TYRONE TOWNSHIP BOARD
WORKSHOP AGENDA
NOVEMBER 21, 2017 - 6:00 P.M.
(810) 629-8631

The regular board meeting will follow the workshop at 7:00 p.m.

CALL TO ORDER – PLEDGE OF ALLEGIANCE – 6:00 P.M.

ROLL CALL

APPROVAL OF AGENDA – OR CHANGES

PUBLIC REMARKS

NEW BUSINESS
   1. Discussion ordinance amendments.
   2. Request of Mr. Hicks to transfer two REUS to another parcel with two structures.

PUBLIC REMARKS

ADJOURNMENT

* * * * * * * * * * * * * * * * *

Supervisor Mike Cunningham  Clerk Marcella Husted

Please note: The Public Remarks section appears twice on the agenda - once after Communications and once before Adjournment. Anyone wishing to address the Township Board may do so at these times. The Tyrone Township Board of Trustees has established a policy limiting the time a person may address the Township Board at a regular or at a special meeting during the Public Remarks section of the agenda to three minutes. The Board reserves the right to place an issue under the New Business section of the agenda if additional discussion is warranted or to respond later either verbally or in writing through an appropriately appointed Township Official. - Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk at (810) 629-8631 at least seven days prior to the meeting.
WORKSHOP - NEW BUSINESS #1
TYRONE TOWNSHIP PLANNING COMMISSION  
PUBLIC HEARING AGENDA  
October 10, 2017  7:30 p.m.

The notice below was published in the Tri-County Times on Sunday, September 24, 2017, in compliance with the Open Meetings Act.

PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING

Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing on Tuesday, October 10, 2017, beginning at 7:30 at the Tyrone Township Hall, 10408 Center Road, Fenton, Michigan 48430. The purpose for the Public Hearing is:

To receive public comments regarding proposed amendments to Zoning Ordinance #36:
1. Remove Certain Open Space Requirements: Article 4 FR and RE Residential District, Article 5 R-1 Single Family Residential District, Article 6 R-2 Single Family Residential District, Article 8 Open Space Preservation (OSP) Option, Article 20 Schedule of Regulations, and Article 26 Nonconformities, to modify open space requirements;
2. Article 21, Section 21.43 – Condominium Development Standards and Site Plan Review, to include reference to the Michigan Condominium Act (Act 59 of 1978, as amended);
3. Article 22, Section 22.05.C – Cemeteries, to update cemetery special land use requirements regarding Access, Road Desigtr, Setbacks, and Fencing.;
4. Article 23 – Site Plan Review and Impact Assessment, to update registered designer requirements;
5. Add Section 26.10 – Open Space Dependent Properties, to address properties created when open space was required as part of the land division.

To receive public comments regarding proposed amendments to the following Regulatory Ordinances related to the proposed zoning amendments above:
1. Amendments to Ordinance #16, Subdivision Control Ordinance, to update legal basis, definitions, procedures, specifications, and requirements;
2. Amendments to Ordinance #25, Article 5, Section 4.B.2 – Land Division Ordinance, to update registered designer requirements.

Additional information is available at the Tyrone Township Clerk’s Office, 10408 Center Road, Monday through Thursday, 9 a.m. to 5 p.m. Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk, at (810) 629-8631, at least seven days prior to the meeting.

Mark Meisel, Chairman
Tyrone Township Planning Commission

PUBLIC HEARING AGENDA:
1) Open the Public Hearing
2) Reading of the Public Notice
3) Review of the Proposed Regulatory and Zoning Amendments
4) Receive Public Comments
5) Planning Commission and Planner Comments
6) Close the Public Hearing
TYRONE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING SYNOPSIS
October 10, 2017 7:00 p.m.

Present: Mark Meisel, Dave Wardin, Cam Gonzalez, Al Pool, Ron Puckett, Kurt Schulz, and Bill Wood.

Absent: None.

Approved the agenda as presented.

APPROVAL OF THE MINUTES:
1) September 12, 2017 Regular Meeting—Were approved as amended.

OLD BUSINESS:
1) Rebuilding of Nonconforming Structures after a Disaster—Was deferred to a future meeting.
2) Recreational Uses in the FR District—Was deferred to the 10/18/17 Workshop Meeting.

NEW BUSINESS:
3) Review Comments from Public Hearing—No public comments were received. Planning Commission comments were reviewed and incorporated where agreed.
4) Recommendation for Proposed Zoning Amendments—The amendments were recommended for Township Board approval, and will be forwarded to the Livingston County Planning Department for review and comment.
5) Solar Farm Regulations—Proposed regulations were distributed, and will be further reviewed during the 10/18/17 Workshop Meeting.

MISCELLANEOUS BUSINESS:
1) None.

