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WATERFORD TOWNSHIP

5200 Civic Center Drive
Waterford, Michigan 48329-3773
Telephone: (248) 674-6238 Fax: (248) 674-4097
www.waterfordmi.gov

DEVELOPMENT SERVICES DEPARTMENT

Rob Merinsky, P.E.
Director

Brent A. Gibson
Superintendent of Building Division

Scott Alef
Planner II of Planning & Zoning Division

MEMORANDUM

Date: February 5, 2020

To: Honorable Township Board Members

From: Scott Alef, Planner II

RE: Rezoning Case No. 19-12-03
Rezone from R-M1, Low Density Multiple Family Residential to R-1A, Single-Family Residential

Location: 3550 Watkins Lake Rd. North side of Watkins Lake Rd. with 295 feet of frontage, west of Scott Lake Rd.

Applicant: Vera Camaj, 5006 Forest Valley Dr., Clarkston, MI 48348

Background and Analysis

Zoning History: 1950 – 1963: Residential-1
1963 –1998: R-1A Single-Family
1998 – 2011: R-1A Single-Family Residential Max 4 DU/Acre
2011 – Present: R-M1 Low-Density Multiple-Family Residential

Township Utilities: Existing services are available on the site.

Master Plan: Multiple Family.

This property was recently acquired by Vera Camaj. Prior to the acquisition, the property was utilized as a single-family residence. Since 2010, the property had been zoned R-M1, Low-Density Multiple-Family Residential with the idea that the use would be compatible with the adjacent apartment complex. However, since that time, no activity to develop a multiple-family development has occurred. The owner is requesting to rezone back to the historical zoning for the property, R-1A, Single-Family residential. The applicant has submitted a lot split request, pending rezoning approval, that would create a total of three equally sized lots with frontage on Watkins Lake Rd.

The property's dimensions of 295 feet wide by 296 feet deep greatly exceed the requirements of the R-1A, Single-Family Residential zoning district. Even with considering the pending lot split which would result in three properties with dimensions of 98.3 feet wide by 296 feet deep, these would still exceed the requirements of the R-1A

district. With the exception of the adjacent apartments, single-family zoning is the principle zoning type and development style within the general area. The proposed request is more in line with the surrounding zoning than the existing zoning. The resulting range of uses would result in a similar range of uses that currently exist with the exception that the multiple-family and duplex style residential would be replaced and restricted to single-family homes.

The Master Plan indicates that this parcel and the adjacent apartments are designated as Multiple Family. The intent of this district is to provide for a variety of housing styles and sizes and does not specifically exclude any type of residence. The Multiple Family designation is intended to provide for a variety of housing styles without a specific restriction on the types and sizes. Projects developed should be compatible with the character of the surrounding properties. Rezoning the property from multiple-family to single family, while not maximizing the development potential, is not out of the scope of the Multiple Family designation as is more in line with the historic development pattern of the area.

This proposal would permit an underperforming parcel to be more fully developed in a way that would be more harmonious to the surrounding neighborhoods. Staff is supportive of this proposal without any conditions.

Township Board Action

Motions

Based upon the Planning Commission's favorable recommendation at the January 28, 2020 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning to R-1A, Single-Family Residential, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the February 24, 2020 meeting.

However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

Staff will be available at Monday's meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

KIEFT ENGINEERING, INC.

