



**Regular Planning Commission Meeting  
7:00 PM, MONDAY, MAY 11, 2015  
City Council Chambers  
23600 Liberty Street  
Farmington, MI 48335**

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**REGULAR MEETING AGENDA**

**I. CALL TO ORDER**

**Roll Call**

**II. APPROVAL OF AGENDA**

**III. APPROVAL OF ITEMS ON THE CONSENT AGENDA**

**1. April 13, 2015 Minutes**

**IV. PUBLIC HEARING**

**1. Zoning Text Amendment: Outdoor Seating**

**V. PUBLIC HEARING**

**1. Zoning Text Amendment: Single Family Residential Zoning Standards**

**VI. PUBLIC COMMENT**

**VII. PLANNING COMMISSION COMMENT**

**VIII. ADJOURNMENT**

**Farmington City Council  
Staff Report**

**Council Meeting Date:**  
May 11, 2015

**Reference  
Number  
(ID # 1870)**

**Submitted by:** Kevin Christiansen, Economic Community Development Director

**Description:** April 13, 2015 Minutes

**Requested Action:**

Approve

**Background:**

**Agenda Review**

**Review:**

Kevin Christiansen      Pending

City Manager      Pending

Planning Commission      Pending

05/11/2015 7:00 PM

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
 City Council Chambers, 23600 Liberty Street  
 Farmington, Michigan  
 April 13, 2015

Chairperson Bowman called the Meeting to order at 7:00 p.m. in the Farmington City Council Chambers, 23600 Liberty Street, Farmington, Michigan.

**ROLL CALL**

Present: Babcock, Bowman, Buyers, Chiara, Crutcher, Gronbach, Majoros

Absent:

A quorum of the Commission was present.

Chairperson Bowman asked for a moment of silence to commemorate Sherrin Hood, from LSL Planning, who lost her battle with cancer recently. She recognized her many accomplishments with the City and the zest and zeal that she brought into her projects.

**OTHER OFFICIALS PRESENT:** Director Christiansen, Building Inspector Koncsol

Caitlyn Malloy-Marcon, LSL Planning

**APPROVAL OF AGENDA**

MOTION by Gronbach, seconded by Crutcher, to approve the agenda as submitted.  
 Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**A. March 9, 2015 Minutes**

Motion by Buyers, seconded by Babcock, to approve the items on the Consent Agenda.  
 Motion carried, all ayes.

**OUTSIDE DISPLAY AND SALES REQUEST – ALEXANDER TRUE VALUE HARDWARE, 22104 FARMINGTON ROAD**

Chairperson Bowman introduced this agenda item and turned it over to staff.

Director Christiansen indicated this request is for an outdoor display and sales application that was presented to the City by Alexander True Value Hardware located at 22104 Farmington Road. The applicant has submitted plans for outdoor display and sales to be located within the front yard, the parking lot adjacent to the existing commercial building, the unit within the shopping center at 22104 Farmington Road, which is zoned as C-2, community commercial, which use is permitted in said district subject to site plan review and in accordance with zoning ordinance requirements with respect to outdoor display and sales.

City of Farmington Planning Commission  
Minutes of April 13, 2015  
Page 2

He stated the Commissioners' packets included information such as the application and the area identified for outdoor sales. An aerial photo of the site was also included.

He cited the Petitioner's request for outdoor sales being Monday through Saturday, from 8:00 a.m. to 8:00 p.m. and Sunday from 8:00 a.m. to 6:00 p.m., the seasonal time period being from April 15<sup>th</sup> to October 31<sup>st</sup>.

The Petitioner was asked to come forward.

Tim Alexander, 22104 Farmington Road, came to the podium. He stated he wants to be able to have seasonal area in the front yard of parking lot and also in front of store and on the sidewalk with 10 to 12 feet of pedestrian walkway with no interference..

The floor was opened for questions from the Commissioners.

Gronbach asked for clarification of the request.

Christiansen stated that the outdoor sales area is in the northwest area of parking lot and the other display area is along the sidewalk adjacent to building for pallets, approximately four to six, for seasonal materials.

Gronbach asked for the dimensions of the area and the Petitioner responded and further discussion was held.

Christiansen stated that the area along the building where they are proposing to put the pallets in is about four feet from the building and about thirty feet long, so it will expand a portion of the front of the building and adjacent to the sliding entry door to the building.