ADJOURNMENT: The meeting adjourned at 9:42 P.M.
Zoning Map
Tyrone Township, Livingston County, Michigan

Zoning District:
- FR: Farming Residential
- RC: Rural Estate
- R-1, R-2, R-3: Single Family Residential
- RM: Multi-Family Residential
- LK: Lake Front Residential
- MH: Manufactured Home Park
- B: Local Business
- B-2: Community Business
- GS: Office Service
- ES: Expressway Service
- M-1: Light Manufacturing
- M-2: Heavy Industrial
- ROM: Research-Office-Manufacturing
- EX: Executive Industry
- FUD: Planned Unit Development
- PCS: Planned Commercial Services
- PC: Planned Commercial Industrial
- PIO: Planned Industrial Research and Office
- Township Boundary
- Consult Judgment

NOTE:
This zoning map is for general informational purposes only. The actual zoning district boundaries, uses, and regulations may vary. For specific details, please refer to the official zoning ordinance of Tyrone Township. The map was created by McKenna & Associates and updated on [Date].

[Signature]
Marcella Bliss, Clerk, Tyrone Township

Revision Dates:
- March 2016
- April 2017
- March 2018

[Map Source] McKenna & Associates

[Scale] Not specified in the image.
MEMO

To: Planning Commission
   Tyrone Township, Michigan

From: Sara J. Hodges, AICP, Senior Vice President
      Brian Keesey, Senior Planner

Date: April 21, 2016

Subject: FR District: Parcel Area Analysis

Based on discussion and your comments from the April 12th Planning Commission meeting and your direction, we have performed an area analysis on all FR Farming Residential District parcels. The purpose of this analysis is to determine the location and number of parcels that are under three (3) acres in area. We have also included the number of parcels that are below two (2) acres in area for your reference. Please find the analysis attached to this memo.

We look forward to discussing this with you. Please let us know if you have any questions prior to that time.
FR District
Parcel Area Analysis

Tyrone Township
Livingston County, Michigan

April 21, 2016

358 parcels of the 1,082 (33.2%) that are zoned FR Farming (Residential) are less than 3 acres in area.

135 parcels of the 1,082 (12.5%) that are zoned FR Farming Residential are less than 2 acres in area.

- Yellow: Parcels Zoned FR, Less Than 2 Acres
- Maroon: Parcels Zoned FR, Less Than 3 Acres
- Green: Parcels Zoned FR
MEMO

To: Planning Commission
Tyrone Township, Michigan

From: Brian Keesey, Senior Planner
Sara J. Hodges, AICP, Senior Vice President

Date: May 5, 2016

Subject: Parcel Area Analysis in the RE, R-1, and R-2 Districts

Based on discussion and your comments from the April 26th Planning Commission meeting and your direction, we have performed an area analysis on parcels in the RE Rural Estate, R-1 Single-Family Residential, and R-2 Single-Family Residential districts. Similar to the analysis of the FR district, we have determined the number of parcels which fall within specified size thresholds for each district. These analyses describe how many parcels would become non-conforming if the open space requirement was removed and minimum parcel size was increased. Please find the analyses attached to this memo.

We look forward to discussing this with you. Please let us know if you have any questions prior to that time.
RE District
Parcel Area Analysis

Tyrone Township
Livingston County, Michigan

April 28, 2015

194 parcels of the 4,472 (4.3%) that are zoned RE Rural Estate are less than 60,000 square feet in area. That is 0.7% of all RE area.

211 parcels of the 4,472 (4.7%) that are zoned RE Rural Estate are less than 1.0 acres in area. That is 0.6% of all RE area.

246 parcels of the 4,472 (5.5%) that are zoned RE Rural Estate are less than 1.75 acres in area. That is 1.1% of all RE area.

Legend:
- Yellow: RE Parcels, Less than 60,000 sq ft
- Pink: RE Parcels, Less than 65,340 sq ft (1.5 ac)
- Blue: RE Parcels, Less than 76,230 sq ft (1.75 ac)
- All: RE Parcels

Mckenna Associates

Page 1 of 1
R-1 District
Parcel Area Analysis

Tyrone Township
Livingston County, Michigan

April 28, 2016

685 parcels of the 1,632 (46.7%) that are zoned R-1 Residential are less than 30,000 square feet in area. That is 20.8% of all R-1 area.

1,127 parcels of the 1,632 (68.1%) that are zoned R-1 Residential are less than 37,500 square feet in area. That is 41.1% of all R-1 area.

1,204 parcels of the 1,632 (77.5%) that are zoned R-1 Residential are less than 1 acre in area. That is 48.6% of all R-1 area.

Parcels Zoned R-1, Less than 30,000 sq. ft.
Parcels Zoned R-1, Less than 37,500 sq. ft.
Parcels Zoned R-1, Less than 1 acre
All R-1 Parcels
R-2 District
Parcel Area Analysis

Tyrone Township
Livingston County, Michigan

April 28, 2016

The R-2 District consists of 2 large parcels, totaling 93.1 acres.

- Yellow: Parcels Zoned R-2, Less than 0.5 acres
- Pink: Parcels Zoned R-2, Less than .75 acres
- Blue: Parcels Zoned R-2, Less than 1 acre
- All 16 2 Parcels

McKenna

Scale: 1 inch = 100 feet
July 7, 2016

Planning Commission
Tyrone Township
10408 Center Road
Fenton, MI 48430

Subject: R-1 and RE Zoning District Analysis

Dear Commissioners:

Based on the direction we received at the June 28th Planning Commission meeting, we have performed additional spatial analysis on two of the Township’s zoning districts.

