



**LIVINGSTON COUNTY PLANNING DEPARTMENT
REZONING REQUEST - | -
STAFF REPORT**

**CASE NUMBER:
Z-07-24**

COUNTY CASE NUMBER:	Z-07-24	TOWNSHIP:	Hamburg Township
REPORT DATE:	4/3/2024	SECTION NUMBER:	24
STAFF ANALYSIS BY:	Martha Haglund	TOTAL ACREAGE:	.75


APPLICANT / OWNER:	John & Patricia Weeks
LOCATION:	9300 Hamburg Rd. (4715-24-103-038)
LAND USE:	Personal Storage

CURRENT ZONING:	REQUESTED ZONING:
RA-Medium Density Residential	NS-Neighborhood Service
PERMITTED/SPECIAL USES (Not all inclusive):	PERMITTED/SPECIAL USES (Not all inclusive):
Permitted: RA: Single family dwelling, roadside stands, farming, bed and breakfast short-term rental unit, accessory dwelling unit.	Permitted: NS: Live work unit, neighborhood shopping, retail stores, grocery stores, food and beverage stores establishments, and professional offices.
Special: RA: Schools, government buildings, golf courses, two family dwellings, recreation clubs, religious institutions, public and private parks and open space.	Special: NS: Single-family dwelling, two family dwelling, dry cleaning establishments, laundromats, open air businesses, apartments, gasoline service stations marinas, boat sales, and childcare centers.
Minimum Lot Area: 43,560 sq ft.	Minimum Lot Area: 10,000 sq ft.

TOWNSHIP PLANNING COMMISSION RECOMMENDATION AND PUBLIC COMMENTS:	ESSENTIAL FACILITIES AND ACCESS:
<p>The Hamburg Planning Commission held a public hearing March 20, 2024, regarding the proposed rezoning.</p> <p>Public Comments: one individual spoke in favor of the rezoning, and another spoke against the proposed rezoning.</p> <p>Applicant Comments: discussed background about the site, it was used to house Advanced Countertops (no longer in business). Currently, the applicant uses the site for personal storage and does not currently propose another use.</p>	Water: Public Water
	Sewer: Public Sewer
	Access: Winans Rd.

Commissioner Discussion: reviewed the process for zoning amendment, compatibility with Master Plan and uses that would be allowed in the proposed zoning.

EXISTING LAND USE, ZONING AND MASTER PLAN DESIGNATION:

		Land Use:	Zoning:	Master Plan:
	Subject Site:	Personal Storage/Garage	Medium Density Residential	Neighborhood Commercial
	To the North:	Residential	Single Family, Medium Density Residential & Waterfront Residential	Medium Density Residential
	To the East:	Residential	Single Family, Medium Density Residential	Medium Density Residential
	To the South:	Residential	Single Family, Medium Density Residential	Medium Density Residential
	To the West:	Residential	Single Family, Medium Density Residential	Medium Density Residential

ENVIRONMENTAL CONDITIONS:

Soils / Topography:	This is a flat, developed site with Fox/Sandy Loam soils.
Wetlands:	There does not appear to be any wetlands located on site.
Vegetation:	There is not significant vegetative cover located on site.
County Priority Natural Areas:	No priority natural areas are located on the site.

TOWNSHIP MASTER PLAN DESIGNATION:

Hamburg Township Master Plan Designates the site as Neighborhood Commercial. Below is an excerpt from the Township Master Plan:

Neighborhood Commercial: Neighborhood commercial includes all land and buildings where products, goods or services are provided to serve the residents of the immediate neighborhood areas. These uses are smaller, low traffic generating commercial services. This land use designation is for the maintenance of the existing commercial clusters located along M-36.

Neighborhood commercial includes two areas that are located on the chain-of-lakes and one small area along Hamburg Road. These waterfront and neighborhood commercial areas are intended to develop for low intensity uses that serve the immediate neighborhood and boaters. Uses would include restaurants, bait shops or small neighborhood grocery stores. Developments in these areas are encouraged to take advantage of the Township's planned unit development provisions.

COUNTY COMPREHENSIVE PLAN:

The 2018 Livingston County Master Plan does not direct future land use patterns, or development within Livingston County. Alternatively, it offers a county-wide land use perspective when reviewing potential rezoning amendments. The Land Use & Growth Management chapter of the plan includes decision-making recommendations regarding potential land use conflicts and promoting good land governance.

COUNTY PLANNING STAFF COMMENTS:

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. Historically, staff reports used the below criteria to review proposed rezoning and county staff also utilized these criteria for this review.

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

The parcel is designated as Neighborhood Commercial in the Master Plan. The Township Master Plan does not have a Zoning Plan that outlines corresponding Zoning Districts to their Future Land Use designation. However, the description of Neighborhood Commercial would be compatible with the planned designation of Neighborhood Service.

Previously, the site was used as a light commercial site and the Hamburg Township incorporated this use into their Master Plan. Further, county staff would concur with the township planner that rezoning would support:

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

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.