Crutcher asked how the merchandise would be secured.

Chiara inquired about signage in the area.

Crutcher asked if the area would require a roof.

Buyers inquired about the watering of the outdoor plants.

Buyers asked if the Petitioner had thought about tents and if so, what styles.

The Petitioner responded if anything, a tent would be utilized for shade for employees and anything that he chose would have to be approved by the fire inspector.

Buyers stated that ingress and egress would have to be supplied for pedestrians as well as signage and suggested an alternative to the Petitioner's plans.

The Petitioner stated any changes would have to be on landlord approval.

Christiansen stated that he had been in discussion with the landlord and the parking lot being utilized by commuters and the orientation of parking lot designed to fit the needs of the center.

Crutcher inquired if fencing is required for outdoor sales.

Buyers asked about handicapped parking and the requirements for same.

Majoros asked if carts would be available for use in the outdoor sales area.

Buyers inquired if the application was adequate in its designation of the applicant and co-applicant and Christiansen responded in the affirmative.

Bowman thanked the Petitioner.

MOTION by Chiara, supported by Babcock, to approve the outdoor display and sales for Alexander True Value Hardware, 22104 Farmington Road, from April 15, 2015 through October 31, 2015, with location shown on the drawings and to include four pallets of seasonal goods adjacent to building, with the condition that the matter can be revisited subject to any theft or crime of same, and subject to approval of the Fire Marshall and Public Safety.

All ayes, motion carried

### **SITE PLAN AMENDMENT – DIGITAL TERRAIN, 37085 GRAND RIVER AVENUE**

Chairperson Bowman introduced this agenda item and turned it over to staff.

Christiansen indicated this item is before the Commission for a site plan amendment for the new three story office building to be built on the site of the former K-Mart shopping center. He went into the history of the site and stated that the applicant has proposed a material change. He stated the applicant is now proposing to utilize granite in the building which they feel is more upscale and durable.

Bowman inquired about the color and Christiansen indicated that the original color was black and they have now switched it to terra cotta and because of the level of redevelopment they needed to bring it back before the Planning Commission for approval of the modification.

Bowman asked if that was the only issue before them and Christiansen responded in the affirmative.

MOTION by Gronbach, supported by Crutcher, to approve the site plan amendment for Digital Terrain, 37085 Grand River Avenue, to include granite material to be utilized in the color presented to the Planning Commission.

Motion carried, all ayes.

### **OUTDOOR SEATING SITE PLAN REVIEW – SUSHI MI, 32758 GRAND RIVER**

Chairperson Bowman introduced this agenda item and turned it over to staff.

Christiansen stated that the owner of Sushi Mi has submitted a site plan application requesting outdoor seating at his restaurant at 32758 Grand River. He indicated the former restaurant, Korea House, had outdoor seating but that the approval runs with the owner of the establishment, thereby requiring the new owner to come before the Planning Commission for approval. He indicated the owner has submitted layout pictures, with no changes proposed from the prior owner's outdoor seating.

Noah Huffman, of Sushi Mi, was present to address any questions by the Commissioners.

Chiara inquired when they would like to start utilizing the outdoor seating and the Petitioner responded this summer.

Majoros asked if the same tables and chairs would be utilized as for the Korea House and the Petitioner responded yes.

MOTION by Buyers, supported by Crutcher, to approve the outdoor seating site plan review submitted by Sushi Mi, 32758 Grand River, as reflected in the petition submitted by the Applicant.

Motion carried, all ayes.

### **DISCUSSION – OUTDOOR SEATING MODIFICATION AND CLARIFICATION**

Chairperson Bowman introduced this agenda item and turned it over to staff.

Christiansen stated that Administration had requested a review of the existing zoning standards regarding outdoor seating for commercial businesses throughout the City. He stated Administration and the consultants had met to discuss this item and are moving it forward to the Planning Commission for their discussion and review. He stated there is a staff report included in the Commissioners' packets as well as a memorandum from LSL Planning dated 2-13-15 and that Caitlyn Malloy-Marcon is present at tonight's meeting to go over some of their recommendations.

Malloy-Marcon stated they were asked to take a look at the current ordinance and requirements for outdoor seating, as well as State mandates regarding enclosures, right of right restrictions as well as ADA requirements for outdoor seating.