The Planning Commission discussed the possibility of removing the Ordinance’s Open Space requirement in the R-1 and R-2 Districts. It was identified that by doing so, and not increasing the minimum lot area requirement, the Township could potentially permit an undesired increase in density. We have performed analysis to determine the impact of removing the open space requirement. In doing so, we have highlighted the parcels that are at least twice the area, or 60,000 sq. ft., required for a parcel in the R-1 District and have a dimension that would provide the minimum parcel frontage in the District. Please see the first attachment.

Prior to Tuesday’s meeting, we will also review the future land use map for parcels in areas that are planned R-1 to ensure that we are looking all future impact potential of the Planning Commission’s decision.

The second item requested was analysis of RE District in terms of the parcels that are developed and vacant. This request was a result of the discussion to potentially remove the open space requirement and increase the minimum lot size in the RE District. The Planning Commission discussed the desire to not significantly alter the development potential of vacant parcels in the RE District, and wanted to ensure that there were not large numbers of undeveloped RE parcels. Therefore, we have highlighted the undeveloped parcels in the RE district on the second attached map.

We look forward to discussing these items with you.

Respectfully submitted,

MCKENNA ASSOCIATES

[Signature]
Brian Keeseley
Senior Planner
R-1 District
Parcel Area Analysis

Tyrone Township
Livingston County, Michigan

July 7, 2019

20 parcels of the 1,632 (1.2%) that are zoned R-1 Residential are more than double the lot minimum area of 30,000 sq. ft. That is 13.9% of all R-1 area.
RE District
Parcel Area Analysis

Tyrone Township
Livingston County, Michigan
July 7, 2016

181 parcels of the 4,472 (4.0%) that are zoned RE Rural Estate are vacant. That is 2.2% of all RE area.
To: Planning Commission
   Tyrone Township, Michigan

From: Brian Keesey, Senior Planner

Date: October 12, 2017

Subject: Amendments to Licensed Designer Requirements

In late 2016, the Planning Commission identified the requirements for professional designers in the Zoning Ordinance and Land Division Ordinance were not consistent with Public Act 178 of 2013, which permits the submission of electronic signatures for licensed designers. Concurrently, we are recommending the previously accepted “Registered” designation for professional designers be updated to reflect the State of Michigan’s preferred term, “Licensed.”

The following reflects the amendments as recommended to the Township Board by the Planning Commission. Please let us know if you have any questions.

Respectfully submitted,

McKenna Associates

Brian Keesey, AICP
Senior Planner
Section 23.02.R – Site Plan Information, Registered Designer Required

Registered-Licensed Designer Required. The seal of one of the following professionals registered in the State of Michigan: Registered Architect, Registered Civil Engineer, Registered Landscape Architect, or Registered Professional Community Planner. Architectural plans of buildings shall be prepared by and bear the seal of a Registered Architect. Engineering drawings, engineering estimates and associated cost estimates shall contain the signature and/or seal of a registered Civil engineer. Drawings, calculations, estimates, plans, and other information required on a site plan shall be physically or electronically signed and sealed by a professional licensed by the State of Michigan who is qualified to certify the information in accordance with Michigan P.A. 178 of 2013, as amended. Professionals licensed by the State of Michigan include Architects, Landscape Architects, Professional Engineers, and Professional Surveyors. The Planning Commission may require the physical or electronic seal and signature of a specific profession based on the nature and context of the design.

Ordinance 25 – Tyrone Township Land Division Ordinance

Article 5, Section 4.B.2
Registered-Licensed Professional Seal Required. Surveys shall contain the physical or electronic seal and signature, in accordance with Michigan P.A. 178 of 2013, as amended, of a Professional Civil Engineer or Land Surveyor currently registered and in good standing in licensed by the State of Michigan and shall bear the signature of the same in good standing.
To: Planning Commission
Tyrone Township, Michigan

From: Brian Keese, AICP
Senior Planner

Date: October 12, 2017

Subject: Amendments to Cemetery Standards

Section 22.05.C of the Township Zoning Ordinance deals with cemetery-specific Special Land Use design standards. Based on a recent application, the validity/applicability of the required access standard of two ingress/egress driveways has been questioned. Based on findings we have presented previously, we recommend the Township modify the requirements in the interest of safety, practical application, and sound design standards.

The following reflects the amendments as recommended to the Township Board by the Planning Commission. Please let us know if you have any questions.

Respectfully Submitted,
Mckenna Associates

Brian Keese, AICP
Senior Planner
Section 22.05.C – Cemeteries

Cemeteries, public or private, are subject to the following conditions:

1. **Zoning District.** Cemeteries are allowed as special land uses only in the FR and RE zoning districts.

2. **Access.** Cemeteries containing any structures shall have direct access on an arterial road. Cemeteries where the only structure is a shed or garage for storage of maintenance vehicles or machinery, need not have direct access on an arterial road. Structures shall not be located nearer than one hundred (100) feet from any property line.

3. **Minimum Area.** Minimum lot area for cemeteries shall be ten (10) acres, with at least three hundred thirty (330) feet of public road frontage.

4. **Access Placement and Number of Access Locations.** The location and number of access driveways shall be designed in accordance with Section 21.54 Access Management of the Tyrone Township Zoning Ordinance and subject to the requirements and recommendations of the regulatory body responsible for the road from which access is planned. Cemeteries shall have two (2) access drives spaced at least two hundred (200) feet apart along the public road frontage.