The site is developed with a 1500 sq ft. building on approximately 0.75 acre. The existing use is compatible with both the existing and proposed rezoning. This is a small site that has limited development potential.

In the future, some uses permitted in the Neighborhood Service district may not all be compatible with the surrounding residential uses. Additionally, the site is located at an intersection. Depending on the future use there could be conflict with traffic flow in the area.

Nevertheless, both the Master Plan and Zoning Ordinance acknowledge that the Neighborhood Service district may be within residential areas. Also, given the limited development potential of the site the proposed rezoning could be appropriate.

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.

The applicant has not proposed a use for the site. Therefore, amending the permitted or special uses would not be more appropriate than rezoning the land.

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

The parcel is large enough to meet the requirements of the proposed zoning district. The minimum lot area for Neighborhood Service is 10,000 sq ft the site has 32,474 sq ft. The rezoning would not cause a change public services.

COUNTY PLANNING STAFF RECOMMENDATION:

Approval. The proposed rezoning from Medium Density Residential (RA) to Neighborhood Service (NS) is compatible with the Hamburg Township Master Plan.

EXISTING LAND USE:



Rezoning Request

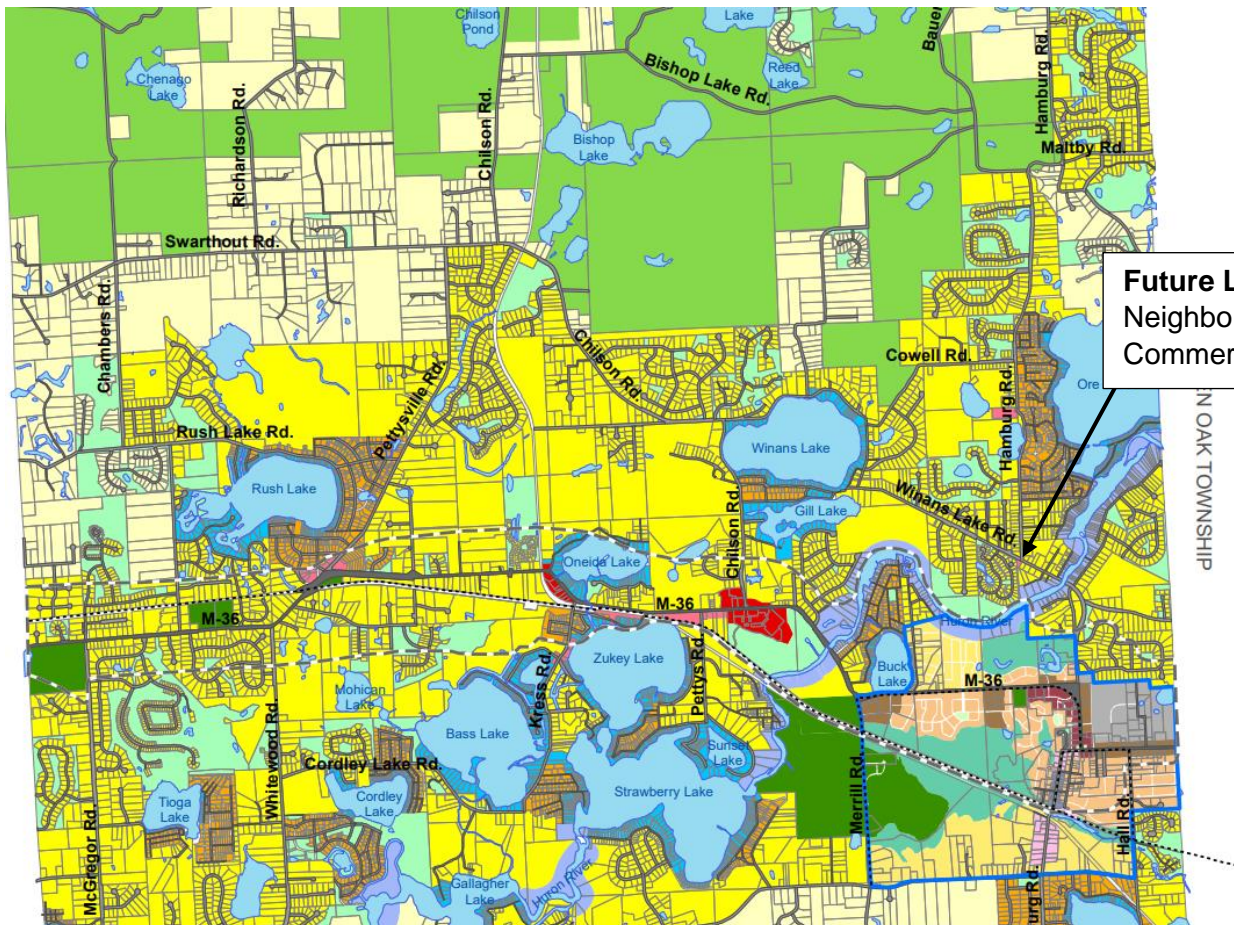
- 0.75 acres
- Existing 1500 Sq ft building
- Currently used for personal storage