She went through the suggestions contained in the memorandum and her reasoning why they were included.

She indicated outdoor seating areas should be well defined and they looked at ways other than fencing and rails to define those areas such as planters and the like.

She cited the usage of dining platforms in other communities.

She stated the ordinance should include language that additional outdoor lighting or applications should be prohibited unless approved by the Planning Commission and that all parking requirements are met prior to approval of outdoor seating and that the City retains the right to revoke if businesses are found to be noncompliant.

Crutcher inquired about Item #9 and where that can be found in and around the community and Malloy-Marcon indicated Birmingham is utilizing platforms and further discussion was held. Crutcher then asked if any streets other than Grand River are being considered for such and Christiansen responded in the negative but that in the future perhaps Farmington Road could accommodate same.

Crutcher questioned the logic of Item #11 and taking a parking space and using it for a platform which would eliminate even more parking and suggested leaving that language out of the ordinance.

Babcock expressed concern over Item #9, stating a clause should be added to it that no barrier-free space can be utilized for same, and Malloy-Marcon stated that could be included in the language.

Christiansen assured the Commission that any outdoor seating proposed must have a site plan and must be approved by the Planning Commission and handled on a case by case basis.

Babcock expounded on her concerns regarding that and stated she would like to see a clause in the language addressing same.

Gronbach asked for clarification of paragraph number one and the cessation of outdoor seating of 10-31 and whether or not there can be exception to it and further discussion was held.

Buyers suggested finding a balance for Items #9 and 11 in the LSL letter between the business owners needs and Babcock suggested the language should reflect that any specially designated space removed should be replaced with the same specially designated space and Malloy-Marcon said she would work on that language.

Christiansen indicated the whole idea for looking at this was to provide more area for outdoor seating at places where they are spatially challenged.

Crutcher brought up mall locations in the City and how they would be addressed.

MOTION by Majoros, supported by Crutcher, to move forward and authorize LSL and staff to prepare a formal modification to outdoor seating clarification and schedule a Public Hearing concurrently at the next Planning Commission Meeting.

City of Farmington Planning Commission  
 Minutes of April 13, 2015  
 Page 6  
 Motion carried, all ayes.

**SCHEDULE PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT:  
 SINGLE FAMILY RESIDENTIAL ZONING STANDARDS**

Chairperson Bowman introduced this agenda item and turned it over to staff.

Christiansen indicated that this item was discussed at the March Planning Commission Meeting and a draft ordinance text amendment for single family residential is currently being prepared and the next step would be to schedule a Public Hearing.

MOTION by Majoros, supported by Crutcher, to schedule a Public Hearing for Zoning Text Amendment For Single Family Residential Zoning Standards at the next Planning Commission Meeting.

**PUBLIC COMMENT**

None heard.

**PLANNING COMMISSION COMMENTS**

Gronbach inquired of Christiansen about the World Wide Center and when its renovations would be expected to take place and his concerns about the maintenance of the Center.

Bowman asked about the Uptown Plaza and work being done there.

**ADJOURNMENT**

MOTION by Gronbach, seconded by Buyers, to adjourn the meeting.  
 Motion carried, all ayes.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

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Secretary



**Farmington City Council  
Staff Report**
**Council Meeting Date:**  
May 11, 2015

**Reference  
Number  
(ID # 1869)**
**Submitted by:** Kevin Christiansen, Economic Community Development Director

**Description:** Zoning Text Amendment: Outdoor Seating

**Requested Action:**

Hold Public Hearing

**Background:**

The Planning Commission reviewed LSL Planning's 2/13/15 memorandum regarding modification and clarification to the existing Outdoor Seating standards in the Zoning Ordinance at the 4/13/15 meeting. Items addressed in the memorandum included State mandated enclosures, ADA requirements, and right-of-way restrictions. The draft Zoning Ordinance Text Amendment prepared by LSL is attached.

The requested action of the Planning Commission is to hold the required public hearing as scheduled and noticed on the proposed Zoning Ordinance Text Amendment for Outdoor Seating, to make a recommendation on the proposed amendment, and to forward it to City Council for their review and consideration.

