

Approved Minutes  
Of the April 19, 2022  
Conway Township  
Regular Board Meeting  
7:00 pm

REGULAR MEETING

Supervisor Grubb called the meeting to order at 7:00 p.m. with the pledge of allegiance to the American flag.

Present: Clerk Elizabeth Whitt, Supervisor William Grubb, Trustee George Pushies, Treasurer Debra Grubb.

Motion to approve Consent Agenda made by Whitt. Support by D. Grubb. Roll Call: Whitt – yes, W. Grubb – yes, D. Grubb -yes, Pushies – no. Motion approved.

Call to the public: several residents and one non-resident spoke.

Motion to approve the Board Meeting Agenda with amendments made by Whitt, support by D Grubb. Motion approved.

Amendments: add to new business 12. Spring Cleanup; 13. Trustee Vacancy, 14 Eva Lane

Unfinished business:

Motion to schedule a public hearing on May 17, 2022 for Secluded Acres special assessment district made by Pushies, support By W Grubb. Motion Approved.

New Business:

Resolution #220419-1 offered by Pushies, support by D Grubb. Roll Call: W Grubb – yes, Whitt – yes, Pushies – yes, D Grubb – yes. Resolution passed.

Motion to hold Spring Cleanup on May 14<sup>th</sup> was offered by Whitt, support by W Grubb. Motion approved.

Motion to run advertisement for May 14<sup>th</sup> Spring Cleanup was offered by W Grubb, support by D Grubb. Motion approved.

Motion to post vacancy for Trustee position in the News and Views until the next Board Meeting was offered by Pushies, support by Whitt. Roll call: W Grubb – yes, D Grubb – yes, Pushies – yes, Whitt – yes. Motion approved.


Motion to schedule a public hearing on May 4, 2022 for Eva Lane special assessment district made by Whitt, support By Pushies. Motion Approved.

Call to the public: several residents and one non-resident spoke.

Motion to adjourn the meeting at 8:25 pm by Whitt, supported by D Grubb. Motion approved.



Elizabeth Whitt, Township Clerk



Gabriele Bresett, Deputy Clerk

## **RESOLUTION TO AMEND THE ZONING ORDINANCE**

**Resolution No. 220419-01**

### **Conway Township**

WHEREAS, the Conway Township Board of Trustees has previously adopted the Conway Township Zoning Ordinance (“Zoning Ordinance”) pursuant to its powers under the Michigan Zoning & Enabling Act (“MZEA”);

WHEREAS, the Planning Commission has initiated the process to amend the text of the Zoning Ordinance under the MZEA and Article 4 of the Zoning Ordinance;

WHEREAS, over the course of many meetings, input from the public, input from Township consultants and attorneys, the Planning Commission has considered and prepared proposed amendments to the Zoning Ordinance, in summary form, as follows:

1. Definitions and General and Supplemental Regulations. Article 2 and Article 6, regarding Accessory Buildings and Structures.
2. Districts. Article 7 (AR) Agricultural Residential, Article 8 (R) Residential, and Article 10 (C) Commercial regarding Additional Dimensional Requirements.
3. General and Supplemental Regulations. Article 6 regarding Medical Marijuana Uses.
4. General and Supplemental Regulations. Article 6 regarding Solar Energy Collectors.
5. Temporary Land Use. Section 6.09 regarding agricultural tourism entertainment events.

(“Amendments”). The full text of the Amendments is attached to this Resolution.

WHEREAS, the Planning Commission then held public hearings on December 13, 2021, and February 14, 2022, and recommended the Board approve and adopt the Amendments;

WHEREAS, the Livingston County Planning Commission recommended approval of the Amendments at its January 2022 and March 2022 meetings;

WHEREAS, the Planning Commission further considered the Amendments on March 14, 2022, and April 11, 2022, and again approved them for adoption by the Township Board;

WHEREAS, based on the input from the Township attorney, the Board directs the Planning Commission to further consider the proposed amendments to Article 15 Parking in connection with the other Special Event/Wedding Structures and Venues amendments (a/k/a LCPC Review #Z-10-22);

WHEREAS, the Board desires to approve and adopt the Amendments to the Zoning Ordinance, as recommended by the Planning Commission, as a fair and reasonable regulation of the use of land within the township in furtherance of the health, safety, and welfare of the residents of the township;

WHEREAS, authority is provided to the Board to amend the Zoning Ordinance per section 401 of the of the MZEA, MCL 125.3401;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board hereby amends the Conway Township Zoning Ordinance as presented.
2. The Amendments shall take effect after 30 days.
3. All other ordinances, policies, and procedures that are in conflict with the Amendments herein adopted are repealed.

