

Introduction



Overview



Welcome to Clawson! This *Development Review Guidebook* has been produced for informational purposes to assist property owners, the development community, and the general public. It is intended to be a user-friendly tool to assist in navigating through the City of Clawson's development application and review process.

This Development Guide is a brief overview of the city's review process, policies, steps, and other relevant information. Links are provided throughout the document for easy access to the most up-to-date forms, applications, and more information.

This document is not intended to include all of the requirements of the City Code. Applicants and their development professionals should review the specific ordinances and talk to city staff about their development projects.

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Revised 4/27/2022

Introduction

Getting Started

Where do I start?

All projects are reviewed by multiple departments at the outset to assist you in determining the project's feasibility and to reduce costly surprises in the (re)development process.

In general, other than the construction of single-family homes, most building construction and land modifications require a site plan review application. Certain uses may also require a special use permit. When a change of use is proposed for a property, even where no construction is occurring, site plan review and/or a special use permit will likely also be required, unless a current site plan is in effect.

What are the Reviewing Bodies for Development Applications & When Do They Meet?

Depending on the nature and location of the project, select City Boards and Commissions will review the project as described below. Meetings take place at City Hall unless otherwise noted.

Planning Commission—Second & Fourth Tuesday of the month at 7:30pm

Creates and updates the Master Plan, reviews Zoning Ordinance amendments, rezoning requests, site plans, special use permits, and other land use applications.

Zoning Board of Appeals—Third Thursday of the month at 7:30pm

Interprets and grants variances from provisions of the Zoning Ordinance and Sign Ordinance; conducts hearings and resolves disputes regarding the decisions of the Zoning Official; reviews temporary use requests.

Downtown Development Authority Board—Third Wednesday of the month at 8:00am

Manages ongoing maintenance, security and promotion of economic activity and continual operation of the downtown district.

City Council—First & Third Tuesday of the month at 7:30pm

Reviews rezoning requests and Zoning Ordinance and City Code amendments.

How Long is the Review Process?

Typically, the entire planning approval process takes about two months for a site plan application when applicants and their project architects/engineers turn around any required site plan revisions identified in the initial plan review letter. Generally, the City of Clawson strives to take make sure projects are ready for a favorable recommendation before taking them before the Planning Commission.

Pre-Application Meeting

Prior to submitting for site plan, or any other land use application, it is strongly suggested applicants schedule a pre-application meeting with the City Development Team, comprised of staff from Building & Planning, Engineering Services, Public Works, Police and Fire. Prospective applicants are encouraged to bring their design professionals and any conceptual drawings/plans to the pre-application meeting, as this will allow for more effective review and comments.

During this meeting, the development team will share background information on the site, the community vision for the location, provide initial feedback on design (if applicable), and outline the required process for approval and general timeline. This step can greatly facilitate a more timely review of your project or application.

Contact
cityplanner@cityofclawson.com to
schedule a free consultation.

Introduction

Contacts

Discipline	Contact Person	Contact Information	Contact For
Planning	Joe Tangari or Jill Bahm	(248) 852 - 3100 cityplanner@cityofclawson.com	<ul style="list-style-type: none">• General (re)development approval process questions• Detailed Zoning Ordinance requirements• Site Plan Review• City Master Plan• Variance requests
Downtown Development	Joan Horton, DDA Director	(248) 435-5299 ddadirector@cityofclawson.com	<ul style="list-style-type: none">• Downtown promotion• Downtown business assistance• Downtown Master Plan
Building	Joan Horton, Planning & Zoning Administrator	(248) 435-4500 ext 115 jhorton@cityofclawson.com	<ul style="list-style-type: none">• Building Code requirements• Required Building Permits• Sign code
Public Works	Trever Zablocki, Interim Superintendent	(248) 288-3222 ext 323 tzablocki@cityofclawson.com	<ul style="list-style-type: none">• Utility locations• Water & sewer requirements and tap fees
Engineering	Mike Smith, Engineering Services	msmith@aewinc.com	<ul style="list-style-type: none">• Detailed site design requirements• Engineering requirements
Fire	Jon Ruthenbeck, Fire Marshal	(248) 435-4500 ext 114 jruthenbeck@cityofclawson.com	<ul style="list-style-type: none">• Fire Inspections

Community Vision: The Master Plan

The Master Plan is one of the primary tools used by the City of Clawson. It is a broad-based policy document for the physical, economic, and social development of the City as it relates to land use. It has a long-range perspective that provides a coordinated approach to making important decisions.

Prospective developers should review the City's Master Plan to make sure the proposed project helps fulfill the goals of the plan. The city recently adopted the 2018 Master Plan update. The plan can be found on the City of Clawson's website. For projects in the downtown, please review the [Downtown Master Plan](#) for the vision for Clawson's ever-growing downtown.

Zoning Information

- The Zoning Map is available on the [City of Clawson's website](#).
- Zoning regulations are contained in [Article X of Chapter 34](#) of the City Code, which can be viewed on the city website.
- Sign regulations can be found in [Chapter 36](#).
- The Downtown Clawson website contains the [Downtown Design Guidelines](#).

Site Plans



Overview

When is a site plan required?

A site plan is required for review and approval by the City of Clawson Planning Commission:

- Whenever a building permit is required for the erection or structural alteration of a building (other than individual one-family homes and two-family structures, farm buildings, or accessory structures to these uses).
- For the construction, use, or establishment of a new or additional parking or storage area.
- For all special land uses.
- For any substantial change in use or class of use, when referred by the Director of Building & Planning.
- For the erecting on of, or addition to, any major utility service facilities, including towers, substations, pump stations, and similar facilities.



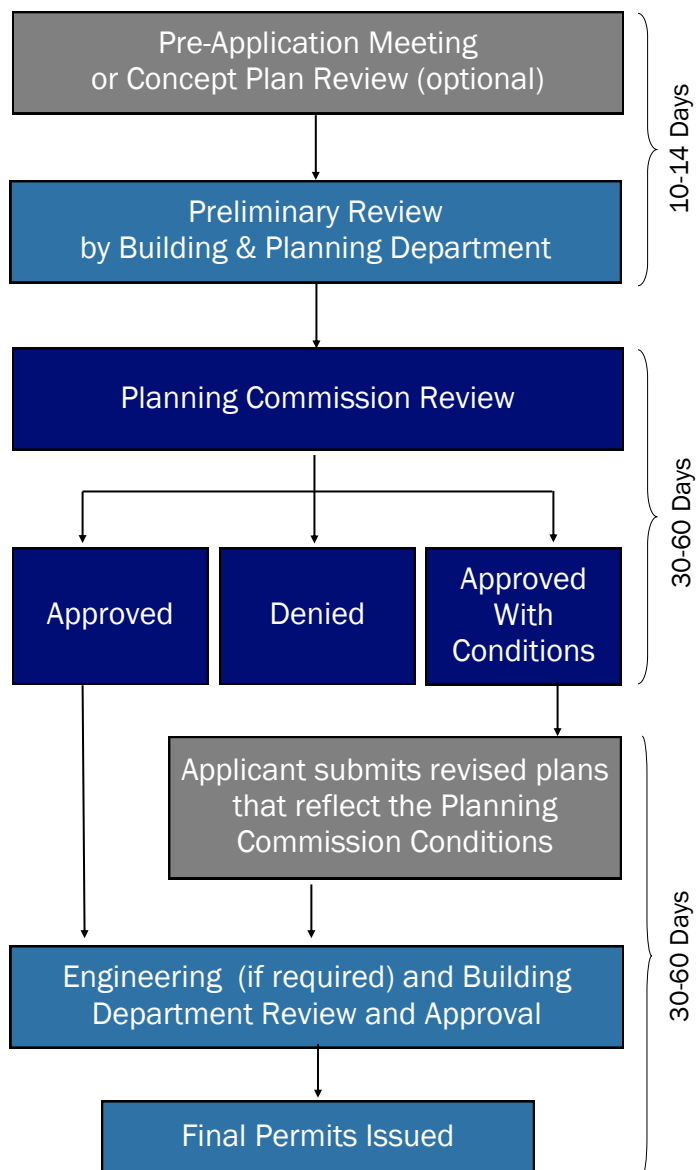
Why is site plan review required?