Attachment

**Agenda Review**
**Review:**
**Kevin Christiansen** Pending

**City Manager** Pending

**Planning Commission** Pending **05/11/2015 7:00 PM**

**CITY OF FARMINGTON  
PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING  
MONDAY, MAY 11, 2015  
7:00 P.M.**

Please take notice, the Farmington Planning Commission will hold a Public Hearing on Monday, May 11, 2015 at 7:00 p.m. in the Council Chambers located at 23600 Liberty Street, Farmington, MI 48335 to review a proposed amendment to the Farmington Zoning Ordinance regarding outdoor seating for commercial businesses.

The special provisions for commercial outdoor seating are currently listed in Section 35-102 of the Farmington Zoning Ordinance. The proposed amendment would address State mandated enclosures, ADA requirements, and right-of-way restrictions.

All interested residents are encouraged to attend the public hearing to be heard, and any written materials concerning the proposed amendment shall be received and considered.

The Zoning Ordinance and proposed amendment are available for review at the Farmington City Hall located at 23600 Liberty Street, Farmington, MI 48335 during regular business hours.

Kevin P. Christiansen, AICP, PCP, Economic and Community Development Director

Publish: April 26, 2015 Farmington Observer

## CITY OF FARMINGTON CODE OF ORDINANCES

STATE OF MICHIGAN  
 COUNTY OF OAKLAND  
 CITY OF FARMINGTON  
 ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 35, ZONING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO ADD A PROVISION TO ARTICLE 7 "CBD CENTRAL BUSINESS DISTRICT AND C2 COMMUNITY COMMERCIAL DISTRICT AND C3 GENERAL COMMERCIAL DISTRICT REDEVELOPMENT OVERLAY DISTRICT," SECTION 35-102, "TABLE OF USES" TO AMEND THE REQUIREMENTS OF THE ACCESSORY OUTDOOR SEATING PROVISION.

**THE CITY OF FARMINGTON ORDAINS:**

**Section 1.** Chapter 35, Zoning, of the Farmington City Code, Article 7, CBD CENTRAL BUSINESS DISTRICT AND C2 COMMUNITY COMMERCIAL DISTRICT AND C3 GENERAL COMMERCIAL DISTRICT REDEVELOPMENT OVERLAY DISTRICT, Section 35-102, subsection "Special Provisions" is hereby amended as follows:

(b) Accessory outdoor seating areas may be permitted by annual license when accessory to a permitted or special land use in the district subject to the following:

1. Whether the seating area is proposed as part of a site plan application or an existing business, it shall require site plan review and approval by the planning commission in accordance with Article 13 Site Plan Review. Insurance in a form and amount deemed acceptable by the City Attorney's office shall be provided with the application. Once initial approval has been granted by the planning commission, an annual license shall be issued by the building official. The license may be renewed annually by the building official, provided that it complies with the original planning commission approval and the requirements of this section. The building official may, at any time, refer an outdoor seating permit to the planning commission for renewal if the Building Official feels additional review is necessary.
2. Outdoor seating shall be permitted between April 15th and October 31st, with all furniture and fixtures removed after October 31st. All tables, chairs, railings and related fixtures shall be removed when not in use. If weather permits, the Building Official may extend this time for outdoor seating on privately owned property only.
3. Outdoor seating shall not be the primary seating of the restaurant, except for carry-out restaurants when approved by the planning commission. City of Farmington Zoning Ordinance 7-7 Commercial Districts
4. Outdoor seating areas shall be located in a manner to maintain a minimum pathway width of 5 feet (clear of structures such as light poles, trees and hydrants) along the sidewalk so as not to interfere with

## CITY OF FARMINGTON CODE OF ORDINANCES

pedestrian traffic. Outdoor dining areas may be organized curbside or building front as long as it achieves relative walking path alignment with neighboring properties.

5. Chairs and tables shall be of quality durable material such as metal or wood.

6. Outdoor seating areas shall be maintained in a clean and sanitary condition. Waste receptacles shall be provided in instances where wait staff does not clear all tables.

7. ~~Outdoor seating areas shall be enclosed in instances where there is alcohol service. Enclosures shall consist of metal railing, wood railing, brick walls or other suitable material approved by the planning commission and the building official.~~ Outdoor service areas shall be well-defined and clearly marked and the on-premises licensee shall not sell, or allow the consumption of, alcoholic liquor outdoors, except in the defined area. Outdoor seating areas shall be delineated by outlining the periphery in some manner as to distinguish the public walkway from dining area. This may be accomplished by the use of planters, railings, or walls reviewed and approved by the Planning Commission.

