



February 5, 2020

SUBJECT: Zoning Ordinance Amendment  
Chapter 48, Article VI,  
Section 48-1081

Chairman and Members  
of the  
Planning Commission

Ladies and Gentlemen:

Enclosed is a zoning ordinance amendment for Section 48-1081, which is titled "Accessory buildings". These amendments change the maximum allowable size for a detached accessory structure in residential areas. The ordinance reflects what other West Michigan communities have done and created a sliding scale: the larger the parcel of land, the larger the accessory building could be. Currently, the ordinance states that the maximum size of a detached accessory structure is 1,000 square feet for all parcels, regardless of the parcel's acreage.

The Planning Commission may use the attached resolution in making a recommendation to the City Council regarding this request.

Sincerely,

Ted Woodcock  
Planning and Zoning Administrator

TSW/  
Attachment

Administration/City Clerk (231) 798-4391	Assessing Division (231) 799-6806	Building Division (231) 799-6801	Finance/Treasurer (231) 799-6805	Fire Prevention (231) 799-6809	Fire Department (231) 798-2255
Parks/Recreation (231) 799-6802	Planning/Zoning (231) 799-6800	Police Department (231) 733-2691	Public Works (231) 799-6803	Streets Division (231) 798-2156	Water/Sewer (231) 799-6804

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends to the City Council that Section 48-1081 zoning ordinance amendments are granted/denied per the submitted ordinance amendments.

At a regular meeting of the Planning Commission of the City of Norton Shores, held at the Norton Shores Branch Library, 705 Seminole Road, on the 11th day of February 2020, the foregoing resolution was moved for adoption by Commissioner. The motion was supported by Commissioner.

Ayes:

Nays:

Resolution declared adopted.

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Shelly Stibitz, City Clerk



## Internal Memo

February 5, 2020

TO: Planning Commission Members

FROM: Ted Woodcock, Planning and Zoning Administrator TSW

SUBJECT: Zoning ordinance amendment, Section 48-1081, Accessory buildings

Following please find comments regarding the zoning ordinance amendment for Section 48-1081, Accessory buildings.

### INTRODUCTION

Section 48-1081 of the Norton Shores Code of Ordinances outlines the requirements for accessory structures, most notably their placement on a property, as well as the maximum allowable dimensions (size, height, lot coverage). Currently all properties in the City are allowed a maximum of two (2) accessory structures. One of the 2 has a maximum of 1,000 square feet, while the second cannot exceed 200 square feet. Recently, the Zoning Board of Appeals has heard and approved 2 variance requests for larger accessory structures on larger parcels, and I have fielded many more phone calls inquiring about the maximum size that an accessory building is allowed to be. A member of the Zoning Board of Appeals has requested that a draft ordinance be written to have larger accessory structures allowed on larger parcels.

### CHANGE & REASONING

I am proposing a sliding scale for determining the maximum size of one of the 2 allowable accessory structures. Meaning the larger the parcel of land, the bigger the detached accessory structure would be allowed to be. I have also proposed that the maximum size allowed for agricultural use be eliminated in favor of the sliding scale that is based solely on parcel size and not the zoning district or parcel use. The final proposed change is to the height of the accessory structure. When an accessory structure exceeds 1,250 square feet, the accessory structure would be allowed to have a building height of 16 feet. (Building height is defined by City ordinance as: "the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, to the deck line for mansard roofs and to the average height between eaves and ridge for gable, hip, and gambrel roofs.")

The changes are being proposed due to, as aforementioned, a Zoning Board of Appeals member asking City staff to look into how the maximum allowable size of accessory structures align with neighboring communities. After my research, it became apparent that other communities use a sliding scale to determine accessory structure size. The proposed changes seek to make Norton Shores consistent with the practices of other municipalities and eliminate some variance requests.

CITY OF NORTON SHORES  
4814 Henry Street  
NORTON SHORES, MICHIGAN 49441

Ordinance No.

AN ORDINANCE TO AMEND ARTICLE VI OF CHAPTER 48 OF THE CODE OF ORDINANCES  
PERTAINING TO ACCESSORY USES

THE CITY OF NORTON SHORES ORDAINS:

Section 1. That Subsection (3) of Section 48-1081 captioned "Accessory buildings" of Article VI captioned "Accessory Uses" of Chapter 48 captioned "Zoning" of the Code of Ordinances for the City of Norton Shores is hereby amended so as to delete the last two sentences and add a new size schedule to read as follows:

A detached accessory building may occupy not more than 25 percent of a required rear yard, plus 40 percent of any nonrequired rear yard. The maximum allowable size of a detached accessory structure shall be based on the size of the parcel as follows:

Detached accessory structure maximum size	
Parcel size	Maximum allowable size
Less than 1 acre	1,000 square feet
1 acre to 2.49 acres	1,250 square feet
2.5 acres to 4.9 acres	1,500 square feet
5 acres to 6.9 acres	1,750 square feet
7 acres or larger	2,000 square feet

Section 2. That Subsection (4) of Section 48-1081 captioned "Accessory buildings" of Article VI captioned "Accessory Uses" of Chapter 48 captioned "Zoning" of the Code of Ordinances for the City of Norton Shores is hereby amended to delete the phrase "...which is 14 feet or less in height..." to read as follows:

No detached accessory building shall be located closer than six feet to any main building, nor shall it be located closer than five feet to any side or rear lot line.

Section 3. That Subsection (5) of Section 48-1081 captioned "Accessory buildings" of Article VI captioned "Accessory Uses" of Chapter 48 captioned "Zoning" of the Code of Ordinances for the City of Norton Shores is hereby amended to add additional language pertaining to the heights of accessory structures to read as follows:

No detached accessory building in the zoning districts R-1 through R-5, CR-6, PO, GO, or C-1 districts shall exceed one story or 14 feet in height, unless the accessory structure exceeds 1,250 square feet. No accessory structure greater than 1,250 square feet shall exceed 16 feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts, subject to planning commission review and approval.

Section 4. Severability: The provisions of these ordinances are declared to be severable in the holding of any court of competent jurisdiction that any section hereof is invalid and shall not impair or invalidate any other section.

Section 5. Repeal of Conflicting Ordinances: All ordinances in conflict with these ordinances to the extent of such conflict are hereby repealed.

Section 6. Effective Date: These ordinances will become effective ten (10) days after their adoption.

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Shelly Stibitz, City Clerk

Introduced:  
Adopted:  
Published:  
Effective:

## 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.

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: An accessory structure may not exceed 1,000 sq. ft. in SFR, MDR, DR, NS, S, E, OT, B, OR NIMU districts</b>	
<b>Lot coverage: No accessory structure may exceed more than 25% of rear yard in SFR, MDR, DR, NS, S, E, OT, B, or NIMU districts</b>	
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: 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.</b>	
Georgetown Township	
<b>Zoning Districts LDR, LMR, MDR, MHR</b>	
<b>Accessory building height</b>	Mean height not to exceed 14 ft.
<b>Square footage</b>	Door height not to exceed 12 ft.
	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.
<b>Square footage</b>	Door height not to exceed 12 ft.
	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.

City of Roosevelt Park	
Land Size	Accessory building height and size allowance
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.
Note: Only 1 accessory structure allowed on residential parcels in the City.	

**Spring Lake Township**

Zoning Districts Agricultural & Rural Residential		
Land Size	Number of buildings; size allowance	Accessory building height
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.	
Zoning Districts R-1, R-2, R-3, and R-4		
Land Size	Number of buildings; size allowance	Accessory building height
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.	