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CITY OF LOWELL

PLANNING COMMISSION-CITIZEN ADVISORY COMMITTEE

PUBLIC HEARING

The City Planning Commission-Citizen Advisory Committee will conduct a public hearing at their regularly scheduled meeting of Monday, March 22, 2010 at 7:00 p.m. at the Lowell City Council Chambers, Second Floor, 301 East Main Street, Lowell for the purpose of receiving comments from the public on the following:

- **AN ORDINANCE TO ADD SECTION 4.24, "TEMPORARY SOFT SIDED ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS," TO CHAPTER 4, "GENERAL PROVISIONS" OF "APPENDIX A – ZONING ORDINANCE" OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL**

THE CITY OF LOWELL ORDAINS:

Section 1. Addition of Section 4.24 to Chapter 4. Chapter 4, "General Provisions," of "Appendix A – Zoning Ordinance" of the Code of Ordinances of the City of Lowell is amended by adding Section 4.24, "Temporary accessory buildings in residential districts," to read as follows:

Section 4.24. Temporary soft sided accessory buildings in residential districts.

(a) Any temporary soft sided accessory building with a floor area of 300 square feet or less may be of a soft-sided or non-permanent construction, as determined by the zoning enforcement officer, and shall:

- (1) Have a height, measured at the highest point of the structure, not exceeding fourteen (14) feet, provided, in no event shall the height exceed the height of the main building located on the same lot or parcel;
- (2) Have a sloped roof to prevent excessive snow and rain loads;
- (3) Be securely anchored, which shall at a minimum be in accordance with manufacturer instructions;

(b) Upon application, the zoning enforcement officer may issue a permit upon payment of a fee as may be established from time to time by the city council for a temporary soft sided accessory building meeting the requirements set forth in this section for location in any

residential zoned district. If the applicant applying for a permit is a tenant of the property for which the permit will apply, the owner of such property shall also sign the application.

(c) When considering the issuance of a permit, the zoning enforcement officer shall make the following determinations:

- (1) The temporary soft sided accessory building will not have an unreasonable detrimental effect upon adjacent properties.
- (2) The temporary soft sided accessory building will not adversely impact the character of the surrounding neighborhood.
- (3) Access to the temporary soft sided accessory building is located at a safe location.

(d) A permit issued pursuant to this section shall be for an initial term not to exceed three (3) years and may be extended at the end of the initial term upon application of the permittee at the discretion of the zoning enforcement officer for one (1) renewal term of not to exceed three (3) years.

(e) A temporary soft sided accessory building must meet the following requirements:

- (1) The temporary soft sided accessory building must have four (4) exterior walls and a roof fully enclosed and water proof with at least one (1) access door.
- (2) The temporary soft sided accessory building must be a prefabricated or premanufactured structure and shall be anchored to the ground in accordance with the manufacturer's instructions.
- (3) A temporary soft sided accessory building shall at all times be kept in good repair and in compliance with all applicable laws, ordinances, rules and regulations. Upon failure to do so, the city may order the temporary garage be removed and if the permittee fails to promptly do so, the city may remove it and the cost thereof shall be a lien upon the property where it is located and it may be collected in the same manner as delinquent property taxes.
- (4) If a temporary soft sided building is to be used to park or store a motor vehicle, it shall be located at the end of a hard surface driveway providing access to the temporary garage. If a hard surface driveway does not exist, one must be installed before the temporary garage is installed.

(f) At the end of the permit term, the temporary soft sided accessory building must be removed. If it is not removed, the city may remove it and the cost thereof shall be a lien upon the property where it is located and it may be collected in the same manner as delinquent property taxes.

Section 7. Publication. After its adoption, the City Clerk shall publish this ordinance, or a summary thereof, as permitted by law, along with the date of its adoption in the *Lowell Ledger*, a newspaper of general circulation in the City at least ten (10) days before its effective date.

Section 8. Effective Date. This ordinance shall take effect ten (10) days after it or a summary thereof, as permitted by law, along with the date of its adoption is published as provided in Section 2 above.

Interested person may submit written comments to City Hall, 301 East Main Street, Lowell, MI 49331 prior to the meeting or appear in person.

Betty R. Morlock
City Clerk