5. **Internal Road Design.**
   a. Roads must be constructed with a 6” sand base and 7” of 21AA aggregate in accordance with Livingston County Road Commission standards. The roads must also be designed to meet the slope, drainage system, and other applicable standards for private roadway design as specified by the Livingston County Road Commission.
   b. Roads should be designed as a looped system to allow for forward travel from entry to exit. The design of the internal road system shall be approved by the Township.
   c. Ingress/egress driveway must utilize a boulevard design for a distance of at least 150 feet from the road right-of-way to separate traffic and allow for simultaneous entry and exit of processions. The boulevard must also comply with the design and construction standards in Section 21.54.F.2, Boulevard Entrance Standards, with the exception of the concrete curb requirement for boulevard islands.
   d. Road Width.
      i. One-way Roads. Roads designed for, intended for, and posted (with signage) for vehicular travel in a single direction must provide a paved or gravel surface of at least 18 feet in width to accommodate a moving vehicle and informal parking simultaneously.
      ii. Other Roads. Roads intended for multi-directional travel must provide a paved or gravel surface of at least 24 feet in width to accommodate two moving vehicles and one parked vehicle simultaneously.

6. **Setbacks.**
a. Any building, structure, monument, or similar structures larger than six (6) feet in height, width, or length must be located more than one-hundred (100) feet from any property line.

b. Monuments, markers, grave sites, and other elements customarily associated with a cemetery, regardless of placement above or below ground, must be set back from property lines with respect to the defined front, side, and rear setbacks for the zoning district.

c. All structures and grave sites must be set back from the internal road system by a minimum of 10 feet.

7. Fencing.

a. A front fence, in the form of a decorative barrier, must be installed for the entire width of the cemetery property in accordance with Section 21A.10 Obscuring Walls and Fences. The barrier must consist of a fence, natural stone or brick wall, vehicular or pedestrian gates, or a living and sculpted hedge, or a combination of any of the materials listed herein.

b. Extending toward the front or rear of the property from the front fence, additional fencing must be installed for 50 feet along the side lot line.
To: Planning Commission
    Tyrone Township, Michigan

From: Brian Keesey, AICP
      Senior Planner

Date: October 12, 2017

Subject: Amendment to Condominium Development Standards

The Planning Commission has proposed amendment of the Condominium Development Standards to directly reference the State of Michigan act that gives local municipalities the ability to regulate condominium developments, P.A. 59 of 1978, as amended. This amendment is for reference only and does not change any development requirements for site condominiums, as the regulations are in line with the State act.

The following reflects the amendment as recommended to the Township Board by the Planning Commission. Please let us know if you have any questions.

Respectfully Submitted,
McKenna Associates

[Signature]
Brian Keesey, AICP
Senior Planner
Section 21.43 – Condominium Development Standards and Site Plan Review

The intent of this Section is to provide regulatory standards for condominiums and site condominiums similar to those required for projects developed under other forms of ownership, in accordance with the Michigan Condominium Act, Act 59 of 1978, as amended. This article is not intended to prohibit or discourage development of condominium projects.
To: Planning Commission  
   Tyrone Township, Michigan

From: Brian Keesey, AICP  
   Senior Planner

Date: October 19, 2017

Subject: Amendments to Remove Certain Open Space Requirements

After many months of discussion, the Planning Commission’s has recommended amendments to the Zoning Ordinance to remove the open space preservation regulations in favor of larger minimum lot sizes. These recommendations are based on many factors and research endeavors, including spatial GIS analysis, realistic lot minimum requirements for septic systems, the Township’s animal unit requirements, and others. There is also extensive language proposed to ensure any nonconformities created by these amendments do not negatively impact a landowner’s ability to develop their land in a fashion similar to conforming parcels.

The following reflects the amendments as recommended to the Township Board by the Planning Commission. Please let us know if you have any questions.

Respectfully Submitted,
McKenna Associates

[Signature]
Brian Keesey, AICP  
Senior Planner
Section 4.00 Intent – FR and RE District Regulations
The intent of the FR Farming Residential District is to protect lands best suited to agricultural uses from the encroachment of incompatible uses, while designating an area appropriate to the type of single family residential development that does not alter the general agricultural character of the district. Moreover, the intent also is to protect vital natural resources, including wetlands, inland lake water quality, groundwater supplies, fertile and stable soils, and significant stands of wood lots and vegetative cover. Lands in the FR and RE District are not likely to be served with centralized public water and sewer facilities.

The intent of the RE Rural Estate District is to provide a transitional area between the FR District and other more intense land utilization districts. However, the RE District will generally maintain the same types of land uses permitted in the FR District. The primary difference between the two districts is that the RE District permits the creation and use of smaller lots than the FR District. When land is divided into lots in the FR and RE Districts, open space area is required to be established in accordance with the standards of Sections 20.02.AA and 24.51. In order to preserve natural features and to provide design flexibility in the FR and RE Districts, cluster development shall be permitted as described in Article 8.