Site plan review provides the City with an opportunity to review the proposed use of a site in relation to all applicable City ordinances and plans.

Site plan review also provides the City with an opportunity to review the relationship of the plan to surrounding uses, accessibility, pedestrian and vehicular circulation, off-street parking, public utilities, drainage, natural features, screening, and other relevant factors which may have an impact on public health, safety, and general welfare.

What is the site plan review process?

The site plan review process generally consists of two stages: 1) preliminary review, and 2) final review. Preliminary meetings are recommended even if the project is moderate in scope. Please check with the Building & Planning Department to determine whether preliminary review is required.



Site Plans



Application Requirements

What is required?

The following must be submitted for site plan review:

- One (1) completed General Application Form
 - One (1) completed Site Plan Application with Checklist
 - Two (2) print copies and one (1) digital (pdf format) of the signed and sealed site plan, floor plans, elevations, landscape plan and tree inventory as needed.
 - Application fees
- Incomplete site plans will not be accepted for review

What are the submission deadlines?

Some projects may qualify for administrative review; however, the Director of Building and Planning has the discretion to forward any site plan submitted to the Planning Commission for final determination:

- Applicant must submit a complete application at least four (4) weeks prior to the date of the Planning Commission meeting
- After Review Letters are sent to the applicant, revised and complete site plans need to be submitted three (3) weeks prior to a meeting to be considered for the agenda

What are the limits of approval?

- Site Plan remains valid for twelve (12) months from the date of its approval
- If construction permits have not been pulled within the 12-month limit, all rights under the site plan approval lapse.
- An extension of up to six months may be granted by the Planning Commission, if requested prior to expiration.
- Once a building permit is obtained and work on the proposed development site has begun, the work must be diligently pursued otherwise the approval becomes null and void.
- A request to extend the time limit may be submitted to the Building Official who may grant a 12-month extension for a good cause.

Do I need to attend any meetings?

You will be notified of all meetings with your site plan on the agenda. It is strongly recommended that you have representation at all meetings at which your site plan will be discussed.

The Planning Commission may take action on a site plan whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available to answer questions.

What happens after final site plan approval?

- The applicant shall secure and submit copies of all required zoning variances, permits, or approvals from other agencies
- The city engineer reviews and approves the grading, clearing, stormwater management, underground utilities, and site construction elements of the final site plan and related engineering drawings
- If required, the applicant shall submit for engineering plan review. Plan reviews shall be submitted to the Clawson Department of Public Works (DPW) in accordance with the DPW's Construction Permit Requirements

Following engineering approval (If required), the Building Official may issue required construction permits in accordance with City Codes and procedures.

Who do I contact if I have more questions?

Contact the City of Clawson Building & Planning Department at:

Phone: (248) 435-4500 x121

Email: Cityplanner@cityofclawson.com

Address: 425 N. Main Street
Clawson, MI 48017

Engineering Review



The Role of Engineering Review in the Process

When is engineering review required?

Each project is assessed individually to determine whether engineering review is required. However, engineering review should be anticipated for any project that includes any one or more of the following elements:

- ☐ Changes to the amount of building or pavement on a site, or changes to the curbing of a parking lot
- ☐ Changes to any utility connections or capacities (on older properties with lead service lines, this may be required)
- ☐ Reconstruction of a parking lot
- ☐ Public infrastructure, such as a sidewalk
- ☐ New driveways or changes to existing driveways

At the Site Plan Review Phase

When an application for site plan approval is filed, the City Engineer will complete a review of the plans. If it is determined that the scope of work does not require engineering review, the engineer will provide an opinion to that effect. If engineering review is required, the engineer will issue a review letter. During this phase, the engineer primarily does the following:

- ☐ Review vehicular and pedestrian circulation for potential conflicts, ADA deficiencies, proper widths
- ☐ Review preliminary utilities and grading, proposed detention/retention
- ☐ Look at sidewalks, other public infrastructure and amenities
- ☐ Identify informational deficiencies

After Site Plan Approval

After a plan is approved by the Planning Commission (and City Council, where required), the plan, where necessary, will go through full engineering review. It is at this stage that detailed engineering drawings are provided and reviewed. The process proceeds as follows:

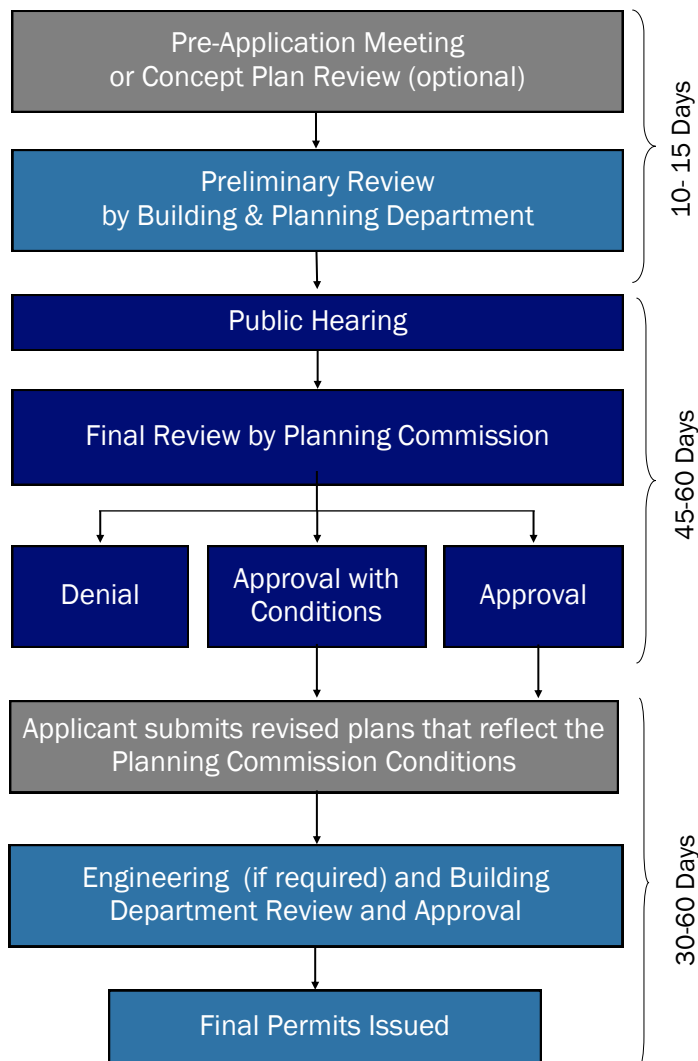
- ☐ Applicant submits engineering plans and engineer's estimate of construction cost (based on current industry standards).
- ☐ City Engineer determines engineering plan review fee and coordinates with Applicant.
- ☐ Applicant submits review fee to DPW. Plan review process begins.
- ☐ All engineering plan reviews are directed to the Applicant's design engineer.
- ☐ Once the engineering plans are acceptable, plan approval will be issued and the Applicant is notified to contact the DPW to schedule a pre-construction meeting.

Special Land Uses



What is a special land use?

Special land uses are uses that *may* be permitted within a zoning district subject to special conditions and standards. Special land uses listed in the Zoning Ordinance may not always be permitted at all locations within a district. Special land uses are subject to the following: 1) specific use conditions listed in the ordinance, 2) standards for all special land uses listed in the Zoning Ordinance, 3) site plan review by the Planning Commission.



What is the special land use review process?

