



## Internal Memo

October 14, 2019

TO: Mark Meyers, City Administrator

FROM: Gerald A. Bartoszek, Public Works Director **GAB**

SUBJECT: Accessory Structure Ordinance Amendment

The Zoning Board of Appeals (ZBA) has recently dealt with two variance requests regarding the size of detached accessory structures and they are anticipating a third such request. As a result, the ZBA has requested staff to review the current ordinance and consider the practicality of a potential ordinance amendment.

Ted Woodcock, City Planner and Zoning Administrator, reviewed our current ordinance and gathered information on detached accessory structures from five area communities. A memo written by Mr. Woodcock is attached which outlines the current City ordinance and provides a summary of the surveyed communities.

This matter was discussed at the October 8 Planning Commission meeting. The Planning Commission is in favor of amending the ordinance to base the allowable size of accessory structures on property zoning and lot size. The Planning Commission recommended that the City Council review the request and consider an ordinance amendment.

I am requesting that this item is placed on the October 22 Work Session for review and discussion with the Council. If the Council is in favor of amending the ordinance, staff will then draft an ordinance revision for consideration. As this is a zoning ordinance, the proposed amendment would first be considered by the Planning Commission holding a public hearing and providing a recommendation to the City Council.



## Internal Memo

October 2, 2019

TO: Planning Commission Members

FROM: Ted Woodcock, Planning and Zoning Administrator TSW

SUBJECT: Detached accessory structures

### OVERVIEW

The Zoning Board of Appeals (ZBA) has seen an increase in variance requests for the size of detached accessory structures. Current City ordinance is the same for every lot in the City of Norton Shores, however, there are larger lots (especially in the southern part of the City) where the parcels can accommodate larger accessory structures. Commissioner Otto, who is also a ZBA member, requested that the accessory structure ordinance be reviewed and potentially amended.

### CURRENT ORDINANCE

Currently, City ordinance – Section 48-1081 through 48-1083 – says that each parcel is allowed two (2) accessory structures. One of those structures cannot exceed the size of the main dwelling, or 1,000 square feet, and the second structure cannot exceed 200 square feet. These restrictions are the same for every parcel in the City, as long as the applicant can meet all other dimensional zoning requirements (setbacks, lot coverage, etc.)

### MUNICIPAL CONSISTENCY

After a look at five (5) area communities (City of Grand Haven, Fruitport Township, Georgetown Township, Spring Lake Township, and the City of Roosevelt Park) it is evident that these municipalities and many others use a “sliding scale” approach to the size of accessory structure. While each has their own methodology to determine the appropriate size for accessory structures, the overlying theme is that the larger the parcel, the larger and taller the accessory structures are permitted to be.

There are some variables as well, in that certain zoning districts within the above municipalities can have larger accessory structures, while others go solely based on parcel size without regard for the zoning district as long as the principal use is residential and the structure is accessory to the principal structure.

Tables are provided below of each municipality’s size and height allowance for accessory structures.

City of Grand Haven	
<b>Principal building height</b>	<b>Accessory building height</b>
Less than 18 ft.	Not to exceed principal structure
Between 18 ft. and 23 ft.	May not exceed 18 ft.
Greater than 23 ft.	May not exceed 80% of height of principal structure
<b>Square footage:</b> An accessory structure may not exceed 1,000 sq. ft. in SFR, MDR, DR, NS, S, E, OT, B, OR NMU districts	
<b>Lot coverage:</b> No accessory structure may exceed more than 25% of rear yard in SFR, MDR, DR, NS, S, E, OT, B, or NMU districts	
Fruitport Township	
<b>Land size</b>	<b>Accessory building height</b>
Less than 5 acres	24 ft. from avg. grade to top of roof
5 acres or more	35 ft. from avg. grade to top of roof
<b>Square footage:</b> dependent on lot size; total floor area of all buildings on a lot shall comply with the maximum percentage of building coverage allowed in the relevant district.	
Georgetown Township	
<b>Zoning Districts LDR, LMR, MDR, MHR</b>	
<b>Accessory building height</b>	Mean height not to exceed 14 ft.
	Door height not to exceed 12 ft.
<b>Square footage</b>	No greater than 600 sq. ft.
<b>Zoning Districts HDR &amp; MHP</b>	
<b>Accessory building height</b>	Mean height not to exceed 14 ft.
	Door height not to exceed 12 ft.
<b>Square footage</b>	No greater than 960 sq. ft.
<b>Zoning Districts RR &amp; AG</b>	
<b>Accessory building height</b>	Mean height not to exceed 16 ft.
	Door height not to exceed 14 ft.
<b>Land Size</b>	<b>Accessory building size allowance</b>
Less than 2 acres	960 sq. ft.
2 to 5 acres	1,200 sq. ft.
More than 5 acres	1,500 sq. ft.