It is the intent of the Township to retain property values and continued investment in land, and recognizes that updated dimensional zoning regulations create a situation in which previously approved parcels can no longer meet the Ordinance standards for minimum lot size. It is not the intent of the Township to create nonconforming parcels; therefore, Tyrone Township recognizes that parcels and lots created prior to (date of adoption) with an associated open space were permitted based on the zoning regulations in effect at the time of their creation, and shall be henceforth be considered in accordance with Article 26.10, Open Space Dependent Properties.

Section 5.00 Intent – R-1 District Regulations
In general, the R-1 single family zoning districts will occupy land areas deemed acceptable for medium density residential uses by the soils suitability analysis performed in concert with the Tyrone Township Master Plan. The intent of this district is to establish and preserve single family home neighborhoods free from other uses, except those which are normal accessory, compatible, and supportive uses convenient to the residents of such a district. The district will provide a transition from strictly agricultural use areas to suburbanized residential uses. The provision of public sewer and water is not expected in the foreseeable future. When land is divided into lots in the R-1 District, open space area is required to be established in accordance with the standards of Sections 20.02.AA and 24.51. In order to preserve natural features and to provide design flexibility in the R-1 District, cluster development shall be permitted as described in Article 8.

It is the intent of the Township to retain property values and continued investment in land, and recognizes that updated dimensional zoning regulations create a situation in which previously approved parcels can no longer meet the Ordinance standards for minimum lot size. It is not the
intent of the Township to create nonconforming parcels; therefore, Tyrone Township recognizes that parcels and lots created prior to (date of adoption) with an associated open space were permitted based on the zoning regulations in effect at the time of their creation, and shall be henceforth be considered in accordance with Article 26.10, Open Space Dependent Properties.

Section 6.00 Intent – R-2 District Regulations

The intent of the R-2 district is the same as in the R-1 district, except that the district is intended for areas served with public sewer and water, or locations adjacent to urbanizing centers in which public sewer and water is expected in the foreseeable future. When land is divided into lots in the R-2 District, open space area is required to be established in accordance with the standards of Sections 20.02.AA and 21.51. In order to preserve natural features and to provide design flexibility in the R-2 District, cluster development shall be permitted as described in Article 8.

It is the intent of the Township to retain property values and continued investment in land, and recognizes that updated dimensional zoning regulations create a situation in which previously approved parcels can no longer meet the Ordinance standards for minimum lot size. It is not the intent of the Township to create nonconforming parcels; therefore, Tyrone Township recognizes that parcels and lots created prior to (date of adoption) with an associated open space were permitted based on the zoning regulations in effect at the time of their creation, and shall be henceforth be considered in accordance with Article 26.10, Open Space Dependent Properties.

Article 8 – Open Space Preservation (OSP) Option

Section 8.00 Intent

The intent of open space development is to provide a procedure for residential development that will result in concentrated and enhanced living environments OSP development can permit more economical residential development and encourage a variety of architectural types and styles for residential dwellings. It will provide a basis for ingenuity and originality in residential lot and street design and development and will preserve open space to serve recreational, scenic, and public service purposes. The provisions have been modified in compliance with Public Act 177 of 2001—the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended.

Section 8.02(A) Minimum Land Area Required. The minimum land area required for the cluster development shall be ten (10) acres. Reserved.

Section 8.02(D) Sanitary Sewer Required in R2 and LK-1ments

1. RE and R-1 Zoning Districts. Cluster development will only be permitted when community septic systems or public sanitary sewer systems are available to service all lots at the reduced lot size.

2. R-2 and LK-1 Zoning Districts. Within R-2 districts, single family detached residential dwellings and two family attached residential dwellings may be permitted. Sanitary sewer service must be available for any development utilizing cluster development in the R-2 and LK-
1-Districts. In the event that sanitary sewer is not available to service proposed dwellings in an R-2 or LK-1 District, cluster development shall not be allowed for those dwellings.

Section 8.02(E) Modification of Requirements. Modification of lot area, width and yard setback requirements.

1. Lots may be reduced in area below the lot size required by the residential zoning district in which the subdivision is located. Lot area reductions may be up to sixty (60) percent in the FR and RE Districts, and approximately twenty-five (25) fifty (50) percent in the FR, RE, R-1, R-2, and LK-1 Districts according to the following schedule:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area in Zoning District</th>
<th>Proposed Minimum Lot Area with Cluster Option</th>
<th>Minimum Open Space Required per Proposed Lot with Cluster Option</th>
</tr>
</thead>
<tbody>
<tr>
<td>FR</td>
<td>3 acres</td>
<td>1.5 acres</td>
<td>1.5 acres</td>
</tr>
<tr>
<td>RE</td>
<td>1.75 acres</td>
<td>.875 acres</td>
<td>.875 acres</td>
</tr>
<tr>
<td>R-1</td>
<td>1 acre</td>
<td>.5 acres</td>
<td>.5 acres</td>
</tr>
<tr>
<td>R-2</td>
<td>21,780 sq. ft.</td>
<td>10,890 sq. ft.</td>
<td>10,890 sq. ft.</td>
</tr>
<tr>
<td>LK-1</td>
<td>21,780 sq. ft.</td>
<td>10,890 sq. ft.</td>
<td>10,890 sq. ft.</td>
</tr>
</tbody>
</table>

2. All land remaining after lot area reductions shall be compensated for by at least an equivalent amount of land in additional open space to be preserved and maintained in perpetuity for its scenic value or for recreation and conservation purposes. Such open space shall be protected to remain as open space by a conservation easement, plat dedication, restrictive covenant, or other legal mechanism that runs with ownership of the land.

