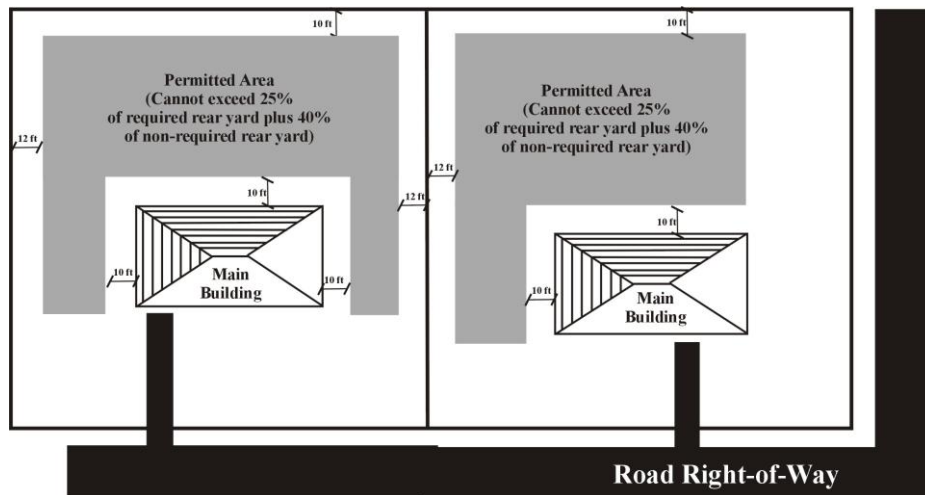
20 (f) An attached or detached accessory building shall not occupy more than twenty-five percent (25%) of a required rear yard, plus forty percent (40%) of any non-required rear yard and, other than an accessory building that is used entirely for agricultural or farming purposes or as a stable or riding arena, no accessory building shall exceed the ground floor area of the main building.

25 Any accessory building used for agricultural or farming purposes or as a stable or riding arena shall be located no closer than twenty-five (25) feet from any side or rear property line and no closer than one hundred (100) feet from any dwelling. The property owner or occupant constructing an

30 accessory building with ground floor area exceeding that of the main building shall record no later than commencement of construction of the accessory building, a document with the Livingston County Register of Deeds, sufficiently describing and identifying the accessory building and acknowledging that the use of the accessory building shall be entirely for agricultural or farming purposes or as a stable or riding arena.

(g) When an attached or detached accessory building is located on a corner lot, the accessory building shall be located in the rear yard and shall be no closer to the road frontage than the side yard setback of the main building. In no instance shall an accessory building be located nearer than ten (10) feet to a road right-of-way line.

(h) Detached accessory buildings in any Residential shall not exceed one (1) story or eighteen (18) feet in height to the midpoint of the roof, except as provided in *Section 13-05*.



(i) Accessory buildings shall not be used as habitable space.

(Ord. #265, 11/6/15), (Ord. #243, 8/1/08), (Ord. #231, 12/27/05) (Ord. #251, 7/1/11)

Sec. 3-05 Waterfront Accessory Uses

(a) Waterfront structures and appurtenances may be allowed as an accessory use to the principal use permitted in the zoning district of the waterfront property. Only docks, mooring apparatus, pools, and decks shall be permitted within the required waterfront yard. The allowable accessory use of the waterfront property shall be limited to not more than one (1) dock per lot or dwelling unit, which shall be limited to the docking of watercraft owned by the occupants of the dwelling.

(b) Boat launching sites and boat docks within a common use riparian lot and dockminiums shall comply with the multi-access riparian sites provisions of Section 13-07.

- (c) All waterfront uses must meet the requirements of *Article 24*.

(Ord. #243, 8/1/08)

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Sec. 3-06 Parking

- (a) Parking shall be provided for as required by *Section 15-01*.

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- (b) The parking of recreational equipment shall be permitted only as provided for in *Section 15-03*.

Sec. 3-07 Home Occupations

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It is the intent of this Section to allow for and regulate the establishment of home occupations that are compatible with the neighborhood in which they are located and which will preserve the peace, quiet, and domestic tranquility within all Residential Districts in the Township. Home occupations may be permitted subject to the following conditions:

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- (a) No more than two (2) employees other than members of the family residing on the premises shall be engaged in the operation.

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- (b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes, and not more than twenty percent (20%) of the habitable floor area of the dwelling unit may be used for the purposes of the home occupation.

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- (c) A home occupation, including storage of materials and goods, shall be entirely conducted within the confines of the dwelling unit, except that an accessory building may be used for home occupations conducted on lots larger than two and one-half (2½) acres.

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- (d) There shall be no change in the outside appearance of the structure or premises, or other visible evidence of conduct of the home occupation, and there shall be no external or internal alterations that are not customary in residential areas.

