

CHARTER TOWNSHIP OF GRAND RAPIDS

COUNTY OF KENT, MICHIGAN

At a regular meeting of the Township Board of the Charter Township of Grand Rapids, held in the Township Hall, 1836 East Beltline Avenue, N.E., Grand Rapids, Michigan, on the 20th day of February, 2024, at 7:00 p.m.

PRESENT: Christopoulos, DeVries, Mott, Robinette, Scheider, Van Dyke, Yeiter

ABSENT: None

The following ordinance was offered by Member Yeiter and supported by Member Christopoulos.

ORDINANCE NO. 542

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
OF THE CHARTER TOWNSHIP OF GRAND RAPIDS**

[Private Roads and Shared Driveways; Accessory Buildings]

THE CHARTER TOWNSHIP OF GRAND RAPIDS ORDAINS:

Section 1. Accessory Buildings. Section 4.16 of the Charter Township of Grand Rapids Zoning Ordinance is amended by the amendment of subsections 3, 8.h and i to read as follows:

Section 4.16 Accessory Buildings.

[1 and 2 unchanged]

3. An accessory building shall not be designed, constructed, or used for residential, living, or sleeping quarters, and the building shall not include plumbing fixtures, except for one sink and toilet if lawfully connected to public water and sewer or approved well and septic system.

4. An accessory building shall be constructed with durable, hard-sided materials that are weather- and rust-resistant. They shall be regularly maintained so as to reasonably retain their original appearance and be free from structural defects. Accessory buildings shall not consist, in whole or in part, of flexible construction materials, such as a plastic tarp or other type of flexible fabric fastened over a frame

of poles or otherwise. The roof of the accessory buildings shall be pitched and covered with shingles or the same roof covering as on the principal building.

[5 through 7 unchanged]

8. Minimum yard, location, and size limitations for accessory buildings.

[a through e unchanged]

f. An accessory building shall be located no closer than 10 feet away from the principal building or any other building.

[g unchanged]

h. In the SR and R-1 Districts, the maximum number of accessory buildings that shall be permitted on a parcel of land is as follows:

Parcel Size or Location	Maximum Number of Permitted Accessory Buildings
.5 acre or less, or located within a plat or site condominium	One accessory building
.51 acres, up to two acres	Two accessory buildings, one of which may be no larger than 200 square feet
More than two acres	Three accessory buildings, one of which may be no larger than 200 square feet

i. In the SR and R-1 Districts, the maximum accessory building footprint area of all accessory buildings on a parcel of land, and the maximum height of an accessory building shall be as follows:

Parcel Size or Location	Total Maximum Area of all Accessory Buildings Combined	Maximum Accessory Building Height from Ground to Midpoint of Roof
.5 acre or less or located within a plat or site condominium	576 square feet or five percent of the area of the parcel, whichever is less	16 feet
.51 acre up to one acre	720 square feet or five percent of the area of the parcel, whichever is less	16 feet
1.01 acres up to two acres	1,008 square feet	18 feet
2.01 acres up to three acres	1,200 square feet	18 feet
3.01 acres up to four acres	1,500 square feet	18 feet

4.01 acres and larger	1,500 square feet, but any greater area shall be permitted only if approved under subparagraph (j)	18 feet, but any greater height shall be permitted only if approved under subparagraph (j)
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[j unchanged]

Section 2. Private Road - Definitions. Sections 27.1.3, 4, and 5 are hereby amended to read in their entirety as follows:

Section 27.1 Definitions. For the purposes of this chapter, the following words and phrases shall be defined as follows:

[1 and 2 unchanged]

3. A “**shared driveway**” is a driveway constructed after January 19, 2000 and extending from a public street or private road to serve four or fewer lots, buildings, dwellings, dwelling units or structures, or any combination thereof.

4. A “**private road**” is the entire length of any undedicated path, drive or road which is privately owned and maintained, and which provides or is intended to provide the primary means of ingress to and egress from five or more lots, other parcels of land, buildings, dwellings, dwelling units or principal structures, or any combination thereof.

The private road provisions of this chapter shall not apply to internal roads serving only one lot or parcel of land which has direct public or private street frontage and is under the control of one person, corporation, or association, and which is to be developed for uses subject to site plan review under this Ordinance. Such internal roads shall not provide the principal means of access to any abutting lot or parcel of land. Examples of access roads exempted from the provisions of this chapter include those serving multi-family dwellings, nursing homes, hospitals, factories, schools, mobile-home parks, and shopping centers.

5. A “**private-road easement**” is an easement which is granted exclusively for private access to five or more lots, other parcels of land, buildings, dwellings, dwelling units or principal structures, or any combination thereof, whether by grant of easement, designation as a general or limited common element of a condominium, or other lawful means, and which includes a private road.

[6 through 10 unchanged]

Section 3. Shared Driveways. Section 27.2 of the Charter Township of Grand Rapids Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 27.2 **Shared Driveways.**

1. After January 19, 2000, a shared driveway shall be constructed, extended, improved or relocated, only in accordance with the provisions of this section. Likewise, an existing shared driveway shall be extended, or an existing lot utilizing that driveway for access divided such that the driveway is used to provide access to additional lots, other parcels of land, additional buildings, dwellings, or dwelling units in any combination, only in accordance with this section. An existing shared driveway shall be extended, or existing lots divided such that the route provides access to five or more lots, parcels, buildings, dwellings, or dwelling units only in accordance with the provisions for private roads in this Chapter.