PROFESSIONAL CIVIL ENGINEERS AND LAND SURVEYORS

5852 South Main Street, Ste #1
Clarkston, Michigan 48346
Tel: 248-625-5251
Fax: 248-625-7110
www.kiefteng.com

STATE OF MICHIGAN
TIMOTHY J. HART
PROFESSIONAL SURVEYOR
NO. 33136
LICENSED PROFESSIONAL SURVEYOR

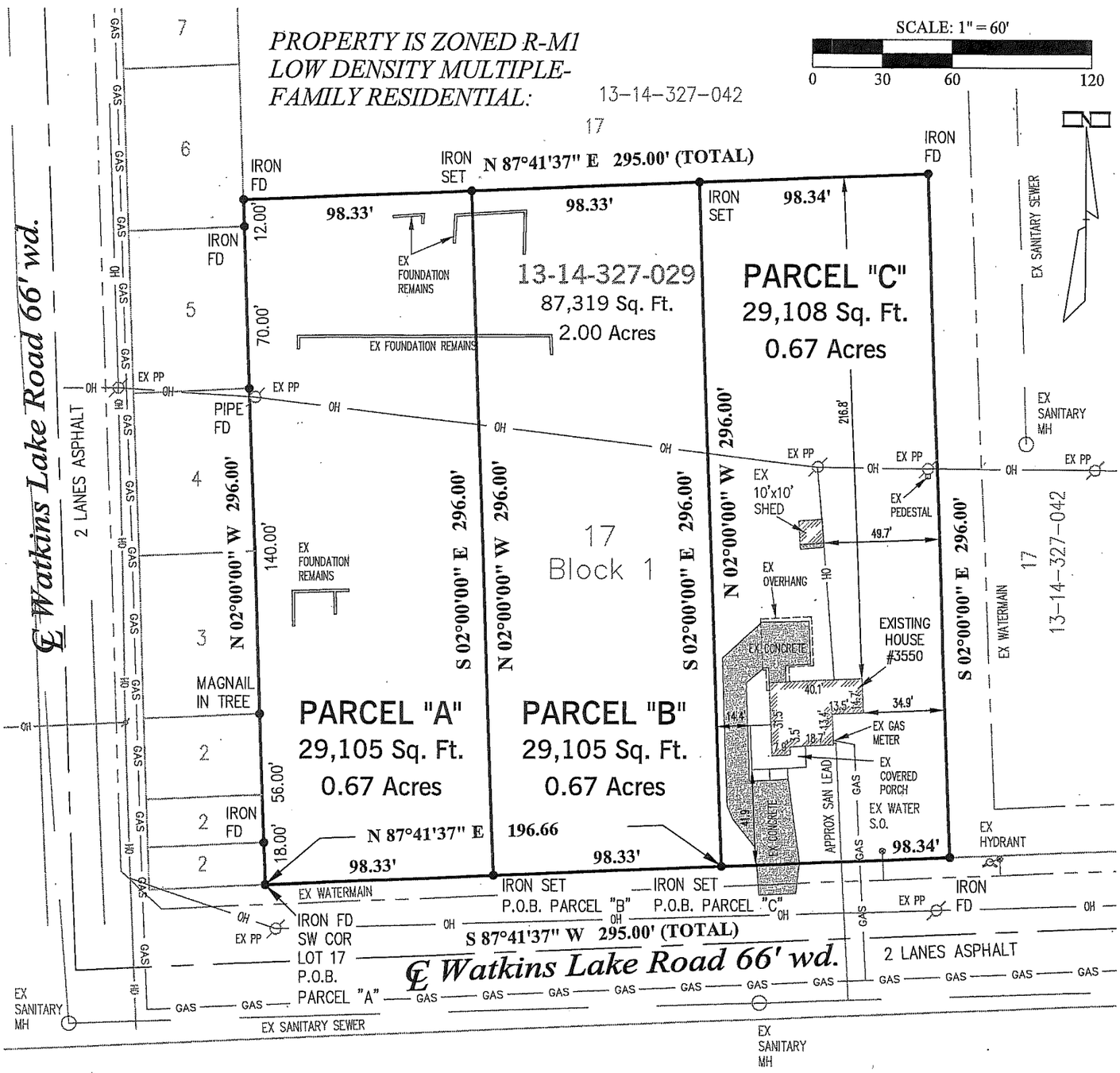
CERTIFICATE OF SURVEY

Survey for VIP RESTORATION LLC. Date 11-19-19

Address 5006 FOREST VALLEY DR. CLARKSTON, MI 48348 Job No. 2019.319

SPLIT OF PARCEL 13-14-327-029

SHEET 1 OF 2



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SPLIT OF PARCEL 13-14-327-029

I hereby certify that I surveyed and mapped said land platted and/or described on March 19, 2019, and that the relative positional precision of each corner are within limits accepted by the practice of professional surveying and that all of the requirements of P.A. 132 1970 as Amended have been complied with. Bearings shown on this survey were determined in the following manner: "Plat of Co-Tu-Ma-Bi-Bluffs", NE 1/4 of the SW 1/4 of Section 14, T3N, R9E, Waterford Township, Oakland County, Michigan. As Recorded in Liber 4 of Plats, Page 13, Oakland County Records.

This is to certify that I, _____, a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:

PARCEL "A" (PART OF PARCEL 13-14-327-029)

PART OF THE SOUTH 296.00 FT OF THE WEST 295.00 FT OF LOT 17 BLOCK 1, "PLAT OF CO-TU-MA-BI-BLUFFS", NE 1/4 OF THE SW 1/4 OF SECTION 14, T3N, R9E, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 4 OF PLATS, PAGE 13, OAKLAND COUNTY RECORDS. MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SW CORNER OF SAID LOT 17, "PLAT OF CO-TU-MA-BI-BLUFFS"; TH N 02°00'00" W 296.00 FT; TH N 87°41'37" E 98.33 FT; TH S 02°00'00" E 296.00 FT; TH S 87°41'37" W 98.33 FT TO THE POINT OF BEGINNING. CONTAINING 29,105 SQ. FT. OR 0.67 ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

PARCEL "B" (PART OF PARCEL 13-14-327-029)