- The special land use review process generally follows the site plan review process with the addition of a public hearing before the Planning Commission.
- A complete site plan application package is required for all special land use proposals.
- Department Review includes review by Public Safety, Department of Public Works, Engineering, Planning, and if necessary the Downtown Development Authority. In some cases, an additional Engineering review may be required.
- Pre-application meetings are recommended even if the project is moderate in scope. Please check with the Clawson Building and Planning Department to determine when a pre-application meeting can take place.

Special Land Uses



What is required for Special Use Application?

- Section of the Zoning Ordinance under which the special land use is sought
- A detailed site plan which shall include all the information required for site plan review
- A description of the proposed use
- Other information deemed necessary by the planning commission

Do I need to attend any meetings?

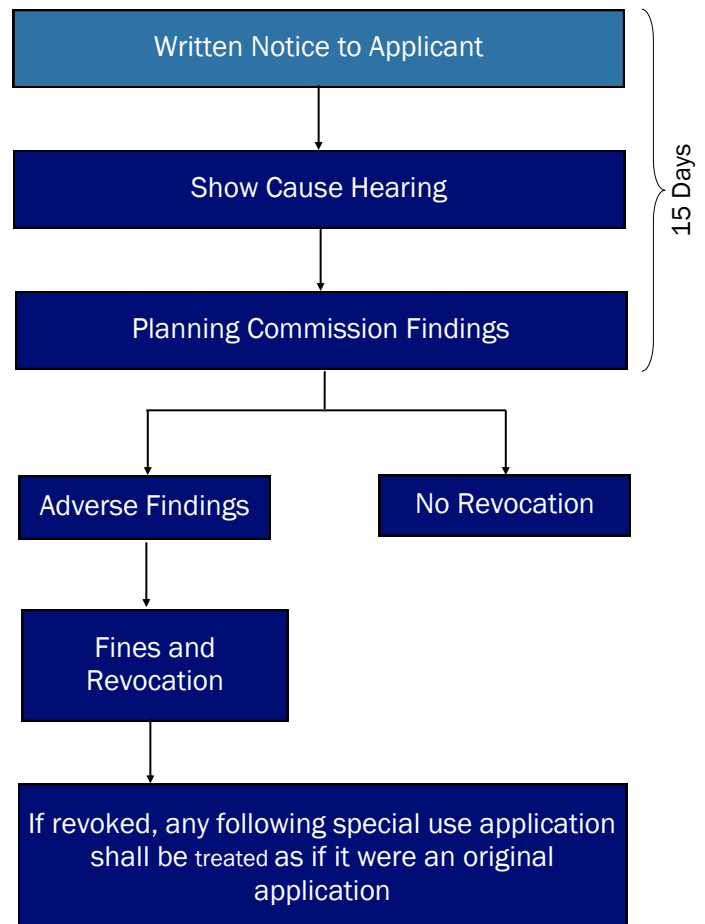
You will be notified of all meetings with your site plan on the agenda. It is strongly recommended that you have representation at all meetings at which your site plan will be discussed.

The Planning Commission may take action on a site plan whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available to answer questions.

What if I want to amend my special land use?

Any application to expand, change the traffic pattern, or change other elements of a special land use, shall be subject to the same procedures followed for an original special land use approval.

What happens when a special use is revoked?



What would cause a revocation of a special use approval?

- Non-conformance with approved plans
- Violation of any conditions of approval
- Deviation from the details of the plan of operation/ business plan submitted

Rezoning Requests



Overview

What is a rezoning of property?

A rezoning is a change in the zoning classification of a specific property; it is an amendment to the City's Official Zoning Map. Authority to rezone property rests with the City Council.

Who can initiate a rezoning request?

A rezoning may be initiated by the City Council, the Planning Commission, or an owner of real property within the City.

What are the procedures for requesting a rezoning?

Upon receipt of a complete application for rezoning, the Planning Commission will hold a public hearing, review the request, and make a recommendation to the City Council. The City Council has final authority to approve or deny a request for rezoning.

Do I need to attend any meetings?

You will be notified of all meetings with your rezoning request on the agenda. It is strongly recommended that you have representation at all meetings at which your application will be discussed.

The Planning Commission and City Council may take action on a request whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available for questions.

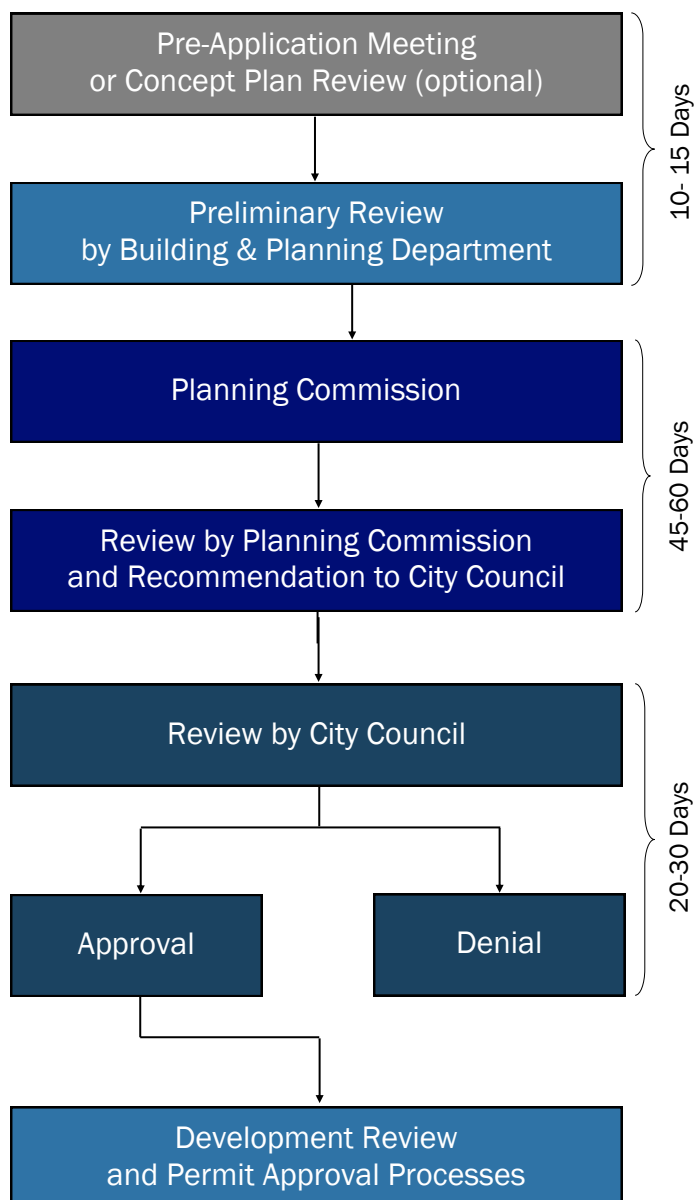
Who do I contact if I have more questions?

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Phone: (248) 435-4500 x121

Email: Cityplanner@cityofclawson.com

Address: 425 N. Main Street, Clawson, MI 48017



Planned Unit Development



Overview

What is a Planned Unit Development?

A PUD is a development review tool to promote flexibility in the regulation of land development; innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources, energy, and public services and utilities; encourage useful open space; provide better housing, employment, shopping opportunities, compatibility of design and use between neighboring properties; and development that is consistent with the city's master land use plan.

What are the procedures for requesting a PUD?