FUTURE LAND USE MAP:

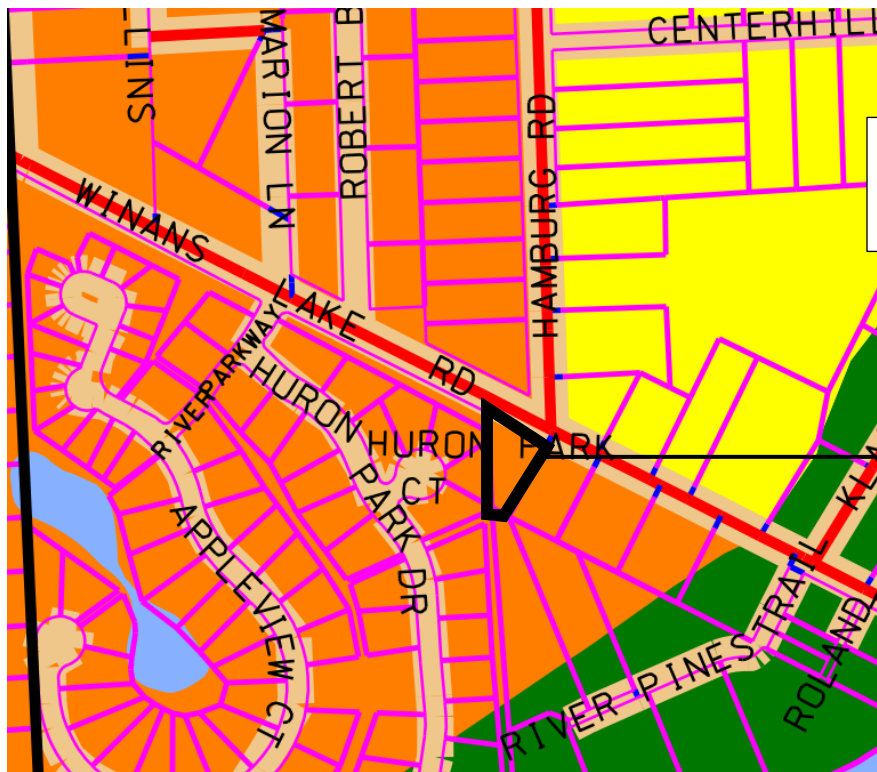


Future Land Use:
Neighborhood
Commercial



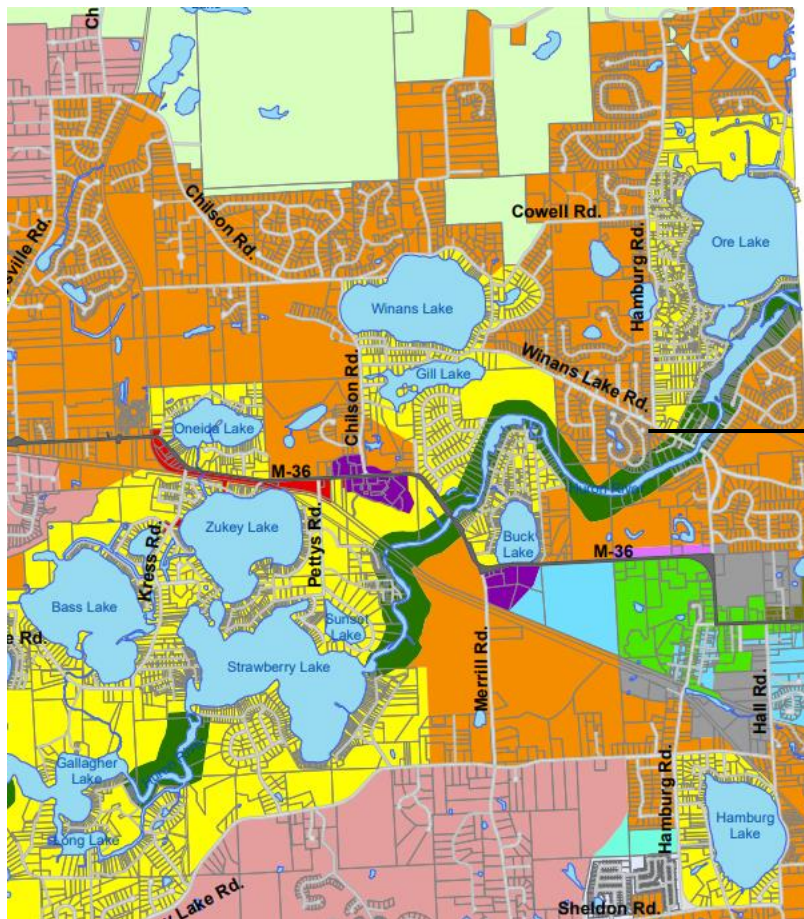
Future Land Use:
Neighborhood
Commercial

TOWNSHIP ZONING MAP:



Zoning:
Waterfront
Residential

Zoning:
Single Family,
Medium Density
Residential



Zoning:
Single Family,
Medium Density
Residential