PART OF THE SOUTH 296.00 FT OF THE WEST 295.00 FT OF LOT 17 BLOCK 1, "PLAT OF CO-TU-MA-BI-BLUFFS", NE 1/4 OF THE SW 1/4 OF SECTION 14, T3N, R9E, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 4 OF PLATS, PAGE 13, OAKLAND COUNTY RECORDS. MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT LOCATED N 87°41'37" E 98.33 FT FROM THE SW CORNER OF SAID LOT 17, "PLAT OF CO-TU-MA-BI-BLUFFS"; TH N 02°00'00" W 296.00 FT; TH N 87°41'37" E 98.33 FT; TH S 02°00'00" E 296.00 FT; TH S 87°41'37" W 98.33 FT TO THE POINT OF BEGINNING. CONTAINING 29,105 SQ. FT. OR 0.67 ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

PARCEL "C" (PART OF PARCEL 13-14-327-029)

PART OF THE SOUTH 296.00 FT OF THE WEST 295.00 FT OF LOT 17 BLOCK 1, "PLAT OF CO-TU-MA-BI-BLUFFS", NE 1/4 OF THE SW 1/4 OF SECTION 14, T3N, R9E, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 4 OF PLATS, PAGE 13, OAKLAND COUNTY RECORDS. MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT LOCATED N 87°41'37" E 196.66 FT FROM THE SW CORNER OF SAID LOT 17, "PLAT OF CO-TU-MA-BI-BLUFFS"; TH N 02°00'00" W 296.00 FT; TH N 87°41'37" E 98.34 FT; TH S 02°00'00" E 296.00 FT; TH S 87°41'37" W 98.34 FT TO THE POINT OF BEGINNING. CONTAINING 29,108 SQ. FT. OR 0.67 ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

SECTION CORNER WITNESSES NOT SHOWN DUE TO PARCEL FALLING WITHIN A RECORDED PLAT.

STATE OF MICHIGAN

COUNTY OF OAKLAND

ORDINANCE NO. 2020-Z-001

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The parcel of property that is assigned tax parcel number 13-14-327-029, legally described below, with current address of 3550 Watkins Lake Rd. are rezoned from **Rezone from R-M1, Low Density Multiple-Family Residential to R-1A, Single-Family Residential,** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the charter Township of Waterford at a meeting duly called and held on_____.

CHARTER TOWNSHIP OF WATERFORD

_____ _____

Date Kimberly F. Markee, Township Clerk

Property Descriptions

PARCEL 13-14-327-029

IS DESCRIBED AS

T3N, R9E, SEC 14 CO-TU-MA-BI BLUFFS S 296 FT OF W 295 FT OF LOT 17 BLK 1

Chairperson Werth called the meeting to order at 4:35p.m.

I. Roll Call

Present: Sandra Werth, Chairperson
Steve Reno, Vice Chairperson
Matt Ray, Secretary
Tony Bartolotta, Commissioner
Dave Kramer, Commissioner
Scott Sintkowski, Commissioner
Colleen Murphy, Commissioner

Also Present: Scott Alef, Planner II
Amy Williams, Departmental Aide
Rob Merinsky, Director/Engineering
Gary Dovre, Township Attorney

II. Approval of the December 10, 2019 Planning Commission meeting minutes as corrected.

MOTION AND VOTE
Moved by Kramer
*Supported by Reno; Resolved to **APPROVE** the Minutes of the December 10, 2019 Planning Commission Meeting as corrected.*
MOTION CARRIED UNANIMOUSLY
(7-0)

III. Approval of January 28, 2020 Planning Commission meeting agenda.

MOTION AND VOTE
Moved by Reno
*Supported by Bartolotta; Resolved to **APPROVE** the January 28, 2020 Planning Commission Meeting Agenda.*
MOTION CARRIED UNANIMOUSLY
(7-0)

IV. Public Hearings

1.) Special Approval. 19-12-01, AT&T Mobility (Staff Reviewer – Scott Alef) (RE-REVIEW)

Location: 6515 Highland Rd
Request: Special Approval under Section 2-600 and 4-006 of the Waterford Zoning Ordinance to permit a new wireless communication facility in an O-2, General Office Zoning District.
Parcel I.D. No.: 13-20-129-004
Applicant: AT&T Mobility c/o Haley Law Firm, PLC

DRAFT

Applicant or representative present: Walley Haley

Commissioner Sintkowski stated that he lives within 500ft. of the proposed tower and that he is a customer of AT&T. He asked if he should recuse himself from this case.

MOTION AND VOTE
*Moved by **Bartolotta**, supported by **Kramer**; Resolved to not recuse commissioner Sintkowski from this hearing.*
MOTION CARRIED UNANIMOUSLY
(6-0)

Mr. Alef gave a brief visual presentation of the site location of a proposed monopole cellular tower across from the airport. The applicant wishes to fill a gap in coverage.

During the public portion of the meeting, the following spoke regarding this request.

Mr. Haley argued his case that the tower should be installed in commercial/busy areas and not in residential, and that other carriers will want to collocate on this tower. His client has agreed to lower the height from 100ft. to 85ft. in the hope to satisfy any airport height concerns. They now have the FAA report that supports a tower of the original height in this location. They have submitted revised plans that no longer require a variance, and he feels that the lights would make it more visible and not hinder helicopter pilots.