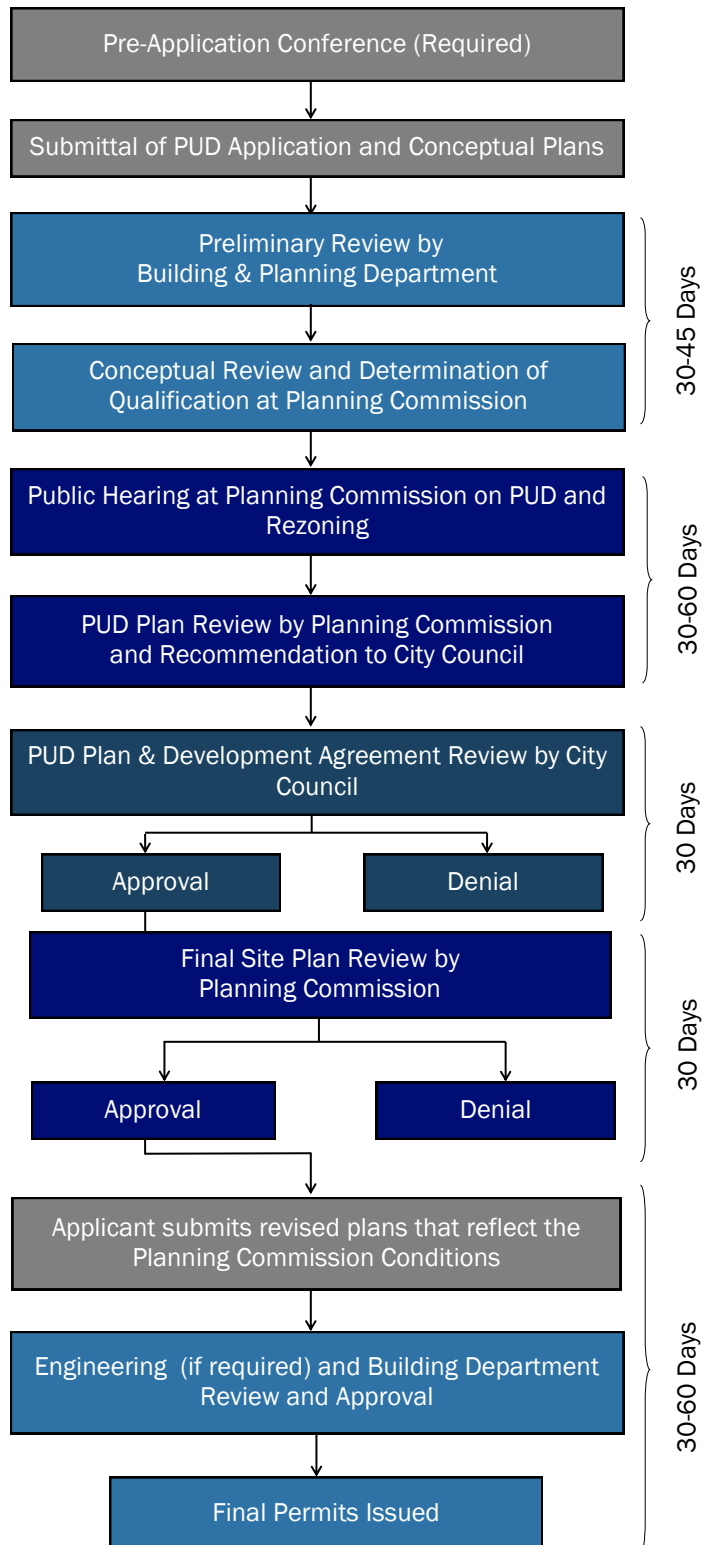
All PUD applications follow a multi-step process including a pre-application conference, conceptual PUD site plan review and qualification, public hearing, final PUD review and final site plan review.

The Planning Commission makes a recommendation on the PUD and City Council has final authority to approve or deny a PUD. A signed development agreement is required that outlines all provisions for the PUD. Once approvals are complete, the parcel or parcels are designated PUD on the zoning map and the approved site plan and signed agreement are recorded with the county register of deeds. The Planning Commission will review the final site plan to ensure it is consistent with the approved plan.

Do I need to attend any meetings?

You will be notified of all meetings with your PUD request on the agenda. It is strongly recommended that you have representation at all meetings at which your application will be discussed.

The Planning Commission and City Council may take action on a request whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available for questions.



Zoning Board of Appeals



Overview

What are the powers of the Zoning Board of Appeals?

The Zoning Board of Appeals has the following powers:

- Grant variances from the provisions of the Zoning Ordinance.
- Hear and decide appeals of any order, decision, determination, or requirement made by the Planning Commission or any other body or official charged with administration or enforcement of the Zoning Ordinance.
- Interpret the Zoning Ordinance and Zoning Map.
- Permit phasing of required site improvements (after recommendation by the Planning Commission).
- Permit major temporary uses and structures (refer to Temporary Uses Procedures).

What are the procedures for submitting an application to the ZBA?

Upon receipt of a complete application for an appeal, the Zoning Board of Appeals will hold a public hearing, review the request, and approve, approve with conditions or deny the request. Decisions of the ZBA are final. A party aggrieved by a decision may appeal to the circuit court in accordance with the procedures established by State Law.

Who do I contact if I have more questions?

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Variances are the most common requests brought before the Zoning Board of Appeals. A dimensional variance is for a use which is permitted in the zoning district, but which does not meet setback, area, height, location or similar requirements of the zoning ordinance. A use variance is a request to put the property to a use not permitted in the zoning district.

The City of Clawson's Zoning Ordinance does NOT allow Use Variances (variances that authorize a land use not normally permitted by the Zoning Ordinance).

Variances may not be granted for any approved special land use or Planned Unit Development.

A concurring vote of four (4) of the membership of the Zoning Board of Appeals is necessary to grant a variance. This includes:

- Reversing or modifying any order, requirement, decision, or determination of any administrative official
- Deciding in favor of the applicant on any matter upon which the Board is required to pass under Article 34-7.15 of the Zoning Ordinance
- Effecting any variance in the article in accordance with section 34-7.15 of the Zoning Ordinance

Zoning Board of Appeals

Variances and Standards

What are the standards for ZBA review?

The ZBA will consider the following factors in reviewing a variance request:

- ☐ The practical difficulties are exceptional and peculiar to the property of the person requesting the variance, and results from conditions which do not exist generally throughout the city.
- ☐ The practical difficulties which will result from a failure to grant the variance include substantially more than mere inconvenience or inability to attain a higher financial return.
- ☐ Allowing the nonuse/dimensional variance will result in substantial justice being done, considering the public benefits intended to be secured by this article, the individual hardships that will be suffered by a failure of the board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.
- ☐ The variance did not arise from the actions of the applicant or previous landowner.
- ☐ The requested variance(s) is not based solely on financial need or circumstances.

Do I need to attend any meetings?

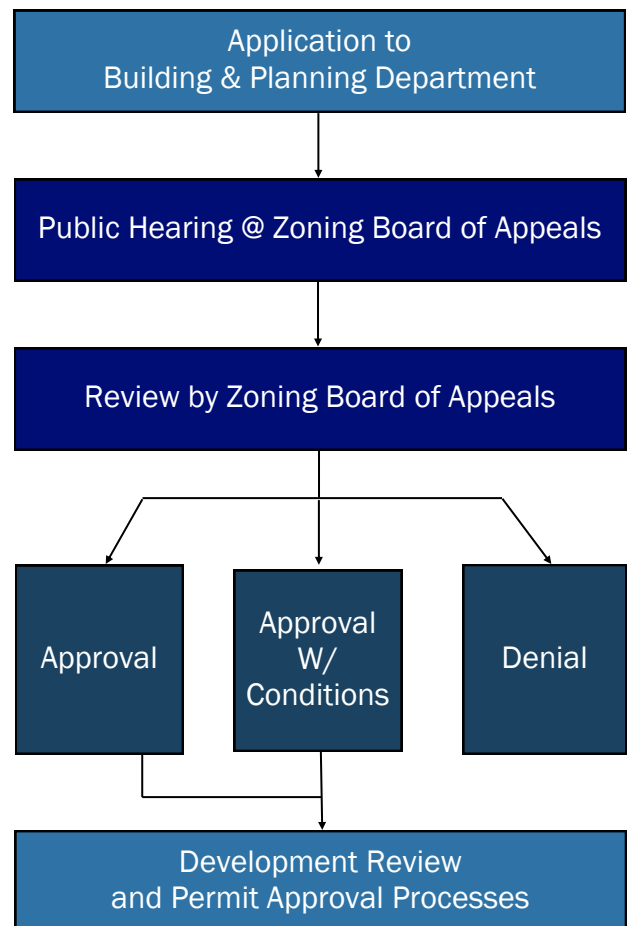
You will be notified of all meetings with your application on the agenda. It is strongly recommended that you have representation at all meetings at which your request will be discussed.

