

City of Laingsburg Guide to Planning and Zoning

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INTRODUCTION

This document is intended to serve as a guide to City residents, business owners and other decision makers. Although this document provides detailed information on the process for a number of appeals and procedures, the best route is to contact City Staff at 517-651-5374 directly before filing a petition or application.

The City of Laingsburg is governed by ordinances and plans that propose the orderly development of land, capital improvements and concentration of different land uses. The City is granted these privileges under State's Municipal Planning Act, Public Act 207 of 1921. In general, planning and zoning are closely related and regulate development – from residential to industrial. Zoning controls the intensity and type of development allowed in specific areas of the City.

It is important that prior to purchasing, developing or altering property, that City Zoning Codes and Plans are referenced. Before changes can take place, a site plan or other request may have to be made to the City Planning Commission or a variance may be required from the Board of Appeals on Zoning. City staff acts as the liaison between residents and the City Planning Commission and Board of Appeals on Zoning. Many residents and developers find it helpful to meet with City Staff prior to any improvements in order to determine if the City's zoning code or the State's building code will require any modifications or improvements.

The City Planning Commission

The Planning Commission is comprised of nine (9) members. The Commission reviews and approves site plans, requests for special uses, and makes recommendations to City Council on street and alley vacations and requests for changes in zoning. Special Uses are specific types of development that must meet detailed standards in order to be allowed. An example of a Special Use is a hospital, which is allowed if the Planning Commission finds it meets the established criteria as identified in the Zoning Ordinance.

The Planning Commission typically meets the second Wednesday of each month at 7:00 p.m. in the Council Chambers at City Hall. All applications and associated fees must be filed in advance and coordinated with City Staff.

The Zoning Board of Appeals

This Board is composed of a total of five (5) members; three at large members, one council member and one planning commission member. They consider requests for variance from the strict application of the City's Zoning Ordinance. The majority of requests received by the Board of Appeals on Zoning are for dimensional variances, such as an accessory building (garage) too close to a property line. For a variance to be granted, the property owner must be able to show a hardship unique to the property if the Zoning Ordinance was strictly applied. The Board of Appeals on Zoning meets as needed.

Applications and the associated fees for variances must be submitted at least three weeks in advance of the next meeting and coordinated with City Staff.

WHAT IS ZONING AND HOW IS IT USED?

Zoning regulates the use and development of land. The zoning ordinance districts and the uses they allow are based on the City's adopted Master Plan and its amendments. The city is divided into three basic zoning districts: residential (R), commercial (C), and industrial (I). The three basic categories are further subdivided into lower, medium and higher density Residential and then the commercial and industrial districts.



To determine your zoning district, contact the City office.

Each zoning district regulates:

- permitted uses;
- the size (bulk) of the building permitted in relation to the size of the lot;
- the required open space for residential uses on the lot, or the maximum amount of building coverage allowed on the lot;
- the number of dwelling units permitted on the lot;
- the distance between the building and the street;
- the distance between the building and the lot line;
- the amount of parking required; and
- other requirements applicable to specific residential, business or manufacturing activities

The City of Laingsburg has six distinct zoning districts, which each allow for varying types and intensities of development. Each of the zoning districts is briefly described below. For a complete description and regulations for each district, please refer to the City's Zoning Ordinance.

RO, Residential Open Space

This district is intended to encourage the continuation of open space activities and low density residential uses in areas of the community not served by public sanitary sewer or areas that are not conducive to intensive residential development.

Uses permitted by right include general farming, single family dwellings, and nurseries. Uses permitted after a special use approval include bed and breakfast, cemetery; soil, sand or gravel extraction and golf courses.

Minimum Lot Size: 43,560 square feet

Minimum Lot Width: 200 feet

Maximum Lot Coverage: 25%

Minimum Floor Area of Principal Building: 800 square feet

Minimum Front Yard Setback: 30 feet

Minimum Side Yard Setback: 20 feet

Minimum Rear Yard Setback: 35 feet

Maximum Height: 35 feet

RL, Residential District

This district is established to preserve quiet, low density, single family detached homes free from other uses, except those that are compatible and convenient to the district.