Cheryl Bush, Manager of Aviation for the Oakland County Airport spoke up to voice continued concerns for a tower in this location that helicopters routinely travel over. Although she appreciates, the concessions AT&T is trying to make, she still feels strongly that another location would be more suitable and not jeopardize the safety of pilots.

Discussion continued to see if any compromise could be made that would make this any less of a safety concern for pilots.

Attorney Dovre spoke to the board to advise on using the motion templates provided and reminded them to be sure to include any conditions for items not yet addressed, like a fall zone letter.

MOTION AND VOTE
*Moved by **Reno**, supported by **Bartolotta**, to deny the request for special approval for the following reasons:*

1) *The proposed 90 feet tall tower facility would be detrimental to the public safety and welfare contrary to Section 6-100.6.A(1) of the Ordinance based on the safety concerns documented in the record from the Oakland County International Airport, Mead & Hunt, the Oakland County Sheriff, and Magnum Helicopters, which reflect local concerns that the FAA approval and Michigan Department of Transportation Tall Structures Permit do not appear to have taken into account.*

DRAFT

2) The location and design of the proposed 90 feet tall tower facility would not be harmonious with the surrounding area, which includes Oakland County International Airport, as required by Section 6-100.6.A(2) of the Ordinance.

3) The soils report required by Section 6-100.6.A(13) of the Ordinance has not been provided.

4) A current certified fall zone letter as required by Section 6-100.7.B of the Ordinance has not been provided.

5) The deficiency in fees of $1,450.00 has not been corrected by payment or a waiver by the Township.

6) This Motion includes the following findings and conclusions

<u>The following findings are made on the review criteria in Ordinance Section 4-006.3</u>

A. The proposed new wireless communication facility is not in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.

B.1 The proposed new wireless communication facility will not be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, compliance with the performance standards required under ARTICLE II, Division 2-2.

B.2 The proposed new wireless communication facility will have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.

B.3 The proposed new wireless communication facility will result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.

C. The proposed new wireless communication facility is not located in any Special Approval use service areas identified and adopted by the Planning Commission.

D. The proposed new wireless communication facility will be a use that does impose an unreasonable burden upon public services and utilities.

<u>The conclusions on the considerations in Ordinance Section 4-006.4 are:</u>

A.1 The proposed new wireless communication facility is not of such location, size and character as to be compatible with the orderly development of the zoning district in which it is situated.

A.2 The proposed new wireless communication facility will not be compatible with the orderly development or use of adjacent zoning lots.

A.3 Pedestrian circulation will not be hindered by the proposed new wireless communication facility.

A.4 Outdoor operations and display in connection with the proposed new wireless communication facility will burden and/or disrupt uses on adjacent properties.

A.5 The natural and surrounding environment will not be negatively impacted by the proposed new wireless communication facility.

DRAFT

B. The proposed new wireless communication facility will be within the capacity limitations of the existing or proposed public services and facilities which serve its location.

C. The proposed new wireless communication facility will be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.

MOTION CARRIED
***(4-3)** with commissioners Murphy, Sintkowski and Werth opposed.*

2.) Rezoning. 19-12-03, Vera Camaj (Staff Reviewer – Scott Alef)

Location:	3550 Watkins Lake Rd
Request:	Rezone from R-M1, Low Density Multiple-Family Residential District to R-1A, Single-Family Residential District.
Parcel I.D. No.:	13-14-327-029
Applicant:	Vera Camaj

Mr. Alef gave a brief history of the zoning for this property and informed the commissioners that if approved, they plan on splitting the lot into 3 parcels.

During the public portion of the meeting, the following spoke in favor of this request.

Patty Smith of 1811 Watkins Lake Rd. favors this request, and would prefer single family over multiple family across the street.

MOTION AND VOTE
Moved by Kramer
Supported by Sintkowski; Resolved to forward a favorable recommendation in Case No. 19-12-03 on to the Township Board, to rezone the subject property of this application from R-MI, Low Density Multiple-Family Residential District to R-1A Single-Family Residential District based on the following findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

Findings:

A. The requested zoning change is consistent with the adopted Master Plan as amended.

B. The requested zoning change is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.

C. The subject zoning lot is physically suitable to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.

DRAFT

D. *The trend of development in the general area of the subject zoning lot is consistent with the requested zoning change.*

E. *The Township and other public agencies do possess the capacity to provide all utility and public safety services that would be required for the range of land uses permitted under the proposed zoning classification.*

F. *The requested zoning change and the resulting range of uses permitted under the proposed zoning classification will not result in any significant environmental impacts.*

G. *The proposed zoning amendment will not be detrimental to the public interest.*

MOTION CARRIED UNANIMOUSLY
(7-0)