Action may be taken by the Zoning Board of Appeals whether the applicant is in attendance or not; however, action may be postponed if the applicant is not available to answer questions.

What is the variance process?

Since a variance is the result of a condition unique to a particular property or structure and not the result of an administrative action, a “denial” is not a required precedent to an application.

Typically, projects that require site plan review are first be considered by the Planning Commission before an application is submitted to the Zoning Board of Appeals.



Administrative Approvals



Overview

Administrative Review Authority

- Section 34-6.1.K of the Zoning Ordinance grants administrative review authority to the director of building and planning in certain circumstances.
- Plans reviewed under this authority must meet the criteria of Section 34-6.1.C, which outlines the required elements of an application for review, and Section 34-6.1.D, which provides criteria for site plan approval. The director may waive certain requirements of Section 34-6.1.C if it is determined that they are not necessary to make a determination.
- The director may refer a site plan to the planning commission or consultants as deemed necessary.

What are the procedures for administrative review?

Application is made in accordance with Section 34-6.1.C. The director will forward the plan for review to the necessary staff and consultants. Upon approval, the applicant applies for and obtains the required building, electrical, plumbing, mechanical, and other applicable permits. Inspections will be conducted per typical department procedures.

For questions, contact the City of Clawson Building & Planning Department:

Phone: (248) 435-4500 x121

Email: Cityplanner@cityofclawson.com

Projects Eligible for Admin Review

- (1) Accessory uses incidental to a conforming existing use where said use does not require any variance, further site modifications, or special use approval, and is not located on a nonconforming lot or structure.
- (2) The conversion of an existing building from one permitted use to another permitted use that is expressly provided for within that zoning district (not including other similar uses) provided the subject site is in conformance to current ordinance standards (including, but not limited to, any required off-street parking) and also conforms to an approved site plan for the site that was approved by the planning commission within the last ten years.
- (3) Provision for additional loading/unloading spaces, parking and landscaping as required by this article.
- (4) Changes in use in a planned shopping center within the same use group, where off-street parking is not affected and a site plan has been approved within the past five years.
- (5) Minor structural alterations intended to bring a building into compliance with the Americans with Disabilities Act .
- (6) Establishment of a home occupation as defined by and subject to the provisions of section 34-4.28.
- (7) Change of use in a building within the City Center district where an existing building occupies the entire lot, where only minor external building façade changes are required or proposed, and parking is available off-site.
- (8) Minor façade changes, which shall include the following:
 - Cleaning and painting/repairing;
 - Repair of existing exterior building material with similar materials only;
 - Replacement or repairs of existing awnings, light fixtures, doors and windows, ;
 - Restoration of original building architectural features (as supported by historical data);
 - Replacement of existing signage;
 - Installation of new signage or removal of nonconforming signage;
 - Addition of outdoor patio/café area and/or landscape elements such as planter boxes etc.;
 - Installation of streetscape improvements such as benches, art pieces etc.

Sign Reviews



Overview

Sign Regulations

Signs are regulated in [Chapter 36](#) of the Clawson Code of Ordinances.

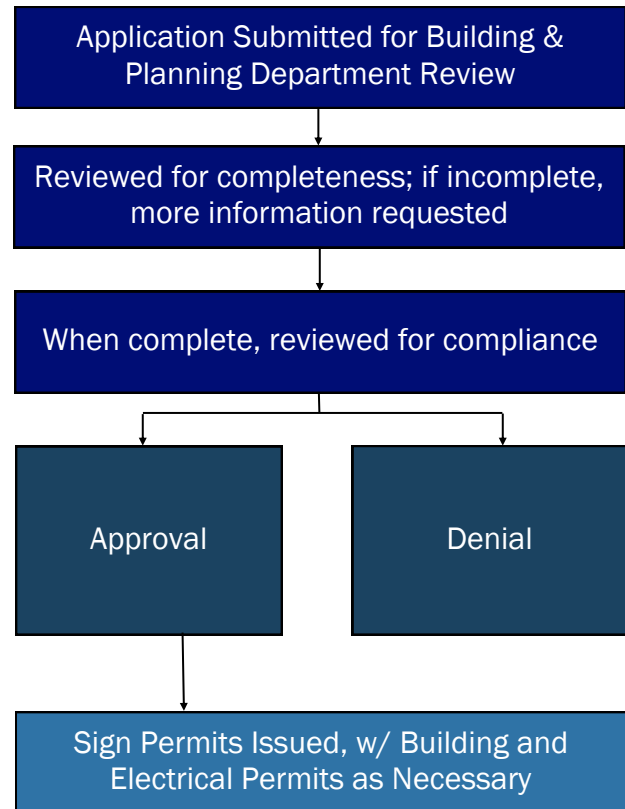
What are the procedures for sign review?

Application is made to the Building & Planning Department, and the department conducts an administrative review of the sign. Incomplete applications will be returned with a request for additional information. Where noncompliance is found on an application, the department will work with the applicant to make the application compliant with regulations.

For questions, contact the City of Clawson Building & Planning Department:

Phone: (248) 435-4500 x121

Email: Cityplanner@cityofclawson.com



Things to Keep in Mind When Applying for Sign Review

1. Per Section 36-3, non-conforming signs are to be removed. For instance, tall pole signs are required to be removed and replaced with compliant ground signs whenever a change is made.
2. The area in square feet of all signs must be clearly shown on the plans.
3. The height of the sign from the ground, its location on the building (where applicable), and the height of lettering must be clearly shown.
4. Methods of illumination must be clearly shown.
5. When applying for permission to add, change, or replace a wall sign, and there are multiple existing wall signs, note the area and location of all wall signs, even if they are not proposed to be replaced, removed, or otherwise altered.

Pools and Hot Tubs



Introduction

Residential Swimming Pools, Hot Tubs, and Spas

This Guide has been prepared to assist you in understanding the permitting and construction process for building an above-ground or in-ground residential swimming pool or hot tub in Clawson.

What to Know Before Installing a Pool or Hot Tub

Location — Overhead wires (electric, phone, cable) may not be located over a pool, diving structure, any pool platform or within 10 feet of the water's edge. All wires beyond 10 feet must be at least 22-1/2 feet above the ground, deck, patio, or other walking surface below the wires. It is recommended you verify the location of all underground utilities by calling Miss Dig at 1-800-482-7171.

Setbacks — All residential swimming pools and hot tubs must be at least 5 feet from the side and rear property lines, 10 feet from the home and shall not be located within any front yard. The setback distance is measured from the water's edge.

Drainage — Will the existing yard drainage be affected by the location of the proposed pool? All changes to the existing drainage must be provided on a Plot Plan. If large grade changes and/or slopes are proposed, retaining walls or special grading may be required. Pool Fences/Barriers to

Create an Enclosure — All residential swimming pools (and hot tubs not provided with a protective cover) must be protected by fences/barriers to create an enclosure to make the area inaccessible to small children. Enclosures may include approved fencing, the walls of a house, the walls of above-ground pools, gates, and door and window alarms.

Residential Lot Coverage — Clawson has standards for maximum lot coverage by impervious surfaces, and swimming pools are considered impervious coverage. Be sure to review Section 34-3.1.A.4 if your home is in the R-1 district or Section 34-3.1.B.4 if your home is in the R-2 district and check to make sure your pool fits.

Understand What to Expect

This Guide contains many procedures and requirements. We urge you to read through it completely as it may save you valuable time in completing your project. If you have questions or need clarification you can always contact the Building Department at 248-435-4500 ext.121. Helping you through the process as smoothly as possible is our primary goal.