The foregoing resolution offered by Board Member Pushies.

Second offered by Board Member D Grubb.

Upon roll call vote the board members voted as follows:

W. Grubb: yes

Whitt: yes

Pushies: yes

D. Grubb: yes

The Supervisor declared the resolution adopted at a regular meeting of the Board held on April 19, 2022.

  
\_\_\_\_\_  
Elizabeth Whitt, Clerk

**PROPOSED ZONING ORDINANCE AMENDMENTS  
FOR ACCESSORY BUILDINGS AND STRUCTURES  
CONWAY TOWNSHIP, MI**

May 12, 2021

**SECTION 1 – AMENDMENT TO ARTICLE 2. DEFINITIONS**

**Structure.** (See also Building.) Anything constructed or erected, the use of which requires location on the ground or attachment to something having a permanent location on the ground, excepting driveways, concrete slabs, patios, children’s play sets, light poles, flag poles, and ground-mounted solar energy collectors.

**Deleted: ¶**

**SECTION 2 – AMENDMENT TO ARTICLE 6. GENERAL AND SUPPLEMENTARY REGULATIONS**

**Section 6.06 Supplemental Regulations Pertaining to Accessory Buildings and Structures.**

**Deleted:**

Lot/parcels in the R Residential and AR Agricultural Residential zoning districts are allowed accessory buildings and structures, as defined by ordinance, except as otherwise permitted in this ordinance, shall be subject to the following regulations:

**Deleted: Accessory**

**A. Relation to Principal Building.** Detached accessory buildings and structures are permitted only in connection with, incidental to, and on the same lot/parcel with a detached single-family dwelling where the detached single family dwelling is the principal building and residential is the principal use, as permitted in the particular zoning district. A detached accessory building or structure may be permitted on a separate lot/parcel in conjunction with a farm or agriculturally related use, as defined, under same ownership in the AR Agricultural Residential District.

**Deleted: ¶**  
**Deleted: Accessory**  
**Deleted: ,**  
**Deleted: and uses**  
**Deleted: principal**  
**Deleted: , structure or use which is**  
**Deleted: , except an**  
**Deleted: activity of a permitted use**

**B. Permit Required.** Any accessory building of two hundred (200) square feet or more shall require a building permit from the Livingston County Building Department.

**C. Attached Accessory Buildings.** Where the accessory building is attached to a principal building, it shall be subject to and must conform to all regulations of this ordinance applicable to the main building. Attached accessory buildings are exempt from the aggregate area calculation as described in Section 6.06(F).

**Deleted: On parcels of two (2) acres or less, the accessory gross floor area cannot exceed one hundred fifty percent (150%) of the total square footage of the gross floor area in the principal residence.**  
**Deleted: ¶**  
**Deleted: ¶ Structurally**  
**Deleted: to Main**  
**Deleted: main**  
**Deleted: ¶**

**D. Yard Locations.** Detached accessory buildings and structures shall be located in the rear yards outside of the minimum required yard area except:

1. Detached private residential garages may be allowed in the side yard, adjacent to the principal residential structure, but not forward of the front building.

**Deleted: ¶ Private**

2. Detached parking garages or carports may be permitted in the non-required front yard of attached residential dwelling complexes provided that the Planning Commission approves the

**Deleted: ¶**

site plan, elevation drawings and construction material. In reviewing such structures, the Planning Commission shall consider the impact of headlights and views from nearby public streets and adjacent properties.

3. Where the lot dimensions make rear yard locations impossible, the Planning Commission may waive restrictions on front yard placement of detached accessory buildings and structures.

Deleted: ¶

E. All impervious surface runoff (roof, drive and parking area(s)) shall be directed away from all adjacent lots/parcels. Method of diversion shall be subject to review and approval by the Zoning Administrator.

Deleted: Section Break (Next Page)

F. Number of Accessory Structures.

Deleted:

1. On AR Agricultural Residential and R Residential zoned lots/parcels of two (2) acres in area or less, are permitted a maximum of two (2) detached accessory buildings and/or structures, excluding ground-mounted solar energy collectors.

Deleted: only one attached garage or accessory building or structure and one

Deleted: garage or

Deleted: shall be permitted.