3.) Special Approval. 20-01-01, Elowsky Lawn Services (Staff Reviewer – Scott Alef)

Location:	2527 Dixie Hwy
Request:	Special Approval per Section 3-806.5.C (6) and 4-006 to permit Outdoor Storage as an accessory use within an M-1, Light Industrial zoning district
Parcel I.D. No.:	13-13-177-023
Applicant:	Elowsky Lawn Services

Applicant or representative present: Stephanie Elowsky

Mr. Alef gave a brief overview and visual presentation of this property. Owners have been operating with similar activity but are now submitting for a formal site plan and provide proper screening. The surrounding area use has been heavy industrial for some time. MDOT has concerns with the two entrances, and would like them to reduce it to one. The current parking along the front extends in to the right-of-way, and if it could be eliminated to provide more greenspace.

Ms. Elowsky added that the only concerns would be with seasonal vehicles being stored rather than coming and going. She did not think there would be any issues to close off one drive access and remove the parking along the front to add more landscaping.

During the public portion of the meeting, no one spoke regarding this request.

MOTION AND VOTE
Moved by Ray
*Supported by Reno; to **APPROVE** with conditions the request for special approval in this case based on the following findings and conclusion sunder the Ordinance review criteria*

and considerations, which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

Findings:

A. The proposed use is in accordance with the objectives of the Master Plan and with future land use plans for the area as adopted or maintained by the Planning Commission.

B.1 The proposed use will be compatible with adjacent uses of land in terms of building and activity location, scope of activity, character, hours of operation, and compliance with the performance standards required under ARTICLE II, Division 2-2.

B.2 The proposed use will not have an adverse effect on the environment or adjacent properties beyond the normal effects of permitted principal uses in the same zoning district.

B.3 The proposed use will not result in an impairment, pollution, and/or destruction of air, water, natural resources and/or the public trust therein.

C. The proposed use is not located in any Special Approval use service areas identified and adopted by the Planning Commission.

D. The proposed use will not impose an unreasonable burden upon public services and utilities.

E. The proposed use will be in compliance with the regulations of the Zoning District in which it is proposed to be located.

Conclusions:

A.1 The proposed use is of such location, size and character as to be compatible with the orderly development of the Zoning District in which it is proposed to be situated.

A.2 The proposed use will be compatible with the orderly development or use of adjacent zoning lots.

A.3 Pedestrian circulation will not be hindered by the proposed use.

A.4 Outdoor operations and display in connection with the proposed use will not burden and/or disrupt uses on adjacent properties.

DRAFT

A.5 The natural and surrounding environment will not be negatively impacted by the proposed use.

B. The proposed use will be within the capacity limitations of the existing or proposed public services and facilities which serve its proposed location.

C. The proposed use will be conducive to fulfilling a gap in the geographic coverage of such services to Township residents.

The conditions of this approval, which have considered the Planning Commission's ability to impose reasonable restrictions to ensure compliance with the performance standards established in the Zoning Ordinance, are as follows:

1. Eliminate the southerly drive along the front of the property and get MDOT approval.

2. Eliminate the parking that extends into the right-of-way.

3. Move the sidewalk back and add more landscaping along the front.

MOTION CARRIED UNANIMOUSLY
(7-0)

V. Conceptual Site Plans:

1.) Site Plan # PSP. 20-1352, Oakland County Business Park – Distribution Center (Staff Reviewer – Scott Alef)

Location: 327 N Telegraph Rd
Request: Concept Site Plan Review
Parcel I.D. No.: 13-25-200-036 & 13-25-200-013
Applicant: ARI-EL Enterprises

Applicant or representative present: Ari Leibovitz

Mr. Alef gave a brief visual overview of this conceptual plan for a fright handling distribution center. He noted that this plan is incomplete as submitted. MDOT did not have enough time to review, there is no street scape provided (which is required) and other issues not yet addressed. Staff could not recommend approval at this time.

Mr. Leibovitz commented on how the demolition of the former mall was ahead of schedule and that he is trying to move forward. He has always planned to incorporate a distribution center in this area and that is why the overlay zone was pursued. There is a big demand for this type of facility. He plans to develop an up to date facility but is not ready to discuss landscape and streetscape at this time. He has reserved this outer

space for other uses and development but does not yet know what that will be. He has had some feedback from MDOT and made some revisions but was hoping to get a green light from the Township to proceed and be ready to build. He further advised the commissioners that he has had numerous conversations with engineering and DPW about utilizing the existing lateral water main and storm sewer. He does not want to spend a lot of money now to replace them when they are not yet sure about the rest of the development. His plan is to test the lines and make some repairs, but to hold off on replacement until the rest of the development is decided on.

Discussion continued regarding the lack of items needed to proceed with conceptual site plan approval or to table this for more information.

Attorney Dovre spoke to the board to clarify Township Ordinance requirements for conceptual site plan approval and further advised on possible options for the applicant to work with staff to meet requirements.