Uses permitted by right include general farming, single family dwellings, and manufactured home dwellings. Uses permitted after a special use approval include bed and breakfast, cemetery; soil, sand or gravel extraction and golf courses.

Minimum Lot Size: 15,000 square feet

Minimum Lot Width: 100 feet

Maximum Lot Coverage: 25%

Minimum Floor Area of Principal Building: 1000 square feet

Minimum Front Yard Setback: 25 feet

Minimum Side Yard Setback: 10 feet

Minimum Rear Yard Setback: 35 feet

Maximum Height: 35 feet

RL-1, Residential District

This district is intended to allow low to moderate density single family residential development.

Uses permitted by right include general farming, single family dwellings, and manufactured home dwellings. Uses permitted after a special use approval include churches, cemetery; soil, sand or gravel extraction and golf courses.

Minimum Lot Size: 12,000 square feet

Minimum Lot Width: 80 feet

Maximum Lot Coverage: 25%

Minimum Floor Area of Principal Building: 1000 square feet

Minimum Front Yard Setback: 25 feet

Minimum Side Yard Setback: 10 feet

Minimum Rear Yard Setback: 35 feet

RM, Residential District

This district is provided to permit quiet moderate density of one and two family homes.

Uses permitted by right include manufactured home dwellings, multiple family dwellings when served by sanitary sewer, and single family dwellings. Uses permitted after a special use approval include public facilities and utility substations, nursing homes and outdoor recreation.

Minimum Lot Size: 8,000 square feet

Minimum Lot Width: 90 feet

Maximum Lot Coverage: 25%

Minimum Floor Area of Principal Building: 800 square feet

Minimum Front Yard Setback: 25 feet

Minimum Side Yard Setback: 7 feet

Minimum Rear Yard Setback: 35 feet

Maximum Height: 35 feet

RH, Residential District

This district is provided to permit quiet moderate density of one and two family homes.

Uses permitted by right include general farming and two family dwellings. Uses permitted after a special use approval include multiple family dwellings, outdoor recreation facilities and public utilities or structures.

Minimum Lot Size: 5,000 square feet

Minimum Lot Width: 100 feet

Maximum Lot Coverage: 30%

Minimum Floor Area of Principal Building: 600 square feet

Minimum Front Yard Setback: 25 feet

Minimum Side Yard Setback: 7 feet
Minimum Rear Yard Setback: 35 feet
Maximum Height: 35 feet

RT, Residential District

This district is provided to allow for manufactured housing developments. Uses permitted by right include general farming. Uses permitted after a special use approval include manufactured home parks and outdoor recreation.

Minimum Lot Size: 6,000 square feet
Minimum Lot Width: 50 feet
Maximum Lot Coverage: 30%
Minimum Floor Area of Principal Building: 720 square feet
Minimum Front Yard Setback: 25 feet
Minimum Side Yard Setback: 7 feet
Minimum Rear Yard Setback: 35 feet
Maximum Height: 15 feet

C-1, Commercial

It is the purpose of this district to establish and preserve commercial and general office areas that are convenient to customers, both pedestrian and vehicular, while preserving the general residential character of the community.

Uses permitted by right include service establishments, bowling alleys, and business services. Uses permitted after special use permits include churches, communication towers and contractor storage facilities.

Minimum Lot Size: None
Minimum Lot Width: None
Maximum Lot Coverage: None
Minimum Floor Area of Principal Building: None

Minimum Front Yard Setback: None

Minimum Side Yard Setback: None, except when adjacent to a residential district

Minimum Rear Yard Setback: 20 feet

Maximum Height: 35 feet

I-1, Industrial

This district is designed to establish and preserve areas of for general industrial and related uses of such a nature that they do not create serious problems of compatibility with other uses.

Uses permitted by right include production, storage or distribution of materials without retail activity and public utilities structures and substations. Uses permitted after special land use include construction contractor storage, funeral homes and junk yards.

Minimum Lot Size: None

Minimum Lot Width: None

Maximum Lot Coverage: None

Minimum Floor Area of Principal Building: None

Minimum Front Yard Setback: 30 feet

Minimum Side Yard Setback: None, except when adjacent to a residential district

Minimum Rear Yard Setback: 20 feet

Maximum Height: 35 feet

MAKING A ZONING INQUIRY

Prior to purchasing property, beginning construction or opening a business, it is important to verify the zoning of the property.