8. For outdoor seating areas located within the public-right-way, approval by the corresponding jurisdiction (i.e. Farmington DPW, MDOT, or Road Commission for Oakland County) is required. Proof of Insurance naming the City as an additional insured, in a form and amount deemed acceptable by the City Attorney's office, shall be required. A license agreement in a form deemed acceptable to the City Attorney's office shall also be required.

9. Should there not be adequate environment or space to allow for outdoor dining on the sidewalk adjacent to the site, an elevated, ADA compliant, platform may be erected on the street adjacent to the restaurant to create an outdoor dining area if the City Engineer determines there is sufficient space available for this purpose given parking and traffic conditions. Specially designated parking spaces (ADA accessible, loading zones etc...) shall only be considered for use if the spaces can be temporarily replaced within close proximity.

10. Additional outdoor lighting and/ or amplification is prohibited without approval of the City.

11. Applicants may be asked to demonstrate that additional parking demand can be met before approval.

12. The City retains the right to revoke outdoor seating permits if all sections of this ordinance have not been met.

CITY OF FARMINGTON CODE OF ORDINANCES

**Section 5. Repealer**

All ordinances or parts of ordinances in conflict herewith are repealed.

**Section 6. Severability**

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

**Section 7. Savings**

This amendatory ordinance shall not affect violations of this ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

**Section 8. Effective Date**

Public hearing having been held hereon pursuant to the provisions of Section 1 03 of Act 11 0 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within twenty (20) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Farmington stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00A.M. to 5:00P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

**Section 9. Enactment**

This Ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the \_\_\_\_ day of \_\_\_\_\_, 2015 and ordered to be given publication in the manner prescribed by law.

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN )  
 ) ss.  
COUNTY OF OAKLAND )

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2015, the original of which is on file in my office.

\_\_\_\_\_

Attachment: OutdoorSeating\_Ordinance (1869 : Public Hearing)

**CITY OF FARMINGTON CODE OF ORDINANCES**

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Susan K. Halberstadt, City Clerk  
City of Farmington

Adopted:  
Published:  
Effective:

Attachment: OutdoorSeating\_Ordinance (1869 : Public Hearing)

**Farmington City Council  
Staff Report**
**Council Meeting Date:**  
May 11, 2015

**Reference  
Number  
(ID # 1871)**
**Submitted by:** Kevin Christiansen, Economic Community Development Director

**Description:** Zoning Text Amendment: Single Family Residential Zoning Standards

**Requested Action:**

Hold Public Hearing

**Background:**

The Planning Commission discussed and reviewed LSL Planning's 3/6/15 memorandum regarding the existing Single Family Residential Zoning Standards in the Zoning Ordinance pertaining to building setbacks, building height, and lot coverage at the 4/13/15 meeting. A draft Zoning Ordinance Text Amendment prepared by LSL is attached.

The requested action of the Planning Commission is to hold the required public hearing as scheduled and noticed on the proposed Zoning Ordinance Text Amendment for Single Family Residential Zoning Standards, to make a recommendation on the proposed amendment, and to forward it to City Council for their review and consideration.

Attachment

**Agenda Review**
**Review:**
**Kevin Christiansen      Pending**
**City Manager          Pending**
**Planning Commission   Pending      05/11/2015 7:00 PM**

**CITY OF FARMINGTON  
PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING  
MONDAY, MAY 11, 2015  
7:00 P.M.**

Please take notice, the Farmington Planning Commission will hold a Public Hearing on Monday, May 11, 2015 at 7:00 p.m. in the Council Chambers located at 23600 Liberty Street, Farmington, MI 48335 to review a proposed amendment to the Farmington Zoning Ordinance regarding single-family residential zoning standards as they pertain to building setbacks, building height, and lot coverage.

The zoning standards for single-family residential are currently listed in Section 35-73 of the Farmington Zoning Ordinance. The proposed amendment would reduce the front setback (would change the maximum lot coverage), reduce the rear yard setback, allow greater height, include a process for site plan review by the Planning Commission for single-family homes, and identify the districts/neighborhoods where this would be appropriate.