Section 8.03 Open Space Preservation Design Standards
Open space preservation areas shall be provided in compliance with the provisions of Section 21.51. All open space areas preserved under these provisions must meet the requirements of the Township Zoning Act [Michigan Zoning Enabling Act, P.A. 110 of 2006], as amended. In particular, open space areas must be preserved in an undeveloped state as defined in the Township Zoning Act [Michigan Zoning Enabling Act, P.A. 110 of 2006], as amended, which excludes golf course development on open space preserved by these provisions.

Article 20 – Schedule of Regulations
Section 20.01 (Table)
Amend “Minimum Site and Lot Area” values in the regulation table, Section 20.01, as follows:
- FR District – 3-acre minimum (was 2 acres)
- RE District – 1.75-acre minimum (was 60,000 sq. ft.)
• R-1 District – 1-acre minimum (30,000 sq. ft.)
Remove reference to Footnote AA in "Minimum Site and Lot Area" row of regulation table in Section 20.01.

Section 20.02 Footnotes to Schedule of Regulations
Footnote AA. For every lot created in the FR, RE, R-1, and R-2 Districts, a designated open space area shall be permanently established consistent with the requirements in Section 21.51. The required open space area shall be in addition to any developable area and shall be equal to one half (1/2) of the developable area for each lot, parcel, or condominium unit. The developable area must satisfy the minimum area requirements of the zoning district. The following equation shall yield the minimum required open space area:

Developable Area / 2 = Minimum Required Open Space Area

The required open space must be located within the boundaries of the newly created lot, parcel, or condominium unit. However, the Planning Commission may allow the required permanent open space to be transferred from the newly created parcel to the parent parcel or other created parcel(s) for reasons consistent with the open space concept.
The property owner shall provide necessary assurances and mechanisms to insure that the open space shall remain limited to open space uses, as defined herein, in perpetuity through a binding legal instrument. Such binding legal instrument may be a deed restriction to run with the land to forever prohibit the development of the land for any purpose other than for an open space use. Where new parcels or lots are proposed to be created adjacent to areas of previously designated permanent open space, the new open space dedications should be contiguous to the previously established open space and may not include any previously designated open space area. Reserved.

Article 26 – Nonconformities
Section 26.00 (Summary Table)
Add the following rows to the summary table:

<table>
<thead>
<tr>
<th>Nonconforming Situations</th>
<th>Requirements</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open Space Dependent Properties</td>
<td>Considered conforming subject to conditions</td>
<td>26.10</td>
</tr>
<tr>
<td>Boundary realignment of Open Space Dependent Properties</td>
<td>Permitted subject to conditions</td>
<td>26.10.C</td>
</tr>
</tbody>
</table>

Section 26.10 Open Space Dependent Properties (New Section)
A. Intent. It is the intent of the Township to retain property values and continued investment in land, and the Township recognizes updated dimensional zoning regulations in the FR, RE, R-1, and R-2 Districts create a situation in which previously approved parcels can no longer meet the Ordinance standards for minimum lot size. It is not the intent of the Township to create nonconforming parcels; therefore, Tyrone Township recognizes that dependent properties created prior to (date of adoption) were permitted based on the zoning regulations in effect at the time of their creation.
The Township will consider all open space dependent properties conforming in terms of minimum lot size that were legally created and recorded with an associated dedicated open space, regardless of their ability to achieve current minimum lot size standards. Parcels, units, and lots that were dimensionally nonconforming under previous regulations remain nonconforming unless they can achieve all current standards governing land in the Township.

B. Open Space Dependent Properties. Open space dependent properties are parcels, lots, or units created with dedicated open space, as required by the Ordinance of the time, which is internal to, contiguous with, or detached from the property.

C. Boundary Realignment of Open Space Dependent Properties. Boundary realignment to distribute open space among dependent properties may be considered when all properties resulting from the realignment achieve the minimum lot sizes required by the zoning district, in accordance with the Tyrone Township Land Division Ordinance. Further, the open space conservation easement, plat dedication, restrictive covenant, or other legal mechanism that runs with the land must be appropriately disposed of to the satisfaction of the Township. In no case shall overall development density be increased unless otherwise permitted by this Ordinance.
Single Family Zoning District Open Space Requirement During Land Divisions Summary

1. **FR Farming Residential Zoning District**
   a. **Current Conditions**
      i. Minimum lot size is 2 acres
      ii. Open space amounting to 50% of the newly created lot(s) is required
      iii. 2 acre minimum does not permit animal units in FR, an interesting conflict with the current zoning regulations which results in the creation of FR lots that cannot be permitted to hold farm animals.
   b. **Recommendation**
      i. Minimum lot size of 3 acres
      ii. No requirement for open space
      iii. Lots created now compatible with minimum animal unit lot size requirements
      iv. Number of conforming lots that would become nonconforming is minimal

2. **RE Rural Estates Residential Zoning District**
   a. **Current Conditions**
      i. Minimum lot size is 60,000 square feet (just under 1.5 acres)
      ii. Open space amounting to 50% of the newly created lot(s) is required
      iii. Large number of parcels of sufficient size remain that can be divided
      iv. 94.5% of all RE parcels (4226 of 4472) are greater than 1.75 acres
   b. **Recommendation**
      i. Minimum lot size of 1.75 acres
      ii. Eliminate space requirement
      iii. Many of the remaining parcels have natural features which should be preserved or the land is otherwise unusable. Increasing the minimum lot size will accommodate these needs or conditions.
      iv. Increasing the minimum lot size will result in approximately 246 parcels (5.5%) becoming nonconforming.