City Staff can help determine what your property is zoned and what zoning requirements you may need to meet. In order to provide accurate information; please have the following information ready when you call:

- Exact address of the property or properties
- What your intended use of the property is? (a dentist office, a retail business, please be as specific as possible)
- Will you occupy an existing structure or build new?
- Approximate square footage you will occupy or build
- Will you make any structural changes to the building?

For information regarding zoning verification, please contact 517-651-5374.

RESIDENTIAL DEVELOPMENT

Different areas of the City allow for different intensities of residential development, and each zoning district has different requirements. Prior to purchasing property for residential development, converting a single family home into apartments, or developing apartments above a business contact City staff to determine if your zoning district allows the use you are proposing.



Contact City Staff to determine the allowable uses for your area

City Staff can help determine what your property is zoned and what zoning requirements you may need to meet. The following lists the different residential districts in the City and provides basic information regarding development requirements. This is intended to be a guide. Prior to purchasing property or converting a home, please contact City Staff at 517-651-5374.

Items and Material Needed for New Home Construction Approval

1. Completed zoning permit.
2. Approval for connection to sanitary sewer.
3. Approved, signed, well permit from the Environmental Health Department.
4. Proof of Ownership: a recorded land contract or deed with a legal description of the property.
5. An acceptable, legible plot plan that shows property dimensions including all setbacks. Setbacks from other structures on the property. Also show all other overhead wires, drains, water edges, etc.
6. A soil erosion permit from the Shiawassee County Drain Commission if 100 feet from water or 500 feet from the drain.
7. A new address request.

WHEN YOU NEED A VARIANCE

Call Early and Often

If you are considering developing a business, building an apartment or constructing a new home within the City of Laingsburg call the City to discuss your proposed project at 517-651-5374. Early coordination will save both time and money.

**Filing deadlines
for all Boards
and
Commissions
are at least 15
days in advance**

Information You Should Have When You Call

- The address of the property you would like to develop
- The specific use you want to pursue for that property
- If you are building a new structure or using an existing building
- If you are planning to use an existing building, you should know :
 - the previous use of the structure
 - the length of time of the previous use
 - if the structure is vacant, for how long has it been vacant
- Your timeline for development

With this information, City Staff will be able to advise you of the feasibility of your proposed project, given the zoning district in which it is located. If the project appears to be feasible, request a meeting for a preliminary review.

Schedules

Many new development projects in the City require site plan review by the Planning Commission; others may require a public hearing for a Special Land Use or for a request for a variance. The Planning Commission and Zoning Board of Appeals meet monthly, but information is required up to 30 days in advance. It is important to plan ahead to allow time for any required public hearings and review by the appropriate Commission or Board.

The Board of Appeals on Zoning may grant a variance from the regular provisions of the Zoning Code in cases where adhering to the strict application of the zoning code causes unnecessary hardship or practical difficulty for a property owner, due to unique circumstances of the property.

There are two types of variances that the Board of Appeals on Zoning can grant: use variances and non-use or dimensional variances.

A **use variance** permits a use of land that is otherwise not permitted in the zoning district in which the property is located. Prior to seeking a Use Variance, rezoning the property should be investigated. In order to obtain a use variance the applicant must show an unnecessary hardship. Use variances can be appropriate when it permits a specific use with specific conditions and the alternative rezoning would permit a multitude of uses, many which may not be desirable.

A **dimensional variance** allows for modification of the regular provisions of the zoning code for height, size, and setback, lot coverage and other physical requirements of the Zoning Code.

Contact City Staff to Explain Variance Request

If there is a hardship or practical difficulty, file an application and pay the fee

Staff prepares your request for the next available Zoning meeting and gives you and surrounding property owners notice of a public hearing.

Attend the Public Hearing and Zoning Meeting. Present your case to the Board. Your request can be approved, deny or approved with conditions.

REQUESTING A CHANGE IN ZONING

A citizen or landowner can petition for the City to amend the text of the Zoning Ordinance or to rezone property by amending the official zoning map.

There are two basic rezoning requests that can be made: a request to rezone a specific parcel or parcels of property or a request to change the text of the zoning ordinance.