<b>City of Roosevelt Park</b>	
<b>Land Size</b>	<b>Accessory building height and size allowance</b>
10,000 sq. ft. or less	16 ft. to highest point; 720 sq. ft.
Greater than 10,000 sq. ft. up to 1 acre.	18 ft. to highest point; 960 sq. ft.
Greater than 1 acre	20 ft. to highest point; 1,500 sq. ft.
<i>Note: Only 1 accessory structure allowed on residential parcels in the City.</i>	

<b>Spring Lake Township</b>		
<b>Zoning Districts Agricultural &amp; Rural Residential</b>		
<b>Land Size</b>	<b>Number of buildings; size allowance</b>	<b>Accessory building height</b>
Greater than 5 acres	4; 2,400 sq. ft. with no single building exceeding 1,600 sq. ft.	Supporting walls shall not exceed 18 ft. Unless regulated elsewhere, height shall not exceed 25 ft.
Greater than 1 acre and less than or equal to 5 acres	3; 1,600 sq. ft.	Supporting walls shall not exceed 16 ft. Unless regulated elsewhere, height shall not exceed 22 ft.
Greater than 1/2 acre and less than or equal to 1 acre	2; 960 sq. ft.	
Less than or equal to 1/2 acre	2; 768 sq. ft.	
<b>Zoning Districts R-1, R-2, R-3, and R-4</b>		
<b>Land Size</b>	<b>Number of buildings; size allowance</b>	<b>Accessory building height</b>
Greater than 1 acre	2; 960 sq. ft.	Supporting walls shall exceed 10 ft. Height shall not exceed 20 ft and shall not be greater than one (1) story.
Greater than 1/2 acre and less than or equal to 1 acre	2; 768 sq. ft.	
Less than or equal to 1/2 acre	2; 576 sq. ft.	

## Accessory Structure Variance Requests March 2017 – Present

1. March 2017, 873 Eugene Avenue – variance request granted to place accessory structure in front yard.
2. September 2017, 4380 Hackley Point Lane – variance request granted to place accessory structure in front yard.
3. September 2018, 98 W. Mount Garfield Road – variance request granted to exceed the 1,000 square foot maximum for an accessory structure. The variance request was for 1,248 square feet.
4. September 2018, 972 Randall Street – variance request granted to place accessory structure in front yard and to be closer to the high-water mark than City ordinance requires.
5. April 2019, 5065 Pine Ridge Drive – variance request granted to place accessory structure in front yard with a front yard setback of 23 feet, rather than the 30 feet as required by City ordinance.
6. September 2019 (rescheduled meeting), 518 E. Farr Road – variance request granted to exceed the 1,000 square foot maximum for an accessory structure. The variance request was for 1,920 square feet.
7. September 2019, 40 E. Farr Road – variance requests were granted to exceed the 1,000 square foot maximum and to exceed the building height. The variance request was for 1,872 square feet and for 18 feet in building height.

### SUMMARY

Since March 2017 there have been nine (9) variance requests that deal with accessory structures (some of the above requests have multiple variance requests). Out of these nine requests, only three (3) were directly related to the size of the accessory structure. All other requests had to do with placement and/or height.

## ted woodcock

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**From:** merilee otto <k-m-otto@comcast.net>  
**Sent:** Wednesday, September 25, 2019 6:59 PM  
**To:** ted woodcock  
**Subject:** agenda item for October 8 planning commission meeting

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Ted,

As a follow up of our conversation at the ZBA today, I would like to ask you to include the following item on the agenda for the October 8<sup>th</sup> planning commission meeting. You may reword it and present it in a more formal way, or whatever way is appropriate 😊

Thanks so much,  
Merilee

Recently, we have had several requests to the ZBA for variances to accessory building sizes. These have been for properties around Mt. Garfield, and in the R5 district in town. Most of the requests make sense because the size of the property is large, and a larger accessory building won't affect neighbors, etc. 1000 square feet, which is the current ordinance, is too small for what these residents wish to house in their buildings.

As a member of the ZBA, I would like to suggest that the Planning Commission consider amending the zoning ordinance(s) covering the size of accessory buildings, particularly for R5 districts. We could look at other neighboring communities, and what they have. We could have the size of the building correlate to the size of the property it will be located on.

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