- 5 (e) Unless specifically otherwise provided herein, no article shall be sold or offered for sale on the premises except as prepared within the dwelling or accessory building or is provided as incidental to the service or profession conducted therein. A retail showroom, sales area, outlet, or similar facility is prohibited.
- (f) Traffic generated by such operation shall not be greater than that for normal residential purposes.
- 10 (g) No equipment or process shall be used in the home occupation that creates noise, vibration, glare, fumes, odor, or electrical interference that are nuisances to persons off the lot. Any electrical equipment or process which creates visual or audible interference with any radio or television receivers off the premises or which cause fluctuations in line voltages off the premises shall
- 15 be prohibited.
- (h) Signs for the home occupation shall be limited to one (1) non-illuminated, non-protruding name plate, not more than one (1) square feet in area, attached to the building, located near the front entrance, and which sign shall contain
- 20 only the name, occupation, and/or address of the premises.
- (i) No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home occupation shall be permitted on the premises with the exception of one (1) commercial vehicle or trailer and/or trailer combination.
- 25 (j) Any necessary parking spaces for vehicles generated by the conduct of the home occupation shall be provided off the road.

Chapter 5
ANIMALS*

- Art. I. In General, §§ 5-1—5-25**
Art. II. Dogs, §§ 5-26—5-56
Div. 1. Generally, §§ 5-26—5-50
Div. 2. Kennels, §§ 5-51—5-56

ARTICLE I. IN GENERAL

Sec. 5-1. Generally.

This chapter shall be known and cited as the "Brighton Township Animal Regulations." It is the purpose of this chapter to secure the public health, safety and general welfare of the residents of the township by regulating the possession and care of animals within the township. (Ord. No. 110, § 1, 6-7-94)

Sec. 5-2. Definitions.

As used in this chapter:

Farm animal shall mean a domestic animal that is typically kept on farms or is typically associated with farms or farming operations. This definition includes, but is not limited to, such animals as cows, pigs, horses, goats, llamas, buffalo, sheep, chickens, pigeons, rabbits, geese and ducks. This definition does not include a wild animal as described herein.

Household animal (also called a household pet) shall mean a domesticated animal that is typically found in residential dwellings and is not typically disruptive to the residential character of an area. This definition would include, by way of example and not by way of exclusion, such animals as domesticated dogs, cats, gerbils, hamsters, turtles, tropical fish, parrots, canaries and parakeets. This definition does not include a farm animal or wild animal as described herein.

Wild animal (also called an exotic animal) shall mean an animal that is not typically domesticated nor found on farms, but typically exists in the wild and is typically found in zoos, circuses, wildlife sanctuaries, or nature preserves. This definition includes, but is not limited to, such animals as elephants, rhinoceroses, camels, lions, tigers, leopards, panthers, cheetahs, cougars, jaguars, lynx, mountain lions, puma, badgers, bears, bobcats, coyotes, deer, antelope, elk, moose, otters, ostriches, snakes, crocodiles, alligators, seals, sharks, and whales, wolves and primates such as baboons, orangutans, chimpanzees, monkeys and gorillas.

(Ord. No. 110, § 1, 6-7-94)

***Cross reference**—Off-leash dogs not allowed in Kensington Metropolitan Park, § 14-34.

State law references—Authority to adopt animal control ordinance, MCL 287.290; crimes relating to animals and birds, MCL 750.49 et seq.

Sec. 5-3. Permitted animals.

(a) Notwithstanding other provisions of this Code, household pets may be possessed and cared for in the township, provided that an animal does not become excessively noisy, excessively odorous, dangerous or in any way disruptive to the character of the area in which it is possessed or otherwise become a public nuisance.

(b) Farm animals may be possessed in the township provided that all of the following conditions are met:

- (1) That the property upon which they are possessed consists of a parcel of land under single ownership or control, with at least five (5) acres in area except for chickens (no roosters) which can be possessed on parcels of one acre or more with eight (8) chickens maximum allowed on one acre lots and twelve (12) chickens maximum on lots of 1.5 acres or more;
- (2) That the animals possessed are housed and/or penned out at a distance no closer than one hundred (100) feet to any neighboring dwelling except for chickens which must be located in a secure enclosed coop in the rear yard and can be located no closer than twenty-five (25) feet from any lot line or property boundary or the minimum side yard setback as required for the zoning district, whichever is larger;
- (3) That the animals possessed are kept and cared for under sanitary conditions; and
- (4) That the animals possessed do not become excessively noisy, excessively odorous, dangerous, or in any way disruptive to the character of the area in which they are possessed, or otherwise become a public nuisance.

(c) Certain wild animals that are traditionally nonpredatory and/or nondangerous may be possessed and cared for in the township. These include, but are not limited to, nonpoisonous snakes that will not exceed three (3) feet in length at maturity, quails, pheasants, peacocks and turkeys. These wild animals may only be possessed and cared for if all of the following conditions are met:

- (1) That any and all appropriate state and federal permits and/or licenses are obtained and currently maintained;
- (2) That the animals possessed and cared for are properly caged, penned, housed or secured so as not to be able to leave the property upon which they are possessed;
- (3) That the animals possessed are kept and cared for under sanitary conditions; and
- (4) That the animals possessed and cared for do not become excessively noisy, excessively odorous, dangerous, or in any way be disruptive to the character of the area in which they are possessed or otherwise become a public nuisance.

(Ord. No. 110, § 1, 6-7-94)

Sec. 5-4. Prohibited animals.