3. **R-1 Residential Zoning District**
   a. **Current Conditions**
      i. Minimum lot size is 30,000 square feet
      ii. 41% of existing R-1 lots are less than 30,000 square feet
      iii. Several large parcels remain which could be split
   b. **Recommendation**
      i. Minimum lot size of 1 acre better address the space needed for a primary and reserve septic field given Tyrone Township’s generally poor soil conditions.
      ii. Eliminate open space requirement
      iii. Increasing the minimum lot size would result in nearly 78% of the existing parcels being nonconforming. Language will be included to establish these lots as “conforming” as long as they were legally created under prior lot area standards.
4. **R-2 Residential Zoning District**
   a. **Current Conditions**
      i. Minimum lot size is 21,780 square feet (1/2 acre)
      ii. District is made up of 3 large parcels
         1. Two north east parcels totaling 93.1 acres under consent judgement and operating as EI
            a. Fenton Sand and Gravel
            b. Parcel to west containing old truck road (portion east of Hartland Road)
               i. Lots abut R-1 to the north and south (subdivisions), and RE to the east and west (developed)
         2. One south parcel containing Cider Mill Crossing, under a consent judgement and operating as an MHP district.
   b. **Recommendation**
      i. Rezone the two north east parcels to R-1 (1 acre minimum) to address septic field concerns
      ii. No open space requirement
      iii. Results in developed density more compatible with existing adjacent uses
      iv. Encourage CDO or PUD development due to topography constraints
         1. Topography and other existing features will occupy the required open space
         2. If developed as a subdivision the area will need common areas
      v. Retain underlying R-2 zoning for south parcel. Nothing will change in foreseeable future.

5. **LK-1 Lake Front Single Family Zoning District**
   a. **Current Conditions**
      i. No open space is currently required
      ii. Minimum lot size for new development is 0.5 acres
      iii. Available undeveloped lots or parcels are small in size and therefore do not warrant open space being required
   b. **Recommendation**
      i. No changes

6. **Article 8 – OSP Open Space Preservation Option**
   a. **Current Conditions**
      i. Antiquated requirements
   b. **Recommendation**
      i. Update to comply with the State of Michigan CDO Cluster Development Option requirements

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Last revised 9-12-2017
Scenario 2 - 3 Acre Parcels

Tyrone Township
Livingston County, Michigan

April 8, 2016
Scenario 2 - 2 Acre Parcel Clusters
Tyrone Township
Livingston County, Michigan
April 8, 2016
WORKSHOP - NEW BUSINESS #2
Hicks Family Limited Partnership
Lillian Warwick Properties LLC
1040 Creekwood Trail
Burton, MI 48509

7 November 2017

Tyrone Township
ATTN: Mike Cunningham
10408 Center Road
Fenton, MI 48430

RE: Paid REU Transfer

Dear Mike:

Thank you and Ross for meeting with us this morning to discuss the disposition of paid REUs for the sewer taps assigned to the Runyan Lake East (RLE) property. As we have illuminated, the Hicks family purchased in full 14 REU’s for the development consisting of the finally approved 8 individual lots. Of those, we sold 2 lots to one owner for a single family residence and 6 lots to 3 owners who have merged their adjacent 2 lots into one each – for a total of 5 resultant residential properties.

We have reviewed with the board the land division for the property at 10252 Carmer Road and have successfully plotted acceptable division plans. As a result, we are requesting the approval of the board to transfer 2 of the 9 excess REU’s from RLE to the property at 10252 Carmer Road (tax ID 4704-10-300-009).

There currently exists 2 assigned REU’s with a balance of ~$6100 at 10252 Carmer Road that will be paid off through the end of the year. The transfer of REU’s is requested to support the land division of this property.

We additionally request the option to sell remaining REU’s on the open market.

Thank you in advance for expedient review of this request.