Rezoning Property

When requesting the rezoning of property, the petitioner should be aware that in most cases existing zoning boundary districts are considered to be appropriate. The basis for rezoning property is typically contained in the City's Master Plan and Future Land Use Map, both adopted by the City Planning Commission and City Council. It is important to City staff prior to submitting a petition to discuss the merits of the rezoning. When completing the application please be mindful that the request is not particular to a use proposed, but to the entire zoning district.

Zoning Text Changes

Requests for changes to text follow the same format as rezoning property. Again, it is important to consult with city staff prior to submitting the petition.

Contact City Staff to Explain Rezoning Request

After meeting with City Staff and paying fee, a petition is sent to City Council

City Council refers the petition to the Planning Commission. The Commission notices the public and affected parties.

After a public hearing, the Planning Commission reviews and votes for or against the request. They forward their decision to Council.

City Council can act on the request, send it back to Planning or hold a second hearing.

SPECIAL LAND USES

Each zoning district contains special land uses. Special land uses are uses of land, which are not appropriate as a permitted use in the particular zoning district, but may be allowable under certain conditions. In Laingsburg, a Special Land Use is referred to in the Zoning Ordinance as a *Permitted Use After Special Approval*. A site plan is required to be submitted in conjunction with a Special Land Use.

It is important to plan ahead when seeking a Special Land Use. The application, fee and site plan must be submitted with all requested documentation and supporting materials at least 30 days prior to the next meeting. Planning Commission meetings are typically held the second Wednesday of each month, however, applicants should call to verify the meeting dates.

**City Staff
Determines if a
Special Land
Use is Required**

**Application,
Site Plan and
\$300 fee is filed
30 days before
the next
scheduled
meeting**

**Notice of a public
hearing is
published and
mailed to all
owners and
occupants within
300 ft. of the
proposed project**

**After a public
hearing, the
Planning
Commission
reviews and
approves, denies
or approves with
conditions the
Special Land
Use.**

**If requested
and/or required,
revised drawings
and plans must
be submitted
before permits
are issued**

CHANGING THE USE OF A BUILDING

Many structures in the City of Laingsburg are used for different purposes today than they were 50 years ago, such as residences that are now used for offices. The process for transforming the use a structure is called a Change of Use.



Changing the use of a building may require application to the Planning Commission and a building inspection

Prior to changing the use of a building, it is important to contact the City at 517-651-5374 to determine if the use is allowed. You will need the following information:

- The address of the property
- The previous use and the proposed use of the property/building
- The length of time of the previous use
- The length of time the building has been vacant
- The number of available parking spaces

In addition, before purchasing a building and/or converting its current use, it is important to contact the City. Barrier free access may now be required, along with electrical upgrades and other potentially high-cost improvements. These requirements may add a substantial amount of cost to the project. Early coordination with City Staff can help to identify improvements prior to the start of the project.

NONCONFORMING USES AND STRUCTURES

When the City is informed of a nonconforming use, records are checked to determine when the use was established so a determination can be made as to whether the use was legally established and “Grandfathered in” as a legal, nonconforming use, or if it was illegally established and in violation of the Zoning Ordinance.

Conversions of single family homes to two or more unit dwellings and rooming houses are the most common nonconforming uses in the City.

A nonconforming use cannot change to another nonconforming use. If any change in use is proposed, it must comply with current zoning..

City Staff will:

- Check to see if the use is shown in any records in the City’s Office which show the use as legal, nonconforming
- Check Board of Appeals on Zoning files to see if a variance had been granted to the property

For changes in the use of the structure, please see 15.

FREQUENTLY ASKED QUESTIONS

FENCES

All fences shall consist of materials commonly used in conventional fence construction, such as wood or metal. If, because of design or construction, one side of the fence has a more finished appearance than the other, the side of the fence with the more finished appearance shall face the exterior of the lot.

- Fencing, or dense landscaping must be three (3) feet in height or lower when it is located in the front yard or in a side yard that is adjacent to a street
- Fencing can be located on the property line

SHEDS, CARPORTS, GARAGES AND “OUT BUILDINGS”

Garages, sheds, carports, and other buildings, even swimming pools, are considered accessory structures. There two basic types of accessory buildings – attached or detached. Attached accessory buildings are those which are physically attached to the home. A typical example is an attached garage or an attached carport. Detached accessory structures are sheds, or other such structures which are not physically attached to the dwelling. All accessory structures require a building permit and zoning permit.