Unless allowed in section 5-3(c), a wild animal shall not be possessed in the township under any other conditions or circumstances. (Ord. No. 110, § 1, 6-7-94)

Sec. 5-5. Exceptions.

Notwithstanding other provisions of this Code, it shall not be considered a violation of this Code for a person, persons, corporation or business entity in lawful possession of any animal to travel through the township on a public highway for a destination out of the township. (Ord. No. 110, § 1, 6-7-94)

Sec. 5-6. Penalty; municipal civil infractions.

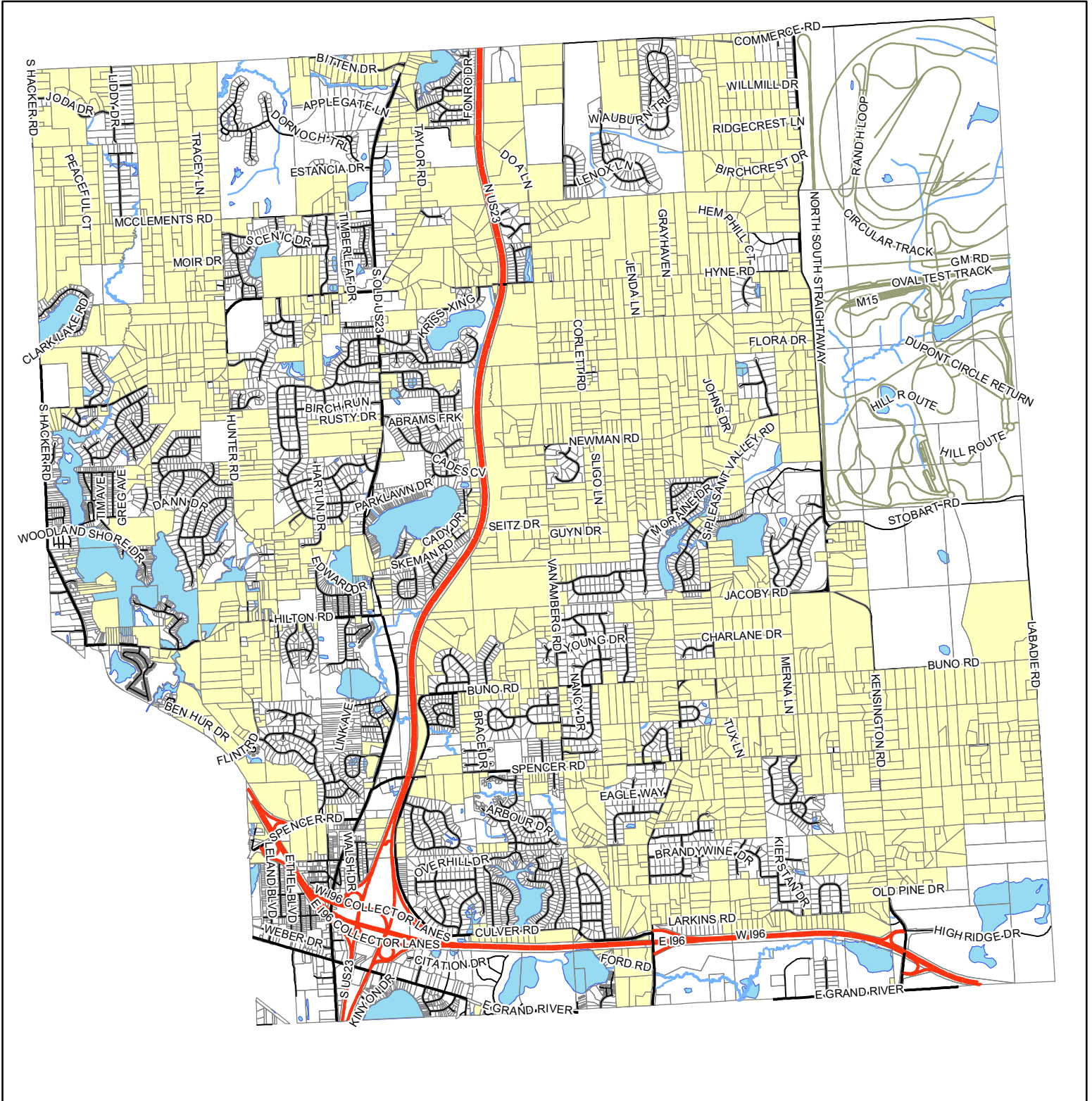
Any person, persons, corporation or business entity who violates this chapter or who shall refuse to comply with the requirements of this chapter shall be guilty of a municipal civil infraction and subject to the penalties provided in the municipal civil infractions ordinance, as the same may be amended from time to time. As to each violation designated as a municipal civil infraction the township may, at its sole discretion, proceed directly with the issuance of a municipal civil infraction citation or take such other enforcement action as is authorized by law.

(Ord. No. 110, § 1, 6-7-94; Ord. No. 210, § 1, 2-18-03, eff. 3-2-03)


Secs. 5-7—5-25. Reserved.

Brighton Township

Unplatted Residential Parcels One Acre or More



Legend

 Unplatted Residential Parcels 1 Acre or More