Note: This is a guide and is not all inclusive of the Michigan Residential Building Code (MRC) or the International Swimming Pool and Spa Code (ISPSC). For complete details of all requirements, please consult those two Codes. The information in this Guidebook is subject to change without notice.



Photo credit: Raphaël Biscaldi

What Codes Apply?

The Building Official will review the project to ensure it is compliant to the following codes and publications as applicable:

- City of Clawson Code of Ordinances
 - Michigan Residential Code (MRC)
 - International Swimming Pool and Spa Code (ISPSC)
 - Oakland County Soil Erosion Control Manual
 - Residential Wood Deck Construction Guide
- Clawson Ordinance: Sec. 34-5.12.I - Accessory buildings, structures and uses.

Pools and Hot Tubs



Permits

Permit Required

A Building Permit is required for all residential swimming pools or hot tubs that have any one of the following:

- a pool depth intended for swimming or bathing, more than 24" deep
- a permanent water-recirculation system
- construction that involves structural materials

Who Can Apply for a Permit?

Permits may be issued to a licensed contractor or to a homeowner for their primary residence.

- If a contractor is performing the work, it is recommended contractor apply for the permit.
- If the property owner is the applicant, the City will hold the property owner responsible for the work, regardless of who performed the work
- Rental property work must be done by licensed contractors

Note: All contractors must register with the Building Department by presenting a current trade license, Drivers license, and copy of liability insurance

Where Do I Get a Permit Application?

Applications are available at the Building Department or on the City website: Forms & Applications

What Information Is Required with the Permit Application?

- Completed application form
- Dimensioned drawing (Plot plan)
 - ◇ Show lot line dimensions
 - ◇ Show the location of the proposed project
 - ◇ Project distance to all property lines, easements, and buildings:
 - ⇒ Minimum 5 feet from side and rear property lines
 - ⇒ Minimum 5 feet from any buildings
 - ⇒ Minimum 25 feet from front property line
 - ◇ Location of all fences and gates
 - ◇ Indicate all overhead wires
 - ⇒ May not be located over the water or within 10 feet of water's edge
 - ⇒ All wires must be 22.5 feet above ground

Required Permit Info Continued

- Manufacturers drawings and specifications including decking, steps and/or ladders
- Indicate if electrical service or gas lines will be installed.
 - ◇ An electrical permit is required for new electrical circuit and/or buried power line
 - ◇ Mechanical permit is required for installation of buried gas line
- Indicate if wood or other decking will be installed, and include building specifications.

What Happens After the Application Is Submitted?

The application is reviewed by the Building Official for compliance to current Building Codes and City Ordinances. The applicant will be notified within 10 business days if the plan is approved or if deficiencies must be addressed and will be informed of additional permit requirements and fees. Permits will be issued following review and receipt of applicable fees.

In a Fence or Enclosure Required?

All residential swimming pools, hot tubs, or spas must be protected by a fence/barrier enclosure or approved locking safety cover to make the area inaccessible to small children. The regulations are very specific and the Building Official will notify the applicant of any issues that must be addressed.

The majority of applications in Clawson are for above-ground pools. The following will assist in preparing a plan for review:

- The walls of the above-ground residential swimming pool can be used as part of the fence/barrier if the top of the pool walls are at least 48 inches above the grade for the entire perimeter within 3 feet of the pool and the pool manufacturer allows the walls to serve as the fence/barrier.
- Gates shall open outward away from the residential swimming pool, hot tub or spa and must be self-closing and have a self-latching device.

For questions, contact the City of Clawson Building & Planning Department:

Phone: (248) 435-4500 x121

Email: Cityplanner@cityofclawson.com

Introduction



Photo credit: Tracy Adams

Residential Fences

This Guide has been prepared to assist you in understanding the permitting and construction process of installing a fence, wall or privacy screen in the single-family residential zoning districts in Clawson.

Permits Required

The erection, construction or alteration of any fence, wall or privacy screen requires a Building Permit.

Who Can Apply for a Permit?

Permits may be issued to a licensed contractor or to a homeowner for their primary residence.

- If a contractor is performing the work, it is recommended that the contractor apply for the permit.
- If the property owner is the applicant, the City will hold the property owner responsible for the work, regardless of who performed the work
- Rental property work must be done by licensed contractors

Note: All contractors must register with the Building Department by presenting a current trade license, Drivers license, and copy of liability insurance

Where Do I Get a Permit Application?

Applications are available at the Building Department or on the City website: Link to [Building Application](#)

What Information Is Required with the Permit Application?

- Completed Building Permit Application form
- Dimensioned drawing (may use Google Earth image, sketch or survey image): o show lot dimensions' o show property lines, easements and structures o show location of the proposed fence
- Elevation drawing o show design o show fence height o show depth of footings
- Description of fence type including materials and color
- Applicable fee
- A Letter of Support from owner(s) sharing property lines is recommended

What Happens After the Application Is Submitted?

The application is reviewed by the Building Official for compliance to current Building Codes and City Ordinances.

The applicant will be notified within 10 business days if the plan is approved or if deficiencies must be addressed and will be informed of additional permit requirements and fees.

Permits will be issued following review and receipt of applicable fees.

What Codes Apply?

Clawson Zoning Ordinance: Sec. 34-5.13 - Fence, wall and privacy fence regulations in the R-1 and R-2 districts

Permits

Fence Placement & Standards

This is a guide and not necessarily an all-inclusive catalog of standards. Be sure to review the Clawson Zoning Ordinance for complete standards.

- Fences and walls shall not be placed in a front yard, except as otherwise permitted by ordinance.
- Fences & walls may not extend further toward the front lot line than the front of the building line
- A privacy fences may have a height of up to six feet in rear yards and interior side yards
- Chain link fences may not exceed a height of four feet
- On corner lots where the rear yard abuts another rear yard, privacy fences in the exterior side yard may have a maximum height of six feet, and constructed a minimum of six inches from the edge of the public sidewalk.
- Where the exterior side yard of a corner lot shares a common street line with a front yard in the same block, a privacy fence in the exterior side yard may have a maximum height of six feet, and be constructed a minimum of six inches from the edge of the public sidewalk. The exterior side yard fence shall not extend toward the front of the lot farther than the front setback line.
- Fences which are a part of a deck structure shall not exceed four feet in height above the surface of the deck.
- Open fences less than 30 inches in height that serve an architectural or decorative landscaping function and that neither enclose nor obscure property may be placed in any yard. Chain link shall not be permitted.

Materials

All fences shall be constructed of durable materials, such as painted or stained wood, vinyl, or chain link. Chain link fences shall not include woven or otherwise appended screening materials.



Photo credit: Hunter Haley

Construction and Maintenance

- All fences in residential districts must be of sound construction with adequate supports and footings (typical spacing is from eight to ten feet and posts are generally set in concrete). The fence shall be installed plumb and maintained as not to become unsightly. Wooden and vinyl fences shall be freestanding and not attached to other fences or the former support posts of other fences, such as chain link fences.
- Damaged or deteriorated fences, including fences with peeling paint, shall be repaired or removed within 30 days of damage or notice of nuisance from the building department.
- A fence may be installed by the owner any residential lot in the city at the sole expense of the owner desiring to construct the fence. Such partition fences shall at all times be maintained in a neat, substantial and safe condition at the sole expense of the owner constructing such fence, or upon such other basis as may be mutually agreed upon with the adjoining property owner.