2. On AR Agricultural Residential and R Residential zoned lots greater than two and one-hundredth (2.01) acres, are permitted any number of detached accessory buildings and/or structures.

Deleted: of

Deleted: ¶

Deleted: the

Deleted: shall be regulated by the maximum coverage requirements of Section 6.06(F) unless accessory buildings and structures are for active agricultural conduct and are eligible for an agricultural waiver under 6.06(F) below.

Deleted: ¶

Deleted: of twenty (20) acres or greater

G. Number of Agricultural Accessory Structures. On AR Agricultural Residential zoned lots/parcels with active agricultural pursuits, the number of detached accessory buildings and structures shall be regulated by agricultural waiver. Such waiver may be obtained from the Conway Township Zoning Administrator. A waiver shall be obtained from said Administrator prior to building construction. All other applicable requirements of this ordinance shall apply to AR Agricultural Residential zoned lots/parcels.

Deleted: of twenty (20) acres or greater.

H. Height of Non-Farm Accessory Structures. No detached accessory non-farm building or structure shall exceed the maximum heights permitted in the R Residential District (See Section 8.04), except for antennas as noted in Section 6.17.

Deleted: ¶

Deleted:

I. Height of Farm Accessory Structures. No detached accessory farm building or structure shall exceed the maximum heights permitted in AR Agricultural Residential District (See Section 7.04).

Deleted: ¶

Deleted:

J. Required Setbacks for Detached, Accessory Residential Buildings and Structures (over 200 square feet total floor area). Detached accessory residential buildings and structures over two hundred (200) square feet of floor area shall be at least ten (10) feet from the principal building to which they are accessory, at least twenty-five (25) feet from

Deleted: ¶

Deleted: Maximum Coverage. On all R Residential zoned lots and AR Agricultural Residential zoned lots of greater than two (2) acres, the combined square footage of all accessory buildings, structures and uses, excluding swimming pools, may occupy a maximum of twenty percent (20%) of the total yard area. ¶

any public street right-of-way line, at least fifteen (15) feet from any side or rear lot line, at least twenty-five (25) feet from any shoreline or drain easement, at least twenty-five (25) feet from the edge of any wetland, and at least forty (40) feet from any principal building on an adjacent property. In no instance shall any accessory building or structure be located within a dedicated easement or road right-of-way.

Deleted:

Deleted:

Deleted: Section Break (Next Page)

Deleted:

**K. Required Setbacks for Detached Accessory Residential Buildings and Structures (less than 200 square feet total floor area).** Detached accessory residential buildings and structures less than two hundred (200) square feet of floor area shall be at least ten (10) feet from the principal building to which they are accessory, at least ten (10) feet from any public street, right-of-way line, at least ten (10) feet from any side or rear lot line, at least twenty-five (25) feet from any shoreline or drain easement, and at least twenty-five (25) feet from the edge of any wetland. In no instance shall an accessory building or structure be located within a dedicated easement or road right-of-way.

**L. Required Setbacks for Detached Accessory Farm Buildings and Structures.** Regardless of size or use, an accessory farm building or structure shall be setback a minimum of one hundred (100) feet from the detached single-family dwelling and/or principal building to which they are accessory. Accessory farm buildings or structures shall also be set back at a distance equal to one hundred (100) feet from the center line of a secondary roadway and one hundred ten (110) feet from the center line of a primary roadway. In addition, an accessory farm building or structure shall be setback at least fifty (50) feet from any shoreline or drain easement and at least twenty-five (25) feet from the edge of any wetland. In no instance shall an accessory building or structure be located within a dedicated easement or road right-of-way.

Deleted: ¶

**M. Waterfront Lots.** Where a residential lot abuts a water body, docks and boat storage buildings and structures for the use of the individual residential property owners are permitted as an accessory use to a residential use. Such docks and boat storage buildings or structures may be located in the water but not nearer than twenty-five (25) feet from any side lot line.

Deleted: ¶

**N. Accessory Structures Constructed Prior to or Without a Principal Building.** Notwithstanding any provision to the contrary in Section 6.06(A), an accessory building and/or structure may be constructed prior to or without a principal building or dwelling provided that a plot plan is submitted to the Zoning Administrator that demonstrates to the Zoning Administrator's satisfaction that such proposed accessory building or structure will not inhibit the future construction of a principal building in compliance with the requirements of this Zoning Ordinance. No commitment to build any future principal building shall be required. If an approval is obtained for an accessory building or structure to be

Deleted: ¶