

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, April 13, 2022 – 5:30 PM
Van Buren Township Hall
46425 Tyler Road**

Per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022, the following Zoom link is provided to enable remote participation in a meeting of the public body by the general public:

When: Apr 13, 2022 05:30 PM Eastern Time (US and Canada)
Topic: 4/13/2022 Van Buren Township Planning Commission Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85203755136>

Or One tap mobile :

US: +13017158592,,85203755136# or +13126266799,,85203755136#

Or Telephone: Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 852 0375 5136

See the Van Buren Charter Township website for additional information regarding how to participate in a Zoom public meeting.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES: Approval of minutes from the regular meeting of March 23, 2022.

CORRESPONDENCE:

PUBLIC HEARING:

OLD BUSINESS:

NEW BUSINESS:

**ITEM # 1 CASE 22-013 – PHANTOM FIREWORKS (LAKEWOOD SHOPPING CENTER)-
TEMPORARY LAND USE**

- TITLE:** The Applicant, Phantom Fireworks, is requesting a temporary land use permit to conduct a temporary outdoor fireworks tent sale.
- LOCATION:** 2095 Rawsonville Road. This site is located in the Lakewood Shopping Plaza parking lot on the east side of Rawsonville Road and on the south side of the I-94 South Service Drive.
- INFO:** This activity is proposed from June 22 to July 4, 2022.
- ACTION ITEMS:**
- A. Presentation from Township Staff
 - B. Presentation from the applicant
 - C. Planning Commission discussion
 - D. Public comment
 - E. Planning Commission considers approval of the Temporary Land Use
- ITEM # 2** **CASE 22-017- PHANTOM FIREWORKS (MENARDS SITE)– TEMPORARY LAND USE**
- TITLE:** The applicant, Phantom Fireworks is requesting a temporary land use permit to conduct a temporary outdoor fireworks tent sale.
- LOCATION:** 10010 Belleville Road. This site is located in the Menards parking lot, which is on the west side of Belleville Road, south of Tyler Road.
- INFO:** This activity is proposed from June 22 to July 4, 2022.
- ACTION ITEMS:**
- A. Presentation from Township Staff
 - B. Presentation from the applicant
 - C. Planning Commission discussion
 - D. Public comment
 - E. Planning Commission considers approval of the Temporary Land Use
- ITEM # 3:** **DISCUSSION: SUMPTER ROAD MIXED USE ZONING DISTRICT (SMU) AND SUMPTER ROAD OVERLAY DISTRICT (SROD)**
- Work session to discuss proposed text amendments to the Van Buren Township Zoning Ordinance to consider the addition of Section 3.121 (Sumpter Road Mixed Use District) and Article 6, Chapter 4 (Supplemental Zoning District Standards – Sumpter Road Overlay District), and related amendments. The first work session will focus on the purpose of the SMU District, and permitted uses, building types, and dimensional requirements within certain areas of the proposed District.
- ACTION ITEMS:**
- A. Presentation from Staff
 - B. Planning Commission discussion

C. Planning Commission considers recommendation to continue discussion at a future meeting.

ITEM # 4: DISCUSSION: SUMPTER ROAD CORRIDOR PLAN PUBLIC HEARING

The Planning Commission will consider a date of May 11, 2022 to hold a public hearing regarding the draft Sumpter Road Corridor Plan.

ACTION ITEMS: A. Presentation from Staff
 B. Planning Commission discussion and consideration of public hearing date.

GENERAL DISCUSSION AND UPDATES

ADJOURNMENT:

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
March 23, 2022
MINUTES - DRAFT**

Chairperson Kelley called the meeting to order at 7:31 p.m.

ROLL CALL:

Present: Jahr, Cullin, Atchinson, Barr, Garrett and Kelley.

Excused: Atchinson.

Staff: Director Power and Secretary Harman.

Planning Representatives: McKenna Associates, Vidya Krishnan.

Applicant(s) in Attendance: Chuck Frieze of TNT Fireworks (remote), Barbara Rykwald, Christopher Becker and Jean Uwizeye of DTE and Brock Bosack of NTH Consultants.

Audience: Six (6).

APPROVAL OF AGENDA:

Motion Jahr, Cullin second to approve the revised agenda of March 23, 2022 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Garrett second to approve the regular meeting minutes of March 9, 2022 as presented. **Motion Carried.**

NEW BUSINESS:

ITEM #1: 22-011 – TNT FIREWORKS (WALMART SITE) – TEMPORARY LAND USE.

THE APPLICANT, TNT FIREWORKS IS REQUESTING A TEMPORARY LAND USE PERMIT TO CONDUCT A TEMPORARY OUTDOOR FIREWORKS TENT SALE.

10562 BELLEVILLE ROAD. THIS SITE IS LOCATED IN THE WALMART PARKING LOT, WHICH IS ON THE WEST SIDE OF BELLEVILLE ROAD, SOUTH OF TYLER ROAD.

Director Power presented his staff review letter dated 3-17-22. TNT Fireworks is requesting a temporary land use permit for a tent sale of fireworks at the Belleville Road Walmart, Store #2874. The proposed use is from June 22, 2022 through July 5, 2022, with hours of operation from 9:00 a.m. to 10:00 p.m. This is the eighth (8th) year that TNT Fireworks has requested a temporary land use permit to operate at this location. Director Power is not aware of any issues or concerns from previous years and recommends approval subject to the following conditions:

1. That the applicant obtains approval from the Van Buren Township Fire Marshal.
2. That all proposed signage complies with the Zoning Ordinance.

Director Power presented the Fire Department review letter dated 3-11-22 recommending approval subject to the following conditions:

1. The temporary facility and the retails sales of fireworks must comply with NFPA 1124 as required by the State of Michigan and the Township of Van Buren.
2. Upon approval from the State of Michigan Bureau of Fire Services and the issuance of a tentative permit to sell fireworks, the site will be inspected by the Van Buren Township Fire Department.
3. A detailed floor plan showing the location of tables, displays and exits shall be kept on site of the CFRS location.

The applicant, Chuck Friese, was present via Zoom to answer any questions.

No questions or comments from the Commission, audience or remote viewers.