All interested residents are encouraged to attend the public hearing to be heard, and any written materials concerning the proposed amendment shall be received and considered.

The Zoning Ordinance and proposed amendment are available for review at the Farmington City Hall located at 23600 Liberty Street, Farmington, MI 48335 during regular business hours.

Kevin P. Christiansen, AICP, PCP, Economic and Community Development Director

Publish: April 26, 2015 Farmington Observer



## CITY OF FARMINGTON CODE OF ORDINANCES

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF FARMINGTON  
ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 35, ZONING, OF THE CITY OF FARMINGTON CODE OF ORDINANCES, IN ORDER TO ADD A PROVISION TO ARTICLE 4 "R1, R1A, R1B SINGLE-FAMILY RESIDENTIAL, R1C SINGLE-FAMILY RESIDENTIAL (COUNTRY ESTATES), AND R1D SINGLE-FAMILY RESIDENTIAL (PLANNED UNIT DEVELOPMENT) DISTRICTS," SECTION 35-73, "LOT AND YARD REQUIREMENTS" TO AMEND THE SIZE REQUIREMENTS OF SINGLE FAMILY HOME CONSTRUCTION AND ADDITIONS.

**THE CITY OF FARMINGTON ORDAINS:**

**Section 1.** Chapter 35, Zoning, of the Farmington City Code, Article 4, R1, R1A, R1B SINGLE-FAMILY RESIDENTIAL, R1C SINGLE-FAMILY RESIDENTIAL (COUNTRY ESTATES), AND R1D SINGLE-FAMILY RESIDENTIAL (PLANNED UNIT DEVELOPMENT) DISTRICTS, Section 35-73, "Lot and Yard Requirements" is hereby amended as follows:

Residential Buildings					
	R1	R1A	R1B	R1C	R1D (a)
Minimum Lot Area (square feet)	8,500	10,050	12,500	15,000	18,000
Minimum Lot Width (feet)	70	85	100	100	100
Minimum Front Yard Setback (feet) (b)	25	25	25	40	40
Minimum Side Yard Setback - least one (feet)	6	6	6	10	10
Minimum Side Yard Setback - total (feet) (c)	16	16	16	20	20
Minimum Rear Yard Setback (feet)	<del>30</del> 25	50	50	50	35
Maximum Height of Building					
- In feet	30	30	30	30	30
- In stories	2	2	2	2	2
Maximum Lot Coverage (buildings)	<del>30</del> 35%	25%	25%	25%	35%

Attachment: SingleFamily\_Expansion\_Ordinance (1871 : Public Hearing)

**CITY OF FARMINGTON CODE OF ORDINANCES**

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**(b) Front Yard Setback Averaging.** Where there is an established front yard setback different from that of [section 35-73](#), lot and yard requirements, the following shall apply: The front yard setback of any new or expanded single-family dwelling unit shall be no less than ninety (90), eighty (80) in R1 districts, percent and no more than one hundred thirty-five (135) percent of the average established front setback of other single-family dwelling units within three hundred (300) feet, on the same side of the street, of the subject lot. In no case shall the front yard setback be less than fifteen (15) feet. The building official may exclude dwelling units used in determining the average front yard that deviate from the average by more than twenty-five (25) feet.

**Section 5. Repealer**

All ordinances or parts of ordinances in conflict herewith are repealed.

**Section 6. Severability**

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

**Section 7. Savings**

This amendatory ordinance shall not affect violations of this ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

**Section 8. Effective Date**

Public hearing having been held hereon pursuant to the provisions of Section 1 03 of Act 11 0 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within twenty (20) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Farmington stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00A.M. to 5:00P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

**Section 9. Enactment**

This Ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the \_\_\_\_ day of \_\_\_\_\_, 2015 and ordered to be given publication in the manner prescribed by law.

Ayes:

Nayes:

Abstentions:

Absent:

STATE OF MICHIGAN     )

  ) ss.

CITY OF FARMINGTON CODE OF ORDINANCES

COUNTY OF OAKLAND )

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2015, the original of which is on file in my office.

\_\_\_\_\_  
Susan K. Halberstadt, City Clerk  
City of Farmington

Adopted:  
Published:  
Effective:

Attachment: SingleFamily\_Expansion\_Ordinance (1871 : Public Hearing)