2. A shared driveway shall be designed, constructed, and used only in accordance with this subsection 2.

a. A shared driveway shall serve not more than four lots, dwellings, dwelling units or buildings, or any combination thereof. A shared driveway may serve up to two additional lots contiguous to the driveway easement, if the additional lots also abut a public or private street and have a lot width measured along that public or private street equal to the minimum lot width required in the Zoning District.

b. A portion of a route of ingress and egress for four or fewer lots extending from a private road shall be considered a shared driveway and not part of that private road, if:

(i) Neither side of the angle of intersection with, or extension of, the private road exceeds 135 degrees; or

(ii) It extends from an approved cul-de-sac or loop road at the terminus of the private road or a branch of the private road.

c. A shared driveway shall be located only within an easement established by recorded instrument, or within a general or limited common element of a site condominium.

d. A shared driveway easement or common element extending from a public or private street shall be at least 40 feet wide for its entire length. If the shared driveway intersects with a public street and the zoning administrator or other approving body determines that other lands adjacent or near the lands to be served by the shared driveway are reasonably likely to be developed at a future time, and could be served by a public street constructed at the location of the shared driveway, then the shared driveway easement shall be at least 66 feet wide for its entire length.

e. Shared driveways shall be centered within an area having a minimum cleared width of 20 feet.

- f. There shall be a minimum overhead clearance of 14 feet above the traveled surface of the road.
- g. Shared driveway easements shall be separated from any other shared driveway, or public or private road intersection by a distance equal to the minimum required lot width in the district. This distance shall be measured between the right-of-way lines along the frontage of the public or private street with which the shared driveway intersects.
- h. If the shared driveway easement extends across the frontage of a property, the lot shall have at least 33 feet of frontage on that shared driveway easement, in addition to the minimum required lot width measured at the minimum required front setback. If the shared driveway easement terminates at a lot, then the narrowest lot line of that lot shall be greater than or equal to the lot width required in the zoning district.
- i. In the case of a lot served by a shared driveway which terminates at that lot, the zoning administrator shall designate one of the lot lines to be the front lot line, in consideration of the relationship of the property to adjacent buildings or properties, the relative length of the lot lines, topography, the preference of the property owner, and other similar factors.
- j. A lot with frontage on a public or private road which is crossed by a shared driveway easement will be treated as having one front lot line on the public or private street.
- k. Areas within shared driveway easements are not excluded in measurement of lot area and width, provided, however, that (a) minimum setbacks for buildings and structures located on property crossed by a shared driveway easement shall be measured from the nearest edge of the easement, and in addition (b) the edge of any traveled surface shall be at least 35 feet from any dwelling.
- l. The driving surface of a shared driveway shall be at least 12 feet wide.
- m. All gravel shared driveways shall be constructed with a minimum 12-inch sand subbase with a minimum of 6 inches of MDOT 22A compacted road gravel on the top thereof.
- n. All paved shared driveways shall be constructed with a minimum 12-inch sand subbase with a minimum base of 6 inches of MDOT 22A grade road gravel on top thereof, and a minimum top road surface of 3 inches of asphalt.
- o. The driving surface portion of the shared driveway easement shall be adequately maintained by the property owners having legal rights to use the shared driveway.

p. House numbers shall be visibly displayed at the intersection of the shared driveway and the public street or private road.

q. The Zoning Administrator may require installation of a sign near the entrance advising that the access is a private shared driveway without a turn-around.

r. The Zoning Administrator may require an improved area and additional easement width to accommodate the turn around of delivery or emergency vehicles.

3. A shared driveway shall be subject to Township review and approval in accordance with this subsection 3.

a. The applicant for approval of a shared driveway shall prepare and submit an accurate plan of the shared driveway, with dimensions, and demonstrating the location of the driveway in relation to property lines and including a diagram of the shared driveway profile demonstrating compliance with the shared driveway construction requirements of this Section. The shared driveway plan shall be subject to the approval of the zoning administrator.

b. A shared driveway shall be subject to the approval of the Township fire chief with respect to safe and convenient access for fire department vehicles and other emergency vehicles.

c. A shared driveway which is part of a planned unit development, condominium, site condominium or platted subdivision may be approved by the Planning Commission and Township Board, under the terms of this Section, as a part of their approval of such development proposals. A shared driveway which is proposed to serve parcels of land established by land division approval shall be subject to the approval of the zoning administrator.

Section 4. Publication/Effective Date. This Ordinance shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation.

AYES: Members: Christopoulos, DeVries, Mott, Robinette, Scheider,
Van Dyke, Yeiter

NAYS: Members: None

ORDINANCE DECLARED ADOPTED.



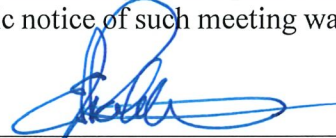
Michael J. DeVries, Supervisor
Charter Township of Grand Rapids



Edward J. Robinette, Clerk
Charter Township of Grand Rapids

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Grand Rapids at a public meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Edward J. Robinette, Clerk
Charter Township of Grand Rapids

First Reading: February 6, 2024

Second Reading: February 20, 2024

Ordinance Becomes Effective: March 7, 2024