Mr. Merinsky, spoke up to answer a question from the board regarding the water main. He said that staff recommended that they replace the old lines with new lines. The existing lines have been out of service for several years and DPW does not want to them. It would be up to the owner to test the lines and come to an agreement with DPW regarding this issue.

MOTION AND VOTE
Moved by Reno
*Supported by Bartolotta; Resolved to **TABLE** this until the February 25th meeting.*
MOTION CARRIED UNANIMOUSLY
(7-0)

VI. Discussion

1.) <u>City of Auburn Hills Master Plan Update</u>

Mr. Alef said that he just wanted the Commissioners to be aware of this information.

VII. All Else

VIII. Adjourn

Chairperson Werth adjourned the meeting at 6:23p.m.

DRAFT

Rezoning Case #19-12-03 Vera Camaz - R-M1 to R-1A
Aerial Map

752.3 0 376.17 752.3 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

DISCLAIMER: Information depicted hereon is for reference purposes only. It was complied from the best avaliable resources which have varying degrees of accuracy. This map is not a legally recorded map nor a survey and is not intended to be used as such. The Charter Township of Waterford assumes no responsibility for error that arise from this map.

Rezoning Case #19-12-03 Vera Camaz - R-M1 to R-1A
Zoning Map

752.3 0 376.17 752.3 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

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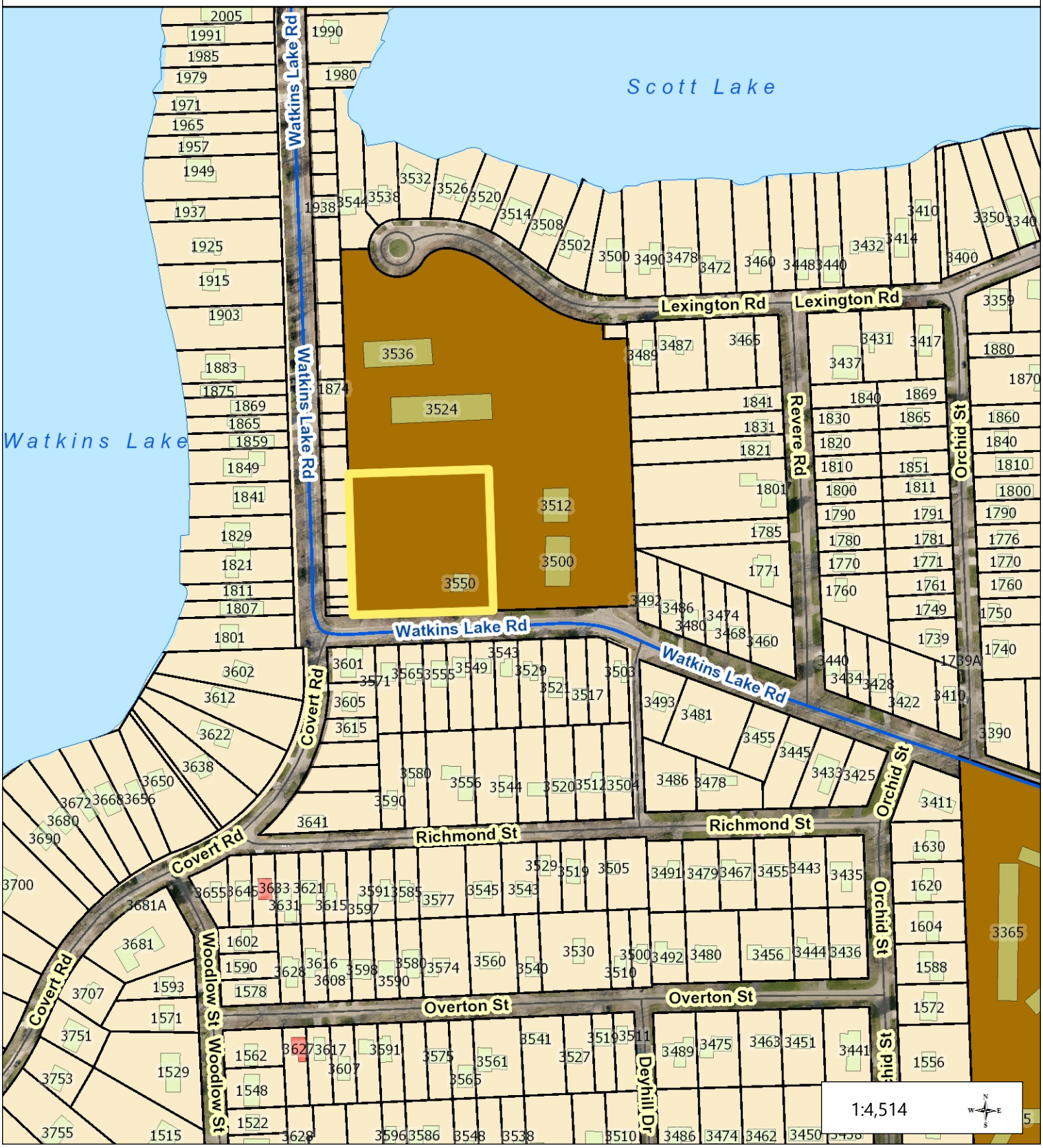
Rezoning Case #19-12-03 Vera Camaz - R-M1 to R-1A
Master Plan Map