For questions, contact the City of Clawson Building & Planning Department:

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Email: cityplanner@cityofclawson.com



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General Application

FOR OFFICE USE

Date Distributed: _____

Fees Paid: _____

Application Date: _____

Property Details

1. Name of Proposed Development: _____
2. Property Street Address: _____
3. Legal Description of Property: _____
4. Zoning Designation of Property: _____

Application Details

- Ownership

1. Name of Title/Deed Holder: _____
2. Address: _____
3. Telephone Number: _____
4. Email: _____

- Applicant (if different from ownership – evidence of legal interest in the property is required)

1. Name: _____
2. Address: _____
3. Telephone Number: _____
4. Email: _____

- Surveyor

1. Name: _____
2. Address: _____
3. Telephone Number: _____
4. Email: _____

Signature of Applicant

Date

Signature of Deed/Title Holder

Date



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Site Plan Application

Please complete attached checklist. If the required data has not been provided, the appropriate box has been checked with a statement of explanation on why the data has not been provided. The applicant understands that if the site plan is deemed to be incomplete, it may be returned by the City for revisions without being forwarded to the Planning Commission for consideration, until such time as the requirements have been adequately met. By signing this application, the applicant hereby grants full authority to the City of Clawson, its agents, employees, representatives, and/or appointees to enter upon the undersigned lands/parcel(s) for the purposes of inspection and examination incidental hereto.

Approval of site plan is hereby requested for the following parcel(s) of land in the City of Clawson.

Property Details

Name of Proposed Development: _____

Site Area (Acres): _____

Application Details

- Architect

1. Name of Title/Deed Holder: _____

2. Address: _____

3. Telephone Number: _____

4. Email: _____

- Engineer

1. Name: _____

2. Address: _____

3. Telephone Number: _____

4. Email: _____

Please Note:

All LLC Establishments must have a current plan of operation

Requirements for Submittal

- ☐ Application (General & Site)
- ☐ Fees
- ☐ Electronic Copy (pdf)
- ☐ Two (2) Sets of (24X36) Plans
(Signed, Sealed & Folded)



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SITE PLAN CHECKLIST

Item	Provided	Not Provided
1) Name of Development and general location sketch	_____	_____
a. Name	_____	_____
b. Address	_____	_____
c. Phone Number of Owner	_____	_____
d. Developer	_____	_____
e. Designer	_____	_____
f. North Arrow	_____	_____
g. Scale	_____	_____
h. Date of Original Drawing and Revisions	_____	_____
i. Legal Description	_____	_____
j. Address of Property in Question	_____	_____
2) Signature and Seal of one of the Following:	_____	_____
i. Registered Architect		
ii. Registered Civil Engineer		
iii. Registered Landscape Architect		
iv. Registered Land Surveyor		
3) Area of the Site (in Square Feet and Acres) and include:	_____	_____
i. Excluding Public Rights-of-Way		
b. Dimensions of all lots/property lines	_____	_____
c. Relationship to the subject property to abutting properties	_____	_____
d. Boundaries of the subject property, differentiated from other contiguous property	_____	_____
e. Boundaries of total land holding (if subject parcel is part of a larger parcel)	_____	_____

Checklist (Continued)

Item	Provided	Not Provided
4) Existing Topographic Elevations (2ft intervals)	_____	_____
i. For sites with existing parking lots/structures with no new construction proposed, finished floor elevations shall suffice		
a. Ground Elevations of Existing Buildings	_____	_____
b. Drives and/or parking lots	_____	_____
c. Any adjacent unusual surface conditions	_____	_____
d. Direction of drainage flow	_____	_____
5) Location and Type of Significant Existing Vegetation	_____	_____
a. Location of all existing trees over two and one-half inches in diameter.	_____	_____
b. Include any significant site amenities/unique features	_____	_____
6) Zoning information (Subject/Surrounding Parcels)		
a. Existing Land Uses	_____	_____
b. Zoning Classification	_____	_____
7) Required Minimum Setbacks from Existing or Proposed Right-Of-Way and from adjacent properties	_____	_____
8) Locations/Dimensions (Length/Width/Height) of:		
a. Existing/Proposed structures on the subject property	_____	_____
b. Existing/Proposed structures within 100 feet of the subject property	_____	_____
c. Existing Roads	_____	_____
d. Rights-of-Way / Private Easements of Record	_____	_____
e. Abutting streets / Alleys	_____	_____
f. Driveway locations to abutting streets	_____	_____

Checklist (Continued)

Item	Provided	Not Provided
9) For All Proposed Buildings		
i. Specific instructions for both Multi-Family And Non-residential developments		
b. Provide building height	_____	_____
c. Floor Plans/elevations	_____	_____
d. Indicating architecture	_____	_____
i. Front, rear, and side facades and barrier free entranceways	_____	_____
e. Buildings built on speculating shall be so indicated when floor plans are finalized	_____	_____
10) Proposed parking lots and layout and typical dimensions of:		
a. Parking spaces	_____	_____
b. Aisles	_____	_____
c. Number of Spaces Provided	_____	_____
i. Including parking calculations per ordinance standards		
d. Type of Surfacing	_____	_____
11) Traffic/Pedestrians		
a. Proposed traffic and pedestrian circulation patterns:		
i. Within the site and on public streets adjacent to the site	_____	_____
ii. Proposed location and dimensions of required pedestrian sidewalks	_____	_____
b. Designate any:		
i. Loading/Unloading areas	_____	_____
ii. Barrier-free access	_____	_____
iii. Fire lanes	_____	_____
iv. Carports	_____	_____

Checklist (Continued)

Item	Provided	Not Provided
c. Include location/dimensions of:		
i. Proposed Streets	_____	_____
ii. Drives	_____	_____
iii. Curb Cuts	_____	_____
iv. Access Easements	_____	_____
v. Acceleration/Deceleration/Passing lanes (if any) serving the development	_____	_____
12) Proposed Finish Grade of:		
a. Buildings	_____	_____
b. Driveways	_____	_____
c. Walkways	_____	_____
d. Parking Lots	_____	_____
13) Proposed type of:		
a. Building Materials	_____	_____
b. Roof Design	_____	_____
c. Projections	_____	_____
d. Canopies	_____	_____
e. Overhangs	_____	_____
f. Roof-Located Mechanical Equipment that will be visible from the exterior	_____	_____
i. Air Conditioning/Heating Units, transformers, etc	_____	_____
g. Details of Screening to be Provided	_____	_____
14) Proposed Water Service including:		
a. Any Proposed Tap-ins	_____	_____
b. Main extensions or extensions for adequate fire hydrant spacing	_____	_____
c. Considerations for extensions to loop other other public water mains	_____	_____

Checklist (Continued)

Item	Provided	Not Provided
d. Locations of existing/proposed fire hydrants	_____	_____
i. Including those with reasonable access for firefighting, police, and other emergency equipment		
15) Proposed sanitary sewer facilities and location of all:		
a. Existing utilities	_____	_____
b. Easements	_____	_____
c. Vacations	_____	_____
d. The general placement of:		
i. Lines	_____	_____
ii. Manholes	_____	_____
iii. Tap-ins	_____	_____
iv. Pump Stations	_____	_____
v. Lift Stations	_____	_____
16) Proposed stormwater management plan including location of:		
i. Sufficient data shall be provided to permit review of the feasibility and permanency of proposed drainage patterns		
a. Sewers	_____	_____
b. Outlets	_____	_____
c. Retention/Detention Ponds	_____	_____
17) Location of other utilities including (but not limited to):		
i. Natural Gas		
ii. Electric		
iii. Cable TV		
iv. Telephone		
18) Soil erosion and sediment control measures during construction		
	_____	_____

Checklist (Continued)

Item	Provided	Not Provided
19) Landscaping		
a. Detailed Landscaping Plan Indicating Material:		
i. Numbers	_____	_____
ii. Locations	_____	_____
iii. Types	_____	_____
iv. Sizes	_____	_____
b. Provide Landscaping Maintenance Plan and schedule for:		
i. Pruning	_____	_____
ii. Mowing	_____	_____
iii. Watering	_____	_____
iv. Fertilizing	_____	_____
v. Replacement of dead and diseased materials	_____	_____
c. Cross sections of any berms shall be provided along with proposed methods for irrigating berms and greenbelts	_____	_____
20) All proposed:		
a. Screening	_____	_____
b. Fences and Freestanding Walls	_____	_____
c. Typical Cross-Sections	_____	_____
d. Height above ground on both sides	_____	_____
21) Dimensions and Location of all signs (wall and freestanding) and of lighting structures/shielding	_____	_____
22) Location, size, and specifications for screening of all trash receptacles and other solid waste disposal facilities	_____	_____
23) Location of specifications for any existing or proposed outdoor or belowground storage facilities	_____	_____