Respectfully,

[Signature]

Tom Hicks
810-252-4655
Irene Hicks - Requested Outline of payments towards Tyrone Sewer Parcel 4704-10-100-031 and split on 2/15/12 to Parcel 4704-10-100-044:

NOTES:  
Original Parcel was 4704-10-100-031 with 10.3 Acres, which was split on 2/15/12 and became 4704-10-100-044 @ 10.158 Acres
At this time Lot 19 (4704-10-100-019 had additions to it from the original parcel and became 4704-10-400-036)
Date of Sale recorded in assessing is 9/27/2001 for $650,000

The Special Assessment for Tyrone Sewer 2003 (X2058) was created with Resolution #030403 as the Confirming Special Assesessment Roll 4/15/03
On 5/20/03 another Resolution #030501 was passed for the Tyrone Township Sanitary Sewer Improvements Project Assessment Roll 4/15/2003,
AS ADJUSTED 5/20/2003

For the Original Parcel 4704-10-100-031 this was included in the 4/15/2003 Resolution as follows:
14 REU's @ $7,786 = $109,000

For the Original Parcel 4704-10-100-031 this was included in the 5/20/2003 Resolution as follows:
15 REU's @ $5,688 = $91,000 (notation of 14 units @ $6,000 and 2 units @ $3,500)

It is possible that the 2 units at the lower rate were already connected to the existing system in place and do not require a hookup

The Principal Balance of $91,000 applies to the Original Parcel as of 5/20/2003 with Interest Rates @ 5.5%
(Winter Taxes collect both the Principle & Interest annually and deducts the Principal amount paid for a balance to calculate Payoff)

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Principal</th>
<th>Interest</th>
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<tbody>
<tr>
<td>4704-10-100-031</td>
<td>$91,000.00</td>
<td>5.5% on a 20 year bond</td>
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<tr>
<td>Beginning Balance for Sewer</td>
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<tr>
<td>$7,502.50 Paid 12/30/03 Winter Taxes</td>
<td>-$4,550.00</td>
<td>$3,952.50 (First year was pro-rated date of bond)</td>
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<tr>
<td>$9,304.75 Paid 1/24/05 Winter Taxes</td>
<td>-$4,550.00</td>
<td>$4,754.75</td>
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<td>$9,054.50 Paid 2/28/06 Winter Taxes</td>
<td>-$4,550.00</td>
<td>$4,504.50</td>
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<tr>
<td>$8,804.25 Paid 1/29/07 Winter Taxes</td>
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<td>$4,254.25</td>
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<td>$8,554.00 Paid 2/11/08 Winter Taxes</td>
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<td>$4,004.00</td>
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<td>$8,303.75 Paid 2/18/09 Winter Taxes</td>
<td>-$4,550.00</td>
<td>$3,753.75</td>
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<tr>
<td>$8,053.50 Paid @ CTY 9/15/10</td>
<td>-$4,550.00</td>
<td>$3,503.50 (Int &amp; Penalty applied -- did not adjust)</td>
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<tr>
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<td>-$4,550.00</td>
<td>$2,253.25</td>
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<tr>
<td>$7,553.00 Paid 2/20/12 Winter Taxes</td>
<td>-$4,550.00</td>
<td>$3,003.00</td>
</tr>
</tbody>
</table>

Split to 4704-10-100-044

- $7,202.75 Paid 2/25/13 Winter Taxes
- $45,500.00

- $47,168.33 Paid 7/29/13 C'sho Payoff
- $45,500.00

$129,404.58 Total Paid Principle & Interest

$0.00 Balance of Special Assessment
Notes for interest that was due from 2014 through 2022 that would have been applied to Winter taxes is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>2013</td>
<td>$834.17</td>
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<tr>
<td>2014</td>
<td>$2,252.25</td>
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<tr>
<td>2015</td>
<td>$2,002.00</td>
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<tr>
<td>2016</td>
<td>$1,751.75</td>
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<tr>
<td>2018</td>
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<tr>
<td>2019</td>
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</tr>
<tr>
<td>2020</td>
<td>$750.75</td>
</tr>
<tr>
<td>2021</td>
<td>$500.50</td>
</tr>
<tr>
<td>2022</td>
<td>$250.25</td>
</tr>
</tbody>
</table>

Total savings on interest by paying off the Sewer Special Assessment on this parcel is $11,261.25.

It is confirmed that this Parcel 4704-10-100-044 has a total of 16 REU's in which you own and have paid in full. The 16 REU's were provided at the time of the Confirmed Roll in Resolution #030403 & #030501. There was a stated period of time to appeal the count of units or REU's in which that time has expired.

The REU's are connections to the sewer system so potentially there could be 16 homes on this parcel. You referenced that you have 8 lots on the parcel and our current assessing records show this as one parcel with 10.158 A. Our assessor confirmed that he received notification from Livingston County Register of Deeds on May 31, 2013 that the one parcel is split into 8 lots and he is currently working on the splits and will have completed before the 2013 Winter Tax bills are issued by 12/1/13. It was noted on the register of deeds that the 8 lots were from 12/2006, but recorded with the county until recently 5/31/13 and that is why are assessing records show one parcel at 10.158 acres.

Should you want to build a home on these properties there is a process to follow regarding the sewer connection as follows:

Building Permit @ the Township
Sewer Permit @ the Township
Hook up fees are in addition to be connected to the Sewer (can use own private contractor)
Grinder Pump @ the County (this is needed for the hook up to the sewer)
Inspection Fee @ by the County
Quarterly billings for Utility Use will begin for the Operating and Maintenance of the system

You can contact Marna Smith, Treasurer regarding tax information
Bruce Little in assessing for records on parcels and values, combinations & splits
Vanessa Bader in planning for sewer connections and permits
Keith Kremer is the clerk and understands the financing of the project and REU's confirmed on the Tax Roll
Mike Cunningham is the Supervisor
810-629-8631 Tyrone Township