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(*ARTICLE III, DIVISION 3-3 cont.*)

SECTION 3-303. R-1, R-1A, R-1B, R-1C SINGLE-FAMILY RESIDENTIAL DISTRICTS

The regulations in the subsections below shall apply to properties in the R-1, R-1A, R-1B, and R-1C Single-Family Residential Zoning Districts:

1. **Purpose and Intent.** The R-1, R-1A, R-1B, and R-1C zoning districts are intended to implement the goals of the Single-Family land use designation, as described in Chapter 8 of the Waterford Township Master Plan-2003-2023 and identified on the Future Land Use Maps, by providing areas in the Township for single-family dwellings, affordable housing, and residentially related uses. These districts are designed to provide for a limited range of single-family density to encourage the viability of single-family residential land use, to prohibit uses of land which would adversely affect the health, safety, and welfare of residents and the aesthetics and character of residential neighborhoods and areas, and to preserve and protect required and designated open space and natural features to achieve Master Plan Objectives 6-2, ***Promote Open Space Developments,*** and 6-3, ***Ensure All Development Efforts Respect, Preserve, and Protect Waterford's Natural Characteristics and Constraints***. The R-1C district is also designed to implement the Master Plan goal of sustaining the viability of residential use, lot size characteristics, and neighborhood patterns in subdivisions that were platted prior to the establishment of Township-wide zoning in 1963. The R-1, R-1A, R-1B, and R-1C districts are also intended to discourage any land use that would create excessive or unsafe traffic on local streets, and any use which, because of its size or any other characteristics, would create burdens, demands, and costs for public services substantially in excess of such requirements and costs if the district were developed solely for single-family dwellings.
2. **Conformance to Regulatory Standards**. All zoning lots, uses, buildings, and structures within these zoning districts shall comply with **Sections 3-900** and **3-901** and the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, Health and Sanitation, and Water and Sewers.** In addition to all other plan review requirements applicable under this Zoning Ordinance, all individual zoning lot developments in these districts consisting of one single-family dwelling shall require approval in accordance with **Section 4-010**. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in these districts proposed under the **Waterford Code of Ordinances, Subdivision and Land Management Regulations**, or under **Section 4-004.4**, shall require conformance to those regulations and require major site plan review and approval in accordance with **Section 4-004**.
3. **Permitted Principal Uses**. The following uses are permitted as principal permitted uses in the R-1, R-1A, R-1B, and R-1C districts:
   A. Detached single-family dwellings *(See **Dwelling, Single-Family** in **Section 1-007**)*.
   B. Adult day care homes *(See **Adult Day Care Facilities** in **Section 1-007**)*.
   C. Child family day care homes *(See **Child Day Care Facilities** in **Section 1-007**)*.
   D. Child foster family homes, adult foster care family homes, and adult foster care small group homes *(See **Foster Care Facilities** in **Section 1-007**)*.
   E. Neighborhood public utility facilities (*See **Public Utility** in **Section 1-007**)* and public utility hardware (*See **Public Utility** in **Section 1-007**)*.
   F. Area public utility facilities (*See **Public Utility** in **Section 1-007**)*, provided that any installations located closer than fifty (50) lineal feet from any adjacent residential dwelling shall be screened with landscaping materials as provided for in the SPL Manual and identified in a landscape plan reviewed and approved by the Zoning Official and Township Engineer, and such landscaping shall not negatively impact accessibility by utility maintenance crews.
4. **Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the R-1, R-1A, R-1B, and R-1C districts, subject to the review and approval of the use in accordance with **Section 4-006** and any conditions hereinafter imposed for each such use:
   A. Child group day care *(See **Child Day Care Facilities** in **Section 1-007**)*, when meeting the statutory standards of Public Act 110 of 2006, Michigan Zoning Enabling Act, as amended.
   B. Hobby breeders *(See **Hobby Breeders** in **Section 1-007**)* and kennels *(See **Kennels** in **Section 1-007**)*on zoning lots five (5) contiguous acres or larger in area. The Planning Commission may consider requests for this activity on zoning lots between two (2) and five (5) contiguous acres in area.
   C. Stables *(See **Building** in **Section 1-007**)* on zoning lots five (5) contiguous acres or larger in area.
   D. Nursery establishments *(See **Commercial Bulk Vegetation and Soil Resource Establishments** in **Section 1-007**)* on zoning lots five (5) contiguous acres or larger in area.
   E. Regional public utility facilities *(See **Public Utility** in **Section 1-007**)*, provided that the Planning Commission determines that no other location is available for the efficient and effective provision of utility services to Township residents, and that reasonable measures are stipulated and implemented to mitigate the impact of such installations on the adjacent properties.