- All attached accessory buildings, including carports, shall be treated just like the main building or dwelling
- All detached accessory buildings shall be at least ten (10) feet to any other structure on the lot.
- All accessory buildings shall be at least ten (10) feet from a side or rear lot line.
- No accessory building can occupy more than 25% of the rear of any yard; no accessory building or structure can exceed the floor area of the principal building.

- Detached accessory structures in residential districts cannot exceed one story or 17 feet. Detached accessory structure in nonresidential districts are permitted to whatever the permitted height is in the district.
- No accessory building is permitted in the front yard.
- Except for agricultural buildings, no accessory building is permitted prior to the establishment of a principal structure.
- On corner lots, accessory buildings placed in the rear yard area must be setback from the property line at least as far as the required front yard setback for the district. There are exceptions to this if an adjacent house is closer or further away than the district setback.

OUTSIDE STORAGE OF INOPERABLE VEHICLES

Outside storage of inoperable vehicles is prohibited in the City of Laingsburg. Section 419 of the City’s Zoning Ordinance states that it “shall be unlawful to have, possess, or maintain junk or inoperable or abandoned motor vehicles on any property within the City.”

SWIMMING POOLS

Swimming pools are considered an accessory building for the purposes of complying with the zoning ordinance. This means that the pool will have to meet all applicable regulations that a garage would – such as sideyard and rear yard setbacks and maximum lot coverage. This items below are intended to be used as a guide and checklist prior to seeking a building and/or zoning permit.

- The pool must meet all applicable side yard and rear yard setbacks for the

zoning district in which it is located. Pools are not permitted in the front yard.
No pool is permitted in an easement.

- Service drop conductors and any other open overhead wiring shall not be installed above a swimming pool
- All yard areas with pools are to be fenced as follows:
 - Fencing must be at least 4 feet and equipped with a self-closing and self-latching gate. Latching devices must be at least 3 feet above the ground.
 - Fencing may be omitted where building walls without doorways abut the pool area, provided that the entire perimeter of the pool is secured

No lights shall be erected, operated or maintained in connection with a swimming pool in such a manner as to create a disturbance to surrounding properties
All pools shall be kept clean and the water used there shall be filtered and sterilized by chlorination and in general in conformance with any State, County or local health standards.

When seeking a permit, you should bring the following information:

- A legible plot plan showing the proposed location of the pool, fencing, gates and all other existing structures on the site
- The manner of supervision of the pool

HOW TO FILE A ZONING COMPLAINT

To file a complaint, contact City Staff at 517-651-5374. The complaint will normally be investigated within 10 days.

When calling to file a complaint, please have the following information ready:

- the address of the subject property
- details of the complaint, being as specific as possible

DEMOGRAPHIC INFORMATION

Total Area

1.59 square miles (1,017 acres)

Total Population

1,223

Population by Sex

614 Male (50.2%)

609 Female (49.8%)

Median Age

32.0 (median age for the US is 35.3)

Race

White	98%
Black or African American	.2%
American Indian and Alaskan Native	.2%
Asian	.2%
Native Hawaiian and other Pacific Islander	0%
Some Other Race	.4%
Two or More Races	1.1%
Total	100%

Hispanic or Latino (of any race)

.7%

Total Number of Households

441

Households by Type

Family Households: 324

Non-family Households: 117

Average Household Size	2.77
of Owner Occupied Housing Unit	2.99
of Renter Occupied Housing Unit	2.24

Total Housing Units

446

Occupied Housing Units

Occupied Units 441

Vacant Units 26

Seasonal Use 2

Owner vs. Renter Occupied Units

Owner Occupied 313

Renter Occupied 128

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- REQUEST FOR SITE PLAN APPROVAL
- SPECIAL LAND USE APPLICATION
- APPLICATION FOR ZONING BOARD OF APPEALS
- ZONING PERMIT
- TEMPORARY ZONING PERMIT
- SIGN PERMIT

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