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**To:** Planning Commissioners  
**From:** David Rohr  
Planning and Zoning Director  
**Date:** March 20, 2024  
**Project address and Description:** Zoning Map Amendment 24-0001 to change the zoning of the parcel commonly known as 9300 Hamburg Rd. (TID 4715-24-103-038) from Medium Density Residential (RA) to Neighborhood Service. (Zoning Ordinance Section 36-177).  
**Owner:** John & Patricia Weeks



The subject site (4715-24-103-038) total .75 acres at the intersection of Hamburg Rd. and Winans Lake Rd. The subject property is zoned in the Medium Density Residential (RA) district. The site is vacant of residential development but has been used historically for commercial purposes. There is currently a 1,700 sq ft structure on the parcel. In the [2020 Master Plan](#) the subject site has a Future Land Use Designation of Neighborhood Commercial.

## **PROJECT DESCRIPTION**

On January 12, 2024, the applicant submitted a request to change the zoning district on this site from the RA district to the Neighborhood Service (NS) district.

The full list of permitted and special uses in the Medium Density Residential (RA) district is as follows:

**Sec. 36-169. – Permitted Use Table - Medium Density Residential (RA);** See attached.

The full list of permitted and special uses in the Neighborhood Service (NS) district is as follows:

**Sec. 36-169. – Permitted Use Table – Neighborhood Service District (NS);** – See attached.

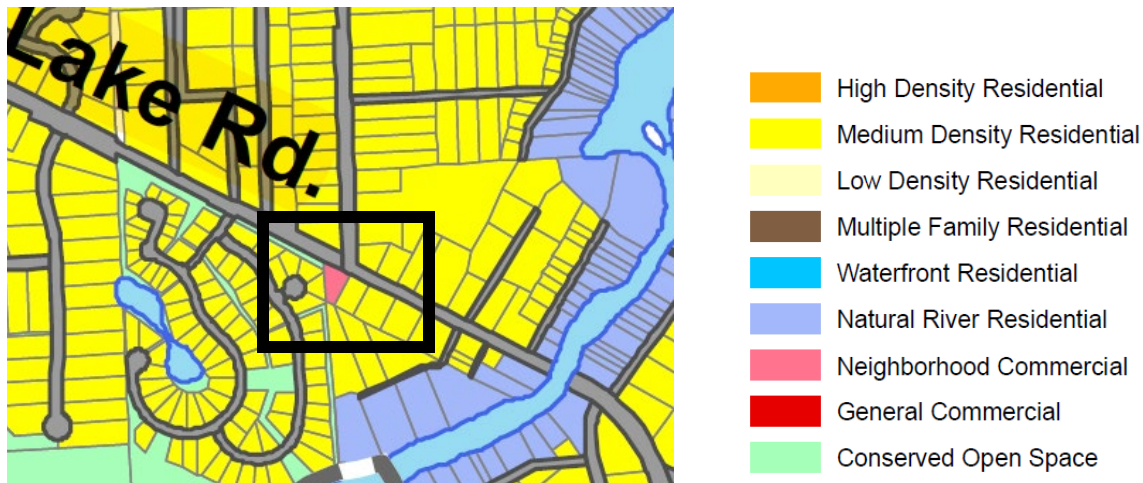
## **PROJECT ANALYSIS**

The Hamburg Township Zoning Ordinance provides for a process, following [Public Act 110 of 2006](#), to change the zoning map but does not provide standards by which a map amendment should be considered. Staff offers the following for consideration by the Planning Commission.

### **1. The zoning map amendment should be compatible with the goals, policies, and future land use map of the Master Plan.**

The 2020 Master Plan envisions 9300 Hamburg Rd. (TID 4715-24-103-038) as Neighborhood Commercial. Neighborhood Service (NS) district being the zoning map equivalent.

### **Future Land Use Map**



Staff finds that the proposed NS could further the following goals and objectives of the Master Plan:

*Goal 2: Preserve the natural and historic character of Hamburg Township by accommodating a reasonable amount of development, but ensuring the development is in harmony with the natural features and the unique environmental requirements of the Township.*

*Objective A: Direct future development to areas most suited for that type of development.*

### Section 36-71

*A site plan approval shall be required prior to the issuance of a land use permit within all districts for the construction or expansion of any permitted or special use with the exception of individual single-family and two-family dwellings and general and specialized farming activities. A site plan approval shall also be required for all condominium projects as regulated under the Condominium Act. Site plan review shall be required for any of the following activities:*

- (1) Erection, moving, relocation, conversion or structural alteration to a building or structure to create additional floor space, other than a single-family dwelling.*
- (2) Any development which would, if approved, provide for the establishment of more than one principal use on a parcel, such as, for example, a single-family site condominium or similar project where a parcel is developed to include two or more sites for detached single-family dwellings.*
- (3) Development of non-single-family residential uses in single-family districts.*
- (4) Any change in use that could affect compliance with the standards set forth in this chapter.*
- (5) Expansion or paving of off-street parking and/or a change in circulation or access for other than a single-family dwelling.*
- (6) Any excavation, filling, soil removal, or mining or landfill, except as otherwise specified.*
- (7) The development or construction of any accessory uses or structures, except for uses or structures that are accessory to a single-family dwelling.*
- (8) Any use or development for which submission of a site plan is required by the provisions of this chapter.*

*(Zoning Ord. 2020, § 4.3, 1-5-2021)*

**2. Compatibility of the site's physical, geological, hydrological, and other environmental features with all uses permitted in the proposed zoning district compared to uses permitted under current zoning.**

This site has been used for commercial use for several decades. No further expansion of the commercial structure is planned at this time.

**3. If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.**

There is no specific use proposed at this time, however rezoning in this case makes logical sense given the parcels historical use and future land use designation.

**4. The parcel can meet the requirements of the proposed zoning district.**

The parcel is conforming at .75 acres (32,474 sq ft) and is adequately sized to accommodate the current structure and any future utility/site improvements.

**RECOMMENDATIONS:**

Staff recommends the Planning Commission open the public hearing, take testimony from the applicant and staff as appropriate, discuss, and make a determination on zoning map amendment PZTA24-0001 to change the zoning of the parcel from RA to NS.

**Example Approval Motion:**

The Planning Commission recommends approval of Zoning Map Amendment 24-0001 to change the zoning of the parcel commonly known as 9300 Hamburg Road (TID 4715-24-103-038) from Medium Density Residential (RA) to Neighborhood Service (NS) (Zoning Ordinance Section 36-177) *for the following reasons* and directs staff to forward the request to Livingston County Planning for review.

**Example Denial Motion:**

The Planning Commission denies approval of Zoning Map Amendment 24-0001 to change the zoning of the parcel commonly known as 9300 Hamburg Road (TID 4715-24-103-038) from Medium Density Residential (RA) to Neighborhood Service (NS) (Zoning Ordinance Section 36-177) *for the following reasons*.

**EXHIBITS:**

- Application
- Zoning Ordinance Section 36-169 Permitted Use Table