(*ARTICLE III*, *DIVISION 3-3*, *SECTION 3-303.4 cont.*)

F. Educational facilities *(See **Educational Facilities** in **Section 1-007**)*, except colleges and universities.

G. Religious facilities *(See **Religious Facilities** in **Section 1-007**)*.

H. One (1) in-law suite, in the R-1 and R-1A districts only, provided: (1) deed restrictions are recorded against the zoning lot prohibiting occupancy of the in-law suite, at any time, by any person other than in-laws of the family occupying the dwelling unit on the same zoning lot, which deed restrictions shall be subject to the review and approval of the Township Attorney prior to recording; (2) the in-law suite is not occupied by more than two (2) in-laws at the same time; (3) the in-law suite shall be not less than five hundred fifty (550) square feet of usable floor area nor more than fifty (50) percent of the usable floor area of the area occupied by the remainder of the family, exclusive of the in-law suite; and (4) the in-law quarters shall be accessory to a dwelling unit principal use, which is occupied by the family of the in-laws.

I. Sod farm and soil resources excavation establishments *(See **Commercial Bulk Vegetation and Soil Resource Establishments** in **Section 1-007**)* on zoning lots twenty (20) contiguous acres or larger.

5. Permitted Uses after Special Accommodation Use Approval. Adult group day care homes *(See **Adult Day Care Facilities** in **Section 1-007**)* and adult foster care medium group homes *(See **Foster Care Facilities** in **Section 1-007**)* shall, after receiving approval of the use in accordance with **Section 4-008**, be permitted as special accommodation uses in the R-1, R-1A, R-1B, and R-1C districts, when meeting the statutory standards of Public Act 110 of 2006, Michigan Zoning Enabling Act, as amended, and subject to the conditions hereinafter imposed for each use.

6. Open Space Preservation. Zoning lots within the R-1, Single Family Residential District are eligible for open space preservation as provided in **Section 4-004.5** to encourage the long-term preservation of open space and natural features, to implement the goals of the open space overlay land use designation as described in Chapter 8 of the Waterford Township Master Plan-2003-2023, and to implement Master Plan Goal Six, ***To Ensure and Enforce Land Use Development Practices that are Sensitive to Waterford's Natural Environment,*** by allowing for creative arrangements of single-family residential units to enable the preservation of open space and natural features present on eligible zoning lots.

The Waterford Township Future Land Use Map 13 (page 8-28) indicates that nearly 43 percent of the total land area is reserved for the Single Family master plan designation. This is comparable to other communities and is consistent with the standards of quality community planning.

Multiple-Family

The Multiple Family designation is intended to address the varied housing needs of Township residents by providing locations for development of multiple family housing at a level of density higher than that permitted in the Single Family designation, but limited to a density that does not create a negative impact on the natural and social environment of Waterford. The Multiple Family designation is intended to afford a transition of use in existing housing areas by permitting new developments or the redevelopment of land between adjacent residential and commercial or office-zoned properties. The designation will enable various types and sizes of residential accommodations for ownership or rental, to meet the needs of the different age and family groups in the Township. It should be noted that this designation intends to provide creative multiple housing opportunities for senior citizens in areas of the Township where there is pedestrian access to retail and office uses, with a potential higher density allowance where a reduction in traffic impact can be shown. The Multiple Family designation also intends to provide for the classification and bulk requirements for housing within a manufactured housing community, created according to the regulations in the Mobile Home Commission Act.

Multiple family housing developments must preserve significant natural features of the site. Accordingly, preservation of open space, flood prone zones, wooded areas and preservation of other natural features is a necessary component of every development considered in this land use designation. The intent is to achieve Master Plan Goal Six, ***To Ensure and Enforce Land Use Development Practices that are Sensitive to Waterford's Natural Environment*** *(Please refer to Chapter 9 – Implementation)* in conjunction with Master Plan Goal Seven.

Multiple family housing developments should provide direct access to adequate paved roads, sufficient utility infrastructure to support the density, usable outdoor recreation space, and a well designed internal street network, in accordance with accepted engineering principles and the requirements of the Road Commission for Oakland County. These developments should also include nonmotorized pathways in order to strive to achieve Master Plan Goal Three, ***To Enhance the Walkability of Waterford*** *(Please refer to Chapter 9 – Implementation).*

Multiple family housing should be designed to be compatible with the historic development of housing in Waterford, as well as surrounding or nearby single family housing. Building heights should be reflective of the character of the surrounding community, without endangering air traffic operations.

The Waterford Township Future Land Use Map 13 (page 8-28) indicates that approximately 3.72 percent of the total land area is reserved for the Multiple Family Master Plan designation. This is comparable to other communities and is consistent with the standards of quality community planning.