



NOTICE OF ADOPTION CHARTER TOWNSHIP OF PLYMOUTH ORDINANCE NO. 99.010

TEXT AMENDMENT 004

AN ORDINANCE TO AMEND THE TEXT OF PLYMOUTH CHARTER TOWNSHIP ZONING ORDINANCE NO. 99 BY AMENDING ARTICLE XXVII, NONCONFORMITIES, RELATED TO EFFECT OF DENIAL OF A CLASS A DESIGNATION; ARTICLE XXVIII, SPECIAL PROVISIONS, RELATED TO FIRE APPARATUS ACCESS; AND ARTICLE XXXI, ZONING BOARD OF APPEALS, RELATED TO PETITIONS PREVIOUSLY DENIED.

THE CHARTER TOWNSHIP OF PLYMOUTH ORDAINS:

Part I. The Zoning Ordinance No. 99 of the Charter Township of Plymouth, is hereby amended as follows:

Section 27.3.6 Effect of Denial of a Class A Designation

The following shall not be eligible for appeal to the Zoning Board of Appeals:

1. An application for a Class A designation that has been denied by the Planning Commission.
2. An administrative decision made by the Chief Building Official regarding a modification of a Class B structure or use that has been previously denied by the Planning Commission for Class A status.

Notwithstanding the above, a previously denied application for Class A status may be resubmitted for Planning Commission consideration as a new application after a minimum of three hundred sixty five (365) days have elapsed from the date of denial by either the Planning Commission or Chief Building Official.

Section 28.17 FIRE APPARATUS ACCESS

1. **Definition**
A fire apparatus access is defined as a road (this is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot land and access roadway) that provides fire vehicles access to a facility, building and portions thereof.
2. **Fire Apparatus Access Requirement**
All buildings, facilities and all portions thereof shall be located within 150 feet of a fire apparatus access. This distance shall be considered the maximum distance unless otherwise modified and approved by the Township Fire Chief or his designee.
3. **Additional Fire Apparatus Access Required**
 - a. **Multiple Family Residential**
Every multiple family residential development with more than 100 units must include a second separate fire apparatus access. Subject to the approval of the Township Fire Chief or his designee, the second access road may be permitted to be closed to public access, and may be a locked, gated entrance accessible only by fire and emergency vehicles.

b. Commercial and Industrial

Every commercial or industrial development with a building exceeding 62,000 square feet, including every facility, building, or portion of a building constructed or moved within the Township, must include a second separate fire apparatus access in the determination of the Fire Chief or his designee.

4. Length, Width and Turnaround Requirements

In addition to the requirements above, all access roads shall meet the following requirements:

Length	Width	Turnaround Required
0 – 150 ft.	20 ft.	None
151 – 500 ft.	20 ft. If a hydrant is present, the width shall be increased to 26 ft. for a distance of 20 ft. on either side of the hydrant.	Must have one of the following turnarounds: 1. 120 ft. hammerhead; 2. Y turn; or 3. 96 ft. diameter cul-de-sac
501 – 750 ft.	26 ft.	Must have one of the following turnarounds: 1. 120 ft. hammerhead; 2. Y turn; or 3. 96 ft. diameter cul-de-sac
Over 750 ft.	Special Approval Required	

5. Vertical Clearance

The vertical clearance above the fire apparatus access shall be a minimum height of thirteen feet and six inches (13’6”) and maintained as such.

Section 31.13 LIMITS ON AUTHORITY, is to be renumbered as Section 31.14. New language for Section 31.13 is amended as follows:

Section 31.13 PETITIONS PREVIOUSLY DENIED

Where a prior petition for an appeal applying to a specific piece of property or a part of such property was denied by the Zoning Board of Appeals, a new application for the same appeal shall not be accepted by the Zoning Board of Appeals for consideration for a period of three hundred sixty five (365) days, unless the Zoning Board of Appeals determines that one or more of the following conditions has been met:

1. There is a substantial change in circumstances relevant to the issues or facts considered during review of the application that might reasonably affect the decision-making body’s application of the relevant review standards to the development proposed in the application.
2. New or additional information is available that was not available at the time of the review that might reasonably affect the decision-making body’s application of the relevant review standards to the development proposed.
3. The new application is materially different from the prior application.

Part II CONFLICTING PROVISIONS REPEALED. Any ordinance or parts of Ordinance in conflict herewith, are hereby repealed.

Part III EFFECTIVE DATE. The provisions of this Ordinance are hereby declared to take effect on April 9, 2009.

Part IV ADOPTION. The Ordinance was adopted by the Township Board of the Charter Township of Plymouth by authority of Act 184 of Public Acts of Michigan, 1949, as amended, at a meeting duly called and held on March 24, 2009 and ordered to be given publication in the manner prescribed by law. The Ordinance may be purchased or inspected at the Plymouth Township Department of Public Works Building, Community Development Department during regular business hours.

Adopted by the Board of Trustees on March 24, 2009.
Effective Date April 9, 2009.

Publish April 2, 2009.