Checklist (Continued)

Item	Provided	Not Provided
24) Easements for proposed:		
a. Public Rights-Of-Way	_____	_____
b. Utilities	_____	_____
c. Access	_____	_____
d. Shared Access	_____	_____
e. Drainage	_____	_____
25) Notation of any variances which have been or must be secured; Any performance guarantees to be provided including amounts, types and terms	_____	_____
26) Information and statement of how the applicant proposes to comply with federal, State, and Local laws, as applicable to the site or intended use	_____	_____
a. Indicate any permits that are required	_____	_____
27) Any additional information and special data which may be critical to the adequate review of the proposed use and its impacts on the site or city. This may include:		
a. Traffic Studies	_____	_____
b. Market Analysis	_____	_____
c. Environmental Access	_____	_____
d. Inventory and data on any hazardous materials to be used on site	_____	_____
e. Demands on public facilities and services	_____	_____
f. Estimates of potential costs to the city due to failures as a basis for performance guarantees	_____	_____
28) Other data which the Planning Commission may reasonably deem necessary for adequate review	_____	_____



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Special Land Use

Approval of a special land use is hereby requested in conjunction with site plan approval.

The applicant understands that if the site plan is deemed to be incomplete or if additional information for special/regulated land use has not been submitted, the site plan may be returned by the City for revisions without being forwarded to the Planning Commission for consideration, until such time as the requirements have been adequately met. By signing this application, the applicant hereby grants full authority to the City of Clawson, its agents, employees, representatives, and/or appointees to enter upon the undersigned lands/parcel(s) for the purposes of inspection and examination incidental hereto.

Property Details

Name of Proposed Development: _____

Site Area (Acres): _____

Application Details

- Architect

1. Name: _____

2. Address: _____

3. Telephone Number: _____

4. Email: _____

- Engineer

1. Name: _____

2. Address: _____

3. Telephone Number: _____

4. Email: _____

Please Note:

All LLC Establishments must have a current plan of operation

Requirements for Submittal*

- ☐ Application (General & Special Use)
- ☐ Fees
- ☐ Electronic Copy (pdf)
- ☐ Two (2) Sets of (24X36) Site Plans
(Signed, Sealed & Folded)

***Special Approval Supplemental Requirements:**

1. Section of Zoning Ordinance under which the use is sought: _____

2. Description of the Proposed Use of the Property: _____

3. Other information which the Planning Commission may reasonably deem necessary for adequate review



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Rezoning Application

The applicant (undersigned), does hereby respectfully make application and petition the City Council to amend the zoning map as hereinafter requested, and in support of this application, the following facts are shown.

1) Zoning

Current Zoning Designation: _____

Requested Zoning Designation: _____

2) Proposed use of property:

3) Proposed Buildings to be Constructed (If Applicable):

- 4) Why does the current zoning classification need to be changed? How will changing the zoning of this parcel impact adjacent property owners?

- 5) Applicant's legal interest (e.g. legal representative, owner, option to buy):

Attach two (2) prints of a parcel map drawn at a scale of not less than 1"=20', if the parcel is under three acres, and 1"=100' if the parcel is three acres or more, showing the lot or parcel in question, and all adjacent and butting property lines, public rights-of-way and existing zoning along with this application

Signature of Applicant: _____



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Please Select and Fill in the Appropriate Request Type (choose only one)

- ☐ 1) Interpretation
- ☐ 2) Variance
- ☐ 3) Special Exception
- ☐ 4) Appeal of an Administrative Decision

This application is not complete unless all required statements have been made. Additional information may be supplied on separate sheets if the space provided on the form is inadequate.

Applicant shall also attach plans (drawn to scale) illustrating:

- General application
- The elements of the variance request
- The property boundaries and dimensions
- Existing and proposed structures/street
- Any other pertinent information

The board may also request such other information with regard to lot or neighboring lots, proposed use, existing use, as it deems necessary.

Request 1 – Interpretation of the Provision of the Land Development Regulations (LDR)

Interpretation by the Board of Appeals of the Zoning Ordinance:

Article _____

Section _____

An interpretation is requested for the following reasons:

Request 2 – Variance

Variance from the Zoning Ordinance:

Article _____

Section _____

Prepare, on a separate sheet, a response to the following criteria that the ZBA will use to consider the request:

- The practical difficulties are exceptional and peculiar to the property of the person requesting the variance, and results from conditions which do not exist generally throughout the city.
- The practical difficulties which will result from a failure to grant the variance include substantially more than mere inconvenience or inability to attain a higher financial return.
- Allowing the nonuse/dimensional variance will result in substantial justice being done, considering the public benefits intended to be secured by this article, the individual hardships that will be suffered by a failure of the board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.
- The variance did not arise from the actions of the applicant or previous landowner.
- The requested variance(s) is not based solely on financial need or circumstances.

Request 3 – Special Exception

Request for a special exception to use this property in the following manner per the Zoning Ordinance:

Article: _____

Section: _____

Request 4 – Appeal of Administrative Decisions

The following is appeal from a determination made

by the enforcing officer on the following date: _____

[Please attach the administrative letter or report]



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Planned Unit Development

The applicant understands that if the submitted materials for planned unit development (PUD) consideration is deemed to be incomplete or if additional information for special/regulated land use has not been submitted, the site plan may be returned by the City for revisions without being forwarded to the Planning Commission for consideration, until such time as the requirements have been adequately met. By signing this application, the applicant hereby grants full authority to the City of Clawson, its agents, employees, representatives, and/or appointees to enter upon the undersigned lands/parcel(s) for the purposes of inspection and examination incidental hereto.

Property Details

Name of Proposed Development: _____

Site Area (Acres): _____

Application Details

- Architect

1. Name: _____

2. Address: _____

3. Telephone Number: _____

4. Email: _____

- Engineer

1. Name: _____

2. Address: _____

3. Telephone Number: _____

4. Email: _____

Please Note:

All LLC Establishments must have a current plan of operation

Requirements for Submittal*

- ☐ Application (General & Special Use)
- ☐ Fees
- ☐ Electronic Copy (pdf)
- ☐ Two (2) Sets of (24X36) Site Plans (Signed, Sealed & Folded)

Division 18 of the Land Development Regulations provides the process and criteria for planned unit developments. Refer to the Development Guide for the steps in the process.

The City's planned unit development regulations are intended to encourage the flexibility in the regulation of land development; innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the use of land, natural resources, energy, and public services and utilities; encourage useful open space; provide better housing, employment, shopping opportunities, compatibility of design and use between neighboring properties; and development that is consistent with the city's master land use plan.

Submit the following for the qualification review:

Eligibility criteria. To be eligible for planned unit development approval, the applicant must demonstrate to the satisfaction of the planning commission and city council that the proposed development meets the following criteria:

1. **Recognizable and substantial benefit.** How does the proposed project achieve a higher quality of development than would otherwise be achieved under conventional standards? What recognizable and substantial benefit(s) does the project offer the community, and to the ultimate users of the developed site?
2. **Availability and capacity of public services.** Can the proposed type and density be served by the existing public services, facilities, and utilities? What is the impact of the project on other users of these services, facilities and utilities?
3. **Consistency with the master plan and zoning ordinance.** How is the proposed development consistent with the goals and objectives of the city's master plan? How does the proposed development align with the purpose of the zoning ordinance and the intent of these planned unit development regulations (see above)?
4. **Economic and neighborhood impact.** How will the proposed development benefit the community and neighborhood economically? What negative impacts of the proposed development might be anticipated and mitigated?