Motion Jahr, Cullin second to grant the applicant, TNT Fireworks, a temporary land use permit to conduct a temporary outdoor fireworks tent sale, located at 10562 Belleville Road in the Walmart parking lot, from June 22, 2022 to July 5, 2022, based on the analysis and subject to the conditions in Director Power's staff review letter dated 3-17-22 and the Fire Department review letter dated 3-11-22.

Roll Call:

Yeas: Garrett, Budd, Barr, Cullin, Jahr and Kelley.

Nays: None.

Excused: Atchinson.

Motion Carried. (Letters Attached)

ITEM #2: 20-025 – DTE MODULAR RESTROOM ADDITION.

THE APPLICANT, RUDOLPH LIBBE, ON BEHALF OF OWNER DTE, HAS APPLIED SEEKING TO INSTALL A 1,285 SQUARE FOOT ADDITION TO AN EXISTING 116,377 OFFICE AND MANUFACTURING BUILDING USED BY DTE.

PARCEL NUMBER V-125-83-046-99-704; ADDRESS: 8001 HAGGERTY ROAD. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF HAGGERTY ROAD, JUST SOUTH OF ECORSE ROAD.

Director Power provided a brief overview. The applicant on behalf of DTE is requesting to install a 1,285 square foot addition to an existing 116,377 office and manufacturing building located on a 26.2 acre site to provide for additional restroom capacity and office space. Director Power displayed the site plan and identified the location of the proposed addition.

Vidya Krishnan of McKenna Associates presented her site plan review letter dated 3-17-22. The Township has worked with DTE for several months/years on this project, which often faced issues related to engineering, construction, etc. Per DTE the addition of the trailer is vital to their operations at this time, so the scope of the project has been severely limited. Based on the limited scope of the project, McKenna Associates recommends that the Planning Commission approve the site plan for the proposed trailer addition, subject to the following conditions:

1. Installation of a shielded light fixture with administrative approval.
2. Planning Commission approval of the proposed trailer's architecture.
3. Clear understanding by the applicant that all other aspects of the site including but not limited to outdoor storage, racks, dumpsters, detention pond and landscaping, will be subject to the full site plan review process. No outdoor storage use must commence without Planning Commission approval.

Director Power presented the Fire Department's review letter dated 3-18-22 with the following comments: revised plans were submitted by the applicant on 3-18-22 showing the hydrant relocated away from the trailer by approximately 5 to 7 feet, the steamer connections will need to face the access road and the plans are approved.

Barbara Rykwald of DTE provided a brief overview, addressing why DTE is requesting an addition to the existing building. Warehouse and fleet garage employees have requested closer restroom facilities to their locations, as they currently are traveling 500 feet to reach the nearest restroom and some are crossing through vehicle traffic. The zoning ordinance requirement is 300 feet or less to reach the nearest restroom facility. The addition will meet the requirement of 300 feet or less, help to reduce congestion in the current restroom facilities and improve safety for the employees.

Vidya Krishnan of McKenna Associates expressed concern with the skirting material making the addition look more like a trailer and not part of the building, she would like to see masonry to match the adjacent building façade. Brock Bosack of NTH Consultants confirmed that the applicant can make the skirting match the adjacent masonry building façade and the project manager will incorporate the change.

Commissioners had the following questions and comments:

- If it is a permanent structure, why a trailer? The trailer is due to the time factor, right now DTE is renting restroom trailers to accommodate employees and the trailer is an immediate way to address the addition. DTE is looking to have the addition in place as quickly as possible to comply with distance and safety requirements.
- Are the restrooms plumbed into city sewer and sanitary? Yes, they are plumbed to the existing building.

Remote viewer commented that the township should reevaluate the ordinance that would allow a "trailer" to become a permanent structure, feels like it sets too low of a design standard.

Motion Jahr, Barr second to grant the applicant Rudolph Libbe, on behalf of owner DTE, preliminary and final site plan approval to install a 1,285 square foot addition to an existing 116,377 office and manufacturing building, located at 8001 Haggerty Road, based on the analysis and subject to the conditions and recommendations in the McKenna Associates review letter dated 3-17-22, Fire Department review letter dated 3-18-22, Director Power's staff letter dated 3-17-22 and noting the additional condition that the trailer skirt will be considered to have the same masonry as the adjacent building.

Roll Call:

Yeas: Budd, Garrett, Barr, Cullin, Jahr and Kelley.

Nays: None.

Excused: Atchinson.

Motion Carried. (Letters Attached)

ITEM #3: 22-014 – DTE ELECTRIC TREE REMOVAL PERMIT APPLICATION – 42061 ECORSE ROAD.

THE APPLICANT, CHRISTOPHER BECKER, ON BEHALF OF DTE ELECTRIC SEEKS APPROVAL FOR A TREE PERMIT FOR THE REMOVAL OF FIFTY-SIX (56) TREES.

42061 ECORSE ROAD, TAX PARCEL 83-041-99-0004-001. THIS SITE IS LOCATED ON THE SOUTH SIDE OF ECORSE ROAD BETWEEN HAGGERTY ROAD AND KIRKBRIDGE PARK DRIVE.

Director Power displayed the site plan and provided a brief overview. The site was rezoned to make way for an additional DTE substation, the applicant will be coming back to the Planning Commission in the near future for site plan review. Director Power presented his staff review letter dated 3-22-22, recommending the Planning Commission approve the request for a tree removal permit on the above site, subject to the following comments:

1. The substation site plan will be resubmitted for Planning Commission review prior to the commencement of tree clearing.
2. Staff will work with the applicant to evaluate a suitable landscaping performance bond to cover any restoration work that is required in the event that the substation construction does not commence.
3. The timing, specifications of trees and exact location of proposed replacement trees must be reviewed and approved by staff prior to planting.
4. A tree removal permit fee has been preliminarily assessed with this application. Any required permit fee must be paid prior to any tree removals.

Director Power noted that comment number 1 is redundant, not necessary and that the applicant has already submitted a check for the permit fee referenced in comment number 4.

Barbara Rykwald of DTE thanked the Commission for the revised agenda. This project is for the addition of a substation, named "Morton". The substation will provide greater enhanced reliability of power service for the area. The Applicant, Chris Becker of DTE informed that the wetland areas are being preserved, the trees along the drain on the west side of the property will remain, conduit is being installed under the drain, DTE is not using a utility exemption for anything at the property and there will be trees added to the landscaping of the substation. There are approximately 115-117 trees with half of them being removed with half of them being replaced. Mr. Becker will begin working with park staff this spring on the replacement trees to be planted at Van Buren Park in the fall of 2022.

Commissioner asked Director Power if he wished to alter some of the comments from the review letter. Director Power asked to remove comments 1 and 4 as they have already been addressed, comments 2 and 3 will remain.

No questions or comments from the audience or remote viewers.

Motion Jahr, Cullin second to grant the applicant, Christopher Becker on behalf of DTE a tree remove permit for the removal of fifty-six (56) regulated trees, located at 42061 Ecorse Road, based on the analysis and subject to the conditions in Director Power's review letter dated 3-22-22, noting that comments 1 and 4 are to be dropped.

Roll Call:

Yeas: Barr, Garrett, Budd, Cullin, Jahr and Kelley.

Nays: None.

Excused: Atchinson.

Motion Carried. (Letter Attached)

ITEM #4: DISCUSSION: SUMPTER ROAD MIXED USE ZONING DISTRICT (SRMU) AND SUMPTER ROAD OVERLAY DISTRICT (SROD).

WORK SESSION TO DISCUSS PROPOSED TEXT AMENDMENTS TO THE VAN BUREN TOWNSHIP ZONING ORDINANCE TO CONSIDER THE ADDITION OF SECTION 3.121 (SUMPTER ROAD MIXED USE DISTRICT) AND ARTICLE 6, CHAPTER 4 (SUPPLEMENTAL ZONING DISTRICT STANDARDS – SUMPTER ROAD OVERLAY DISTRICT) AND RELATED AMENDMENTS. THE FIRST WORK SESSION WILL FOCUS ON THE PURPOSE OF THE SRMU DISTRICT, PERMITTED PRINCIPAL AND SPECIAL LAND USES IN THE DISTRICT'S "ANCHOR" AND "SHALLOW FRONTAGE" LOTS, ACCEPTABLE BUILDING TYPES FOR THESE LOTS AND DIMENSIONAL REQUIREMENTS FOR THESE BUILDINGS.

In collaboration with the Planning Consultant, Director Power presented a set of zoning ordinance amendments that will provide actionable standards for development based on the vision set forth in the 2022 Van Buren Township Sumpter Road Corridor Plan. These amendments are for the Sumpter Mixed Use District (SMU) and the Sumpter Road Overlay District (SROD). Vidya Krishnan and Director Power walked the Commission through a few examples and explained how to use the tools provided in the packet for review. Commissioners were asked to review the material provided, markup their worksheets and submit their notes for a work session at the next meeting.

Commissioners had the following questions and comments:

- When we create these amendments, they will apply just to the Sumpter Road Corridor? Vidya Krisnan confirmed, yes.
- Do Commissioners submit feedback directly to Director Power? Yes. Director Power will put all 4 sheets together within a couple days and send them out to the Commission to provide feedback and discuss at the next meeting in April.
- The east side of the Sumpter Road Corridor boundary is so jagged, do we know what existing buildings are in Van Buren Township and which ones are not? Yes, Director Power has a live map that was developed during the Master Plan, which allows you to zoom in on the properties, he will provide a link.

- The land cleared along Sumpter Road, is that City of Belleville property? Yes.
- Commissioner commented there is a lot of data and looks forward to going through it.

ITEM #5: PLANNING COMMISSION MEETING TIME.

Director Power gave the presentation. There has been interest in moving the Planning Commission meeting time. Any change made will need to be to a time that all the Planning Commissions would be available. The times being considered are: 5:00 p.m., 6:00 p.m., 7:00 p.m. and 7:30 p.m. Feedback received from Commission members narrowed the time down to 5:00 p.m. or 7:30 p.m. Director Power asked the Commissioners to discuss the time change and if any change is made he will need a recommendation to take to the Board of Trustees.

Commissioners had the following questions and comments:

- Want to make sure that all Commissioners can make the meeting time.
- Were the consultants polled as well? Director Power has spoken with the consultants and they are available at any of the time options.
- Commissioner asked to consider 5:30 p.m. in order to give the public enough time.
- Commissioners all agreed to change the meeting time to 5:30 p.m.
- The Commission asked to solicit public feedback. Audience members indicated that the 5:30 p.m. time worked for them as well and there were no comments from remote viewers.

Motion Jahr, Garrett second to adopt Planning Commission Resolution 2022-02 adjusting the start time for regular meetings to 5:30 p.m. on the second and fourth Wednesday of each month, subject to approval by the Van Buren Township Board of Trustees.

Roll Call:

Yeas: Budd, Garrett, Barr, Cullin, Jahr and Kelley.

Nays: None.

Excused: Atchinson.

Motion Carried. (Resolution Attached)

GENERAL DISCUSSION:

Remote viewer inquired if there were any updates on the senior housing development on the northeast corner of Morton Taylor Road. Director Power informed that staff took a preliminary look at 144 units just west of Hickory Woods, however there is no formal application yet. The applicant has engaged with the neighboring property owners and homeowners associations. Vidya Krishnan informed that they are also working with EGLE and she believes the applicant is looking at senior independent living.

Commissioner thanked remote viewer for taking the time to submit questions and comments.

ADJOURNMENT:

Motion Barr, Cullin second to adjourn the meeting at 9:01 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



VAN BUREN CHARTER TOWNSHIP

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

TEMPORARY LAND USE / SPECIAL EVENT APPLICATION

CONTACT INFORMATION

DATE OF APPLICATION: 3-15-2022	BUSINESS NAME: Phantom Fireworks
CONTACT PERSON: Richard Tapper	PHONE: 330-5590776
SITE SUPERVISOR: Richard Tapper	PHONE:
PROPERTY OWNER REPRESENTATIVE: Scherbak	PHONE:

EVENT INFORMATION

EVENT TITLE: Fireworks	
TYPE OF EVENT: Tent Sale	DATES OF EVENT: JUNE 22 - JUL 4
LOCATION OF EVENT: 2095 Fawcettville Rd	ADDRESS OF LOCATION:
ARE SIGNS PROPOSED FOR ADVERTISING? (YES) NO Banner on tent 8'x4'	
IF YES, INCLUDE LOCATIONS AND DETAILS on Tent poles	
OTHER:	
<ul style="list-style-type: none">• IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS.• IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, OR VIBRATION, ARE EXPECTED BEYOND THE PROPERTY BOUNDARIES PLEASE EXPLAIN IN SEPARATE LETTER.• ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM THE SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.	

FEE INFORMATION:

PROCESSING FEE:
BOND FEE:
TOTAL AMOUNT DUE:

Richard Tapper
SIGNATURE OF APPLICANT

3-15-22
DATE

APPROVED BY

DATE



MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power – Director of Planning and Economic Development
RE: Review of Temporary Land Use Request #22-013 – Phantom Fireworks at Lakewood Shopping Plaza
DATE: April 8, 2022

PROJECT REVIEW

Phantom of Michigan, Inc. is requesting a Temporary Land Use permit for a tent sale of fireworks at the Lakewood Shopping Plaza at 2095 Rawsonville Road. The use is proposed to be from June 22, 2022 through July 4, 2022, 10:00 a.m. to 10:00 p.m. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

Under Section 7 of Michigan Public Act 256 of 2011, local units of government are limited in their ability to regulate the sale of fireworks within their communities. The Michigan Attorney General has issued an Opinion on this section of the Act (Opinion #7266), which states, "so long as the local ordinance does not prohibit fireworks vendors from undertaking their commercial operations in any way that other vendors may undertake their operations, the ordinance is not preempted by the Act." Therefore, fireworks vendors are subject to the same Zoning Ordinance regulations as any other temporary land use.

In reviewing past applications for this temporary land use, the current application and the requirements of the Zoning Ordinance for temporary use approval, the following comments are pertinent to the Planning Commission.

1. Adequacy of parking and access - The site currently has 877 public parking spaces, 31 of which are handicapped reserved. The tent, portable storage container, and surrounding space will only remove approximately 30 regular parking spaces, the site will still have adequate parking while the temporary land use is ongoing.
2. Adequate drainage - The site is in an existing parking lot that already has storm water drainage. The tent and storage container will not affect the amount of impervious surface or water that would be diverted into the storm system.
3. Compatibility with surrounding land uses - The proposed use is retail sales in a parking lot of an existing shopping plaza. Therefore, the uses are compatible.
4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site - The tent and portable storage container are temporary in nature and tent sales regularly take place in parking lots, so no impacts are expected to the surrounding sites.

5. Sufficient setbacks from road right-of-ways and lot lines - The sales area is setback over 100 feet from the right-of-way of the South I-94 Service Drive and over 30 feet from the adjoining outlot of the plaza to the west.
6. Adequate utilities - Phantom will supply its own electrical generation. The generator and electrical hook-up will be inspected to ensure compliance with National Fire Protection Association requirements.
7. Trash disposal and site clean-up - Phantom will be responsible for all trash disposal and site clean-up in relation to their agreement with Schostak Brothers and Company, managing agent for Lakewood Shopping Center.
8. Sanitary facilities - Due to the short nature of the customer shopping, no sanitary facilities will be provided.
9. Hours of operation - From 10:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses. However, we are not aware of any complaints with Phantom closing at 10:00 p.m. in previous years, so the hours of operation are reasonable.
10. Outdoor light and signs - No exterior lights are provided. Interior lights will be hung by the tent company. The Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Phantom requests a banner to measure 4' x 8' (32 sq. ft.). This requirement is therefore met.
11. Other licenses and permits required - A current Consumer Fireworks Retail Facility: Non-Permanent license must be provided by the applicant prior to the establishment of the temporary use. The Van Buren Fire Marshall shall be separately issuing a review letter.
12. Potential noise, odor, dust, and glare - The proposed temporary use should not increase the noise, odor, dust or glare from their use.
13. Fire lanes, fire protection, and security - The Van Buren Fire Marshall shall review the application for adequacy of fire lanes and fire protection. The site will be staffed with 3-6 employees during open hours. During non-operating hours, all products will be returned to their fire-proof storage unit and locked up until the materials are returned for redisplay the following day.
14. Off-site impacts of traffic volumes - The roads in the immediate vicinity are major Township roads, and this temporary use will not impact their flow or travel volumes.
15. Necessity of performance bond to ensure prompt removal - The property owner will be responsible for ensuring the site is returned to its pre-sale condition.

16. Other concerns which may impact the public health, safety, or general welfare -There are no additional concerns; however, the applicant is subject to the regulations of Act 256 and applicable regulations of the Fire Department.

Recommendation

This will be the tenth (10th) year that Phantom has operated at this location, and I am not aware of any complaints or issues that have taken place in the previous years. Based on this review dated April 8, 2022, I recommend approval of this application subject to the following condition:

1. All application materials shall reference Van Buren Township, MI as the municipality.

Andrew Lenaghan
Deputy Fire Chief/Fire Marshal
O: 734-699-8900 ext. 9416

Van Buren Fire Department
46425 Tyler Rd
Van Buren Twp., MI 48111



March 24, 2022

Director of Building and Planning
46425 Tyler Road
Van Buren Township, MI 48111

VB-T 22-013

Re: Phantom Fireworks Eastern Region LLC Temporary Land use at 2095 Rawsonville Road.

I have reviewed the plans submitted to my office on March 22, 2022 and found their application and site plan is in compliance with the Van Buren Township adopted fire code, as well as state regulations for fireworks sales.

The Van Buren Fire Department will conduct an onsite inspection for Van Buren Township only. The State of Michigan will conduct the required inspection per license requirements from the State.

Respectfully Submitted,

Andrew Lenaghan
Deputy Fire Chief/Fire Marshal

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.



Property Name: Lakewood Shopping Plaza

Address: 2095 Rawsonville Road, Belleville, MI. 48111

Landlord Lease Terms: June 8th, 2022 through July 16th, 2022

Hours of Operation: June 22nd 2022 – July 4th 2022 10 am –10 pm

Size of Equipment: Flame Retardant Tent: 40' x 40'

Fire Proof Storage Unit 8'X 40'

Use Clause: The retail sale of consumer sparklers, novelties, and Class C fireworks as permitted by the state of Michigan.

Insurance: \$10 million dollars in product, personal and property liability.

Participants-2-4 people

We follow NFPA 1123, 1124, and 1125 regulations.

Thank You,

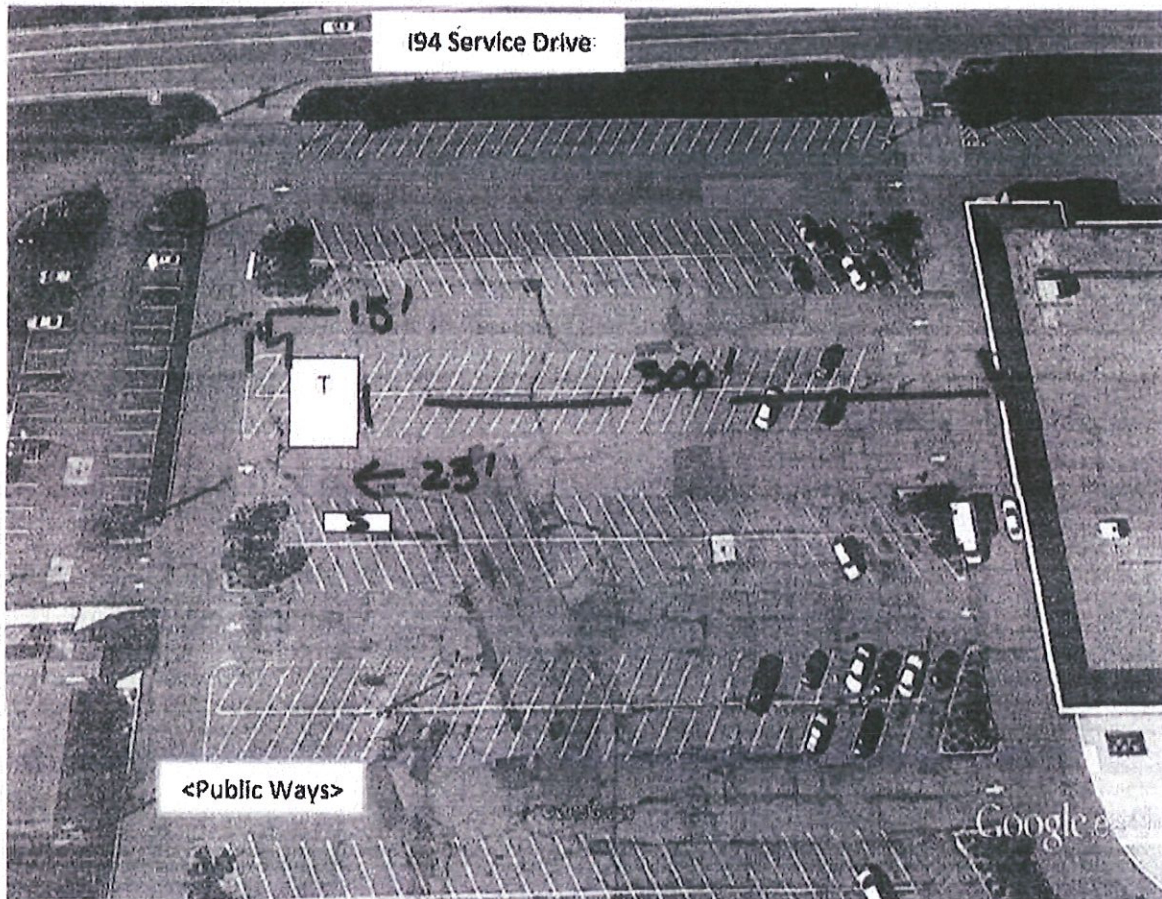
Richard Tapper

State Regional Manager/ Michigan

330-559-0776

Exhibit A

Van Buren Township, 2095 Rawsonville Road, Belleville, MI. 48111,
Lakewood Center



T- Frame Tent 40'X40' S- Storage Unit 8'X40' X- Generator

There are no gas stations, propane stations, flammable gas bulk dispenser, etc on this property or surrounding properties within 300 feet.

Over 800 parking spaces available on the asphalt, using 30 parking spaces. There is no parking within 10 feet of the tent.

There are public ways within 150 feet of the tent and storage unit.

X  Date 2/9/22

Schostak Brothers & Co., Inc as managing agent for Lakewood shopping
Center LLC.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/15/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:	FAX (A/C, No): 216-658-7101	
	PHONE (A/C, No, Ext): 216-658-7100	E-MAIL ADDRESS: info@brittongallagher.com	
INSURED Phantom Fireworks Eastern Region, LLC 2445 Belmont Avenue Youngstown OH 44505	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Everest Indemnity Insurance Co.		10851
	INSURER B: Axis Surplus Ins Company		26620
	INSURER C: Arch Speciality Ins Co		21199
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES

CERTIFICATE NUMBER: 1944029986

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> Non-Owned Stand <input type="checkbox"/> End't Included GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y		SI8GL00543-211	10/30/2021	10/30/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$	Y		UXP0057739-07	10/30/2021	10/30/2022	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y / N <input type="checkbox"/> N / A		N / A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Excess Liability #2	Y		P-001-000046155-04	10/30/2021	10/30/2022	Each Occ/ Aggregate \$5,000,000 Total Limits \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

Tent Location: Lakewood Shopping Center, 2095 Rawsonville Rd, Belleville MI 48111

Dates of Operation: June 22, 2022 through July 5, 2022

Lakewood Shopping Center LLC; Schostak Brothers & Company Inc, Van Buren Township

CERTIFICATE HOLDER**CANCELLATION**

Shostak Brothers & Co Inc
17800 Laurel Park Drive North Suite 200C
Livonia MI 48152

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

Phantom Fireworks Eastern Region, LLC

2445 Belmont Ave, Youngstown, Ohio 44505
330-746-1064

PROPERTY PERMISSION FORM

The undersigned, owner and/or controlling party, of the property listed below hereby grants permission to Phantom Fireworks Eastern Region, LLC to use the property for the temporary sale of fireworks at the following location:

Name: Lakewood Shopping Center

Address: 1-94 and Rawsonville Road

City: Belleville

ST: MI.

Zip: 48111

County: Wayne

This Temporary Use Permission Form is for the purposes of obtaining state and local licenses, permits, and other uses pertinent to the retail sale of Class C state approved fireworks at the location for the 2022 season.

Schostak Brothers & Co., INC

As managing agent for Lakewood Shopping Center LLC

Lynore M. Clark

Signature

Lynore M. Clark

Name- Please Print – Property Owner/Controller of Property

Vice President of Property Management

Company/Title

2-8-22

Date

Michigan Department of Licensing and Regulatory Affairs
BUREAU OF FIRE SERVICES
611 W. OTTAWA ST., 4TH FLOOR
LANSING, MI 48933

09032020

Pamela Galioto
Phantom Fireworks Eastern
Region, LLC
2445 Belmont Avenue
Youngstown OH 44505

COMPLAINT INFORMATION:

THE ISSUANCE OF THIS LICENSE SHOULD NOT BE CONSTRUED AS A
WAIVER, DISMISSAL OR ACQUIESCENCE TO ANY COMPLAINTS OR
VIOLATIONS PENDING AGAINST THE LICENSEE, ITS AGENTS OR
EMPLOYEES.

FUTURE CONTACTS:

YOU SHOULD DIRECT INQUIRIES REGARDING THIS LICENSE
OR ADDRESS CHANGES TO THE DEPARTMENT OF LICENSING
AND REGULATORY AFFAIRS BY CALLING (517) 241-8847

YOUR LICENSE MUST BE DISPLAYED IN A PROMINENT PLACE.

GRETCHEN WHITMER
Governor

STATE OF MICHIGAN
Michigan Department of Licensing and Regulatory Affairs

TYPE OF CONSUMER FIREWORKS RETAIL FACILITY: TEMPORARY
ISSUED TO THIS CONSUMER FIREWORKS RETAIL FACILITY PURSUANT TO THE
MICHIGAN FIREWORKS SAFETY ACT, P.A. 256 OF 2011.

THIS CERTIFICATE REMAINS THE PROPERTY OF THE MICHIGAN DEPARTMENT OF
LICENSING AND REGULATORY AFFAIRS (LARA), AND IS TRANSFERABLE UNDER
CONDITIONS SPECIFIED IN MCL 28.454(b), MICHIGAN FIREWORKS SAFETY
ACT. THIS CERTIFICATE IS SUBJECT TO PAYMENT OF CERTIFICATE FEES FOR
INITIAL AND ANNUAL APPLICATION OR TRANSFER FEES.

Phantom Fireworks
Phantom Fireworks
2095 RAWSONVILLE RD
BELLEVILLE MI 48111

Certificate Number
CT00022

Expiration Date:
04/30/2023

This document is duly
issued under the laws of
the State of Michigan



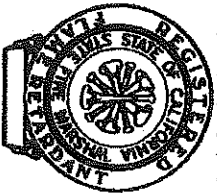
8' Long X 4' Ht.

IMPORTANT DOCUMENT

Certificate of Flame Resistance

REGISTERED
APPLICATION
NUMBER

F121.4



MANUFACTURERS OF THE FINISHED
TENT PRODUCTS DESCRIBED HEREIN

Date of Manufacture
4/22/98

Order Number
183683

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

S & R TENT
30124 CALAHAN

ROSEVILLE

MI

48066

Certification is hereby made that:

The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code, equal to exceeds NFPA 701, CPAI 84, ULC 109.
The method of the FR chemical application is:

Serial #:

(0001)

Description of item certified:

40 x 40 Party Mate Tent

**Flame Retardant Process Used Will Not Be Removed By
Washing And Is Effective For The Life Of The Fabric**

JOHN BOYLE & CO
STATESVILLE, NC

Name of Applicator of Flame Resistant Finish



PORTABLE STORAGE CONTAINERS



- Container delivered to your home or business provides secure & convenient ground level access.
- Units available with shelving and painted light beige for quality appearance.
- All steel containers include your choice of patented door & locking systems.
- Easy opening, waist high, single lever doors on one end, both ends or sides.
- Sizes range from 10' to 40' lengths and 8' or 10' widths.

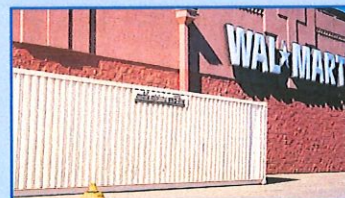
ANYONE CAN SELL STORAGE - WE SELL SECURE STORAGE!

Our patented high security locking system includes three solid interior locking bars, padlock pocket and concealed lever lock. It also utilizes Mobile Mini's exclusive high security ContainerGuard Lock™.



COMMERCIAL APPLICATIONS Trusted for Over 25 Years

Ideal for job site, additional warehouse or seasonal storage needs. Mobile Mini's secure containers are available in 100 different sizes and configurations to meet your needs at your location. Our high security containers are used by over 100,000 customers nationwide.



RESIDENTIAL APPLICATIONS Storage Made Easy

Ideal for home remodels! A Mobile Mini storage container delivered to your home provides easy and convenient, ground-level access and easy opening doors. Our hassle free low cost service allows you to access your belongings anytime at your location and eliminates the need to rent a truck or drive to a self storage facility.



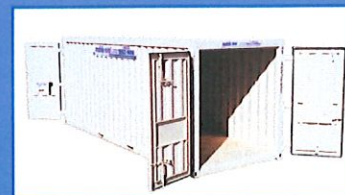
WIDER IS BETTER 10' Wide Storage Units

An exclusive Mobile Mini product, our extra-wide storage units are ideal for palletized storage. 20% more square footage, but 40% more usable space compared to a standard 8' wide unit! Units are 10' wide and available in lengths of 18' or 25'.



DOORS WHERE YOU NEED THEM Maximize your Storage Space

Our standard rental units are equipped with our exclusive high-security doors on one end. We also offer rental units with our doors on both ends or on the sides for efficient storage and convenient side or end access. Side door configurations are available with one to four side double doors. The choice is yours!





VAN BUREN CHARTER TOWNSHIP

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

TEMPORARY LAND USE / SPECIAL EVENT APPLICATION

CONTACT INFORMATION

DATE OF APPLICATION:	BUSINESS NAME: <i>Phantom Fireworks</i>
CONTACT PERSON: <i>Richard Tapper</i>	PHONE: <i>330 559 0776</i>
SITE SUPERVISOR: <i>Richard Tapper</i>	PHONE:
PROPERTY OWNER REPRESENTATIVE: <i>MR NAPES - Jayman</i>	PHONE:

EVENT INFORMATION

EVENT TITLE: <i>Fireworks</i>	
TYPE OF EVENT: <i>Tent Sale</i>	DATES OF EVENT: <i>June 22 - July 4</i>
LOCATION OF EVENT: <i>Monarchs</i>	ADDRESS OF LOCATION: <i>10010 Belkville Road</i>
ARE SIGNS PROPOSED FOR ADVERTISING? YES / NO <input checked="" type="checkbox"/> YES	
IF YES, INCLUDE LOCATIONS AND DETAILS <i>Banner 8'x4' on Tent Poles</i>	
OTHER:	
<ul style="list-style-type: none">• IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS.• IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, OR VIBRATION, ARE EXPECTED BEYOND THE PROPERTY BOUNDARIES PLEASE EXPLAIN IN SEPARATE LETTER.• ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM THE SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.	

FEE INFORMATION:

PROCESSING FEE:
BOND FEE:
TOTAL AMOUNT DUE:

Richard Tapper

SIGNATURE OF APPLICANT

1/23/22

DATE

APPROVED BY

DATE



VAN BUREN CHARTER TOWNSHIP

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

COMMERCIAL FIREWORKS DISPLAY PERMIT APPLICATION

CASE INFORMATION

CASE NUMBER:	DATE SUBMITTED:
--------------	-----------------

APPLICANT INFORMATION

APPLICANT'S BUSINESS NAME: <i>Phantom Fireworks</i>	APPLICANT NAME OR AGENT: <i>Richard Tapper</i>
PHONE: <i>330 539 0776</i>	EMAIL: <i>RTAPPER@Fireworks.com</i>
PROPERTY OWNER (IF DIFFERENT THAN THE APPLICANT): <i>Mengels</i>	
PHONE:	EMAIL:
ADDRESS:	CITY, STATE, ZIP:

SITE INFORMATION

LOCATION OR ADDRESS OF DISPLAY: <i>10010 Belleville Road</i>	DATES OF EVENT: <i>June 22 - July 4</i>
TAX ID:	
STATE ALL DEED, SUBDIVISION IMPROVEMENT AND PROPERTY RESTRICTIONS IN EFFECT AT THIS TIME, TOGETHER WITH DATES OF EXPIRATION:	

REQUIRED INFORMATION

The applicant is responsible for submitted ALL of the following information with this application and checking the corresponding boxes below. Failure to submit ALL of the following information will result in review delays or application denial.

- ☐ Copy of applicant's driver license. Applicant must be over 18 years old.
- ☐ License or permit to operate commercial fireworks from the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives.
- ☐ Completed application for Fireworks Display Permit from the State of Michigan.
- ☐ Description of the display, including the type and number of fireworks to be discharged.
- ☐ Scale drawing of the subject site, including but not limited to surrounding buildings, the display site as described by NFPA 1123, the spectator viewing area(s), and the parking area(s).
- ☐ Proof of insurance, meeting the Fireworks Safety Act Ordinance, including the following:
 - ☐ Worker's Compensation and Employers Liability coverage covering the statutory requirements of the State of Michigan and insuring the applicant with an Employer's Liability limit of at least \$500,000.
 - ☐ Occurrence-based Commercial General Liability coverage covering liability arising out of the operations of the applicant, with limits of at least \$3,000,000 per occurrence.
 - ☐ Automobile Liability with a limit of \$1,000,000 per occurrence CSL covering all owned, non-owned, and hired automobiles, and shall comply with all requirements of Michigan's No-Fault law.
- ☐ For non-resident applicants, a written appointment of a resident member of the bar of Michigan or a resident agent to be the legal representative upon whom all process in an action or proceeding against the person, firm, or corporation may be served.
- ☐ Proof that the applicant is knowledgeable of the recommended safety requirements of NFPA 1123. This will be reviewed by the Charter Township of Van Buren Fire Department.

OWNER'S AND APPLICANT'S AFFIDAVIT

McNARDS
PRINTED PROPERTY OWNER'S NAME

SIGNATURE OF PROPERTY OWNER

Richard Tapper
PRINTED APPLICANT'S NAME

Richard Tapper
SIGNATURE OF APPLICANT

DATE

1/23/22
DATE

PRINTED AGENT'S NAME

SIGNATURE OF AGENT

DATE

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this _____ day of _____, 20____.

_____, Notary Public, _____ County, Michigan My Commission expires _____, 20____.

THIS SECTION FOR OFFICIAL TOWNSHIP USE ONLY

STANDARDS OF REVIEW

Pursuant to Section 5 of the Fireworks Safety Act Ordinance, a permit shall only be issued if the following standards are satisfied:

- ☐ The permit application is complete and conforms to the requirements of the Ordinance.
- ☐ The proposed discharge of fireworks shall not have an adverse effect upon public safety.
- ☐ The time, duration, and location of fireworks will not unreasonably disturb the peace of neighboring property owners.

TOWNSHIP DEPARTMENT REVIEW

- ☐ Recommendation letter from the Director of Planning & Economic Development, dated _____.
- ☐ Recommendation letter from the Fire Department, dated _____.
- ☐ Township Board of Trustees action to _____ the application on _____.

Approve or Deny

Date



MEMO

TO: Township Planning Commission

FROM: Dan Power – Director of Planning and Economic Development

RE: Review of Temporary Land Use Request #22-017 – Phantom Fireworks Menards

DATE: April 8, 2022

PROJECT REVIEW

Phantom of Michigan, Inc. is requesting a Temporary Land Use permit for a tent sale of fireworks at the Menards parking lot at 10010 Belleville Road. The use is proposed to be from June 22, 2022 through July 4, 2022, 10:00 a.m. to 10:00 p.m. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

Under Section 7 of Michigan Public Act 256 of 2011, local units of government are limited in their ability to regulate the sale of fireworks within their communities. The Michigan Attorney General has issued an Opinion on this section of the Act (Opinion #7266), which states, "so long as the local ordinance does not prohibit fireworks vendors from undertaking their commercial operations in any way that other vendors may undertake their operations, the ordinance is not preempted by the Act." Therefore, fireworks vendors are subject to the same Zoning Ordinance regulations as any other temporary land use.

In reviewing past applications for this temporary land use, the current application and the requirements of the Zoning Ordinance for temporary use approval, the following comments are pertinent to the Planning Commission.

1. Adequacy of parking and access - The site currently has adequate public parking spaces, and has the appropriate number handicapped reserved. The tent, portable storage container, and surrounding space will remove regular parking spaces, but the site will still have adequate parking while the temporary land use is ongoing.
2. Adequate drainage - The site is in an existing parking lot that already has storm water drainage. The tent and storage container will not affect the amount of impervious surface or water that would be diverted into the storm system.
3. Compatibility with surrounding land uses - The proposed use is retail sales in a parking lot of an existing shopping plaza. Therefore, the uses are compatible.
4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site - The tent and portable storage container are temporary in nature and tent sales regularly take place in parking lots, so no impacts are expected to the surrounding sites.

5. Sufficient setbacks from road rights-of-way and lot lines - The sales area is setback more than 50 feet from the right-of-way of Belleville Road and more than 30 feet from the adjoining property to the west.
6. Adequate utilities - Phantom will supply its own electrical generation. The generator and electrical hook-up will be inspected to ensure compliance with National Fire Protection Association requirements.
7. Trash disposal and site clean-up - Phantom will be responsible for all trash disposal and site clean-up in relation to their agreement with Menards.
8. Sanitary facilities - Due to the short nature of the customer shopping, no sanitary facilities will be provided.
9. Hours of operation - From 10:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses. However, we are not aware of any complaints with Phantom closing at 10:00 p.m. in previous years, so the hours of operation are reasonable.
10. Outdoor light and signs - No exterior lights are provided. Interior lights will be hung by the tent company. The Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Phantom requests a banner to measure 8' x 4' (32 sq. ft.), which meets this requirement.
11. Other licenses and permits required - A current Consumer Fireworks Retail Facility: Non-Permanent license must be provided by the applicant prior to the establishment of the temporary use. The Van Buren Fire Marshall shall be separately issuing a review letter.
12. Potential noise, odor, dust, and glare - The proposed temporary use should not increase the noise, odor, dust of glare from their use.
13. Fire lanes, fire protection, and security - The Van Buren Fire Marshall shall review the application for adequacy of fire lanes and fire protection. The site will be staffed with 3-6 employees during open hours. During non-operating hours, all products will be returned to their fire-proof storage unit and locked up until the materials are returned for redisplay the following day.
14. Off-site impacts of traffic volumes - The roads in the immediate vicinity are major Township roads, and this temporary use will not impact their flow or travel volumes.
15. Necessity of performance bond to ensure prompt removal - The property owner will be responsible for ensuring the site is returned to its pre-sale condition.

16. Other concerns which may impact the public health, safety, or general welfare -There are no additional concerns; however, the applicant is subject to the regulations of Act 256 and applicable regulations of the Fire Department.

Recommendation

This will be the third year that Phantom has operated at this location, and I am not aware of any complaints or issues that have taken place at this location or Phantom Fireworks' other location in the Township (Lakewood Shopping Center) in previous years. Based on this review dated April 8, 2022, I recommend approval of this application, subject to one condition:

- Ensure all documentation references Van Buren Township, MI as the municipality.

Andrew Lenaghan
Deputy Fire Chief/Fire Marshal
O: 734-699-8900 ext. 9416

Van Buren Fire Department
46425 Tyler Rd
Van Buren Twp., MI 48111



March 24, 2022

Director of Building and Planning
46425 Tyler Road
Van Buren Township, MI 48111

VBt 22-017

Re: Phantom Fireworks Eastern Region LLC, Temporary Land use 10010 Belleville Rd.

I have reviewed the plans submitted to my office on March 22, 2022 and found their application and site plan is in compliance with the Van Buren Township adopted fire code as well as state regulations for fireworks sales.

The Van Buren Fire Department will conduct an onsite inspection for Van Buren Township only. The State of Michigan will conduct the required inspection per license requirements from the State.

Respectfully Submitted,

Andrew Lenaghan
Deputy Fire Chief/Fire Marshal

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.



Property Name: Menards- Van Buren Township
Address: 10010 Belleville Road, Belleville, MI. 48111

Landlord Lease Terms: June 8th, 2022 through July 16th, 2022

Hours of Operation: June 22nd 2022 – July 4th 2022 10 am –10 pm

Size of Equipment: Flame Retardant Tent: 30' x 50'
Fire Proof Storage Unit 8'X 40'

Use Clause: The retail sale of consumer sparklers, novelties, and Class C fireworks as permitted by the state of Michigan.

Insurance: \$10 million dollars in product, personal and property liability.
Participants-2-4 people
We follow NFPA 1123, 1124, and 1125 regulations.

Thank You,
Richard Tapper
State Regional Manager/ Michigan
rtapper@fireworks.com
330-559-0776

Phantom Fireworks Eastern Region, LLC

2445 Belmont Ave., Youngstown, OH 44505
330-746-1064

PROPERTY PERMISSION FORM

Subject to its approval of any final conditions of issuance, the undersigned, owner and/or controlling party, of the property listed below hereby grants permission to Phantom fireworks Eastern Region, LLC to use the property for the temporary sale of fireworks at the following locations:

Name: Menards, Inc
Cities

Ann Arbor-6405 Jackson Road
Bay City- 2864 Wilder Road
Belleville- 10010 Belleville Road
Holland-572 E 16th St.
Jackson- 3588 Page Ave.
Kalamazoo- 5300 Gull Road
Lansing South- 725 American Road
Saginaw- 5806 State St.
South Haven- 125 73rd St.
Wixom- 10400 Assembly Park Dr.
Wyoming- 5555 Clyde Park Ave. SW

This Temporary Use Permission Form is for the purposes of obtaining state and local licenses, permits, and other uses pertinent to the retail sale of Class C state approved fireworks at the location for the 2022 season.



Signature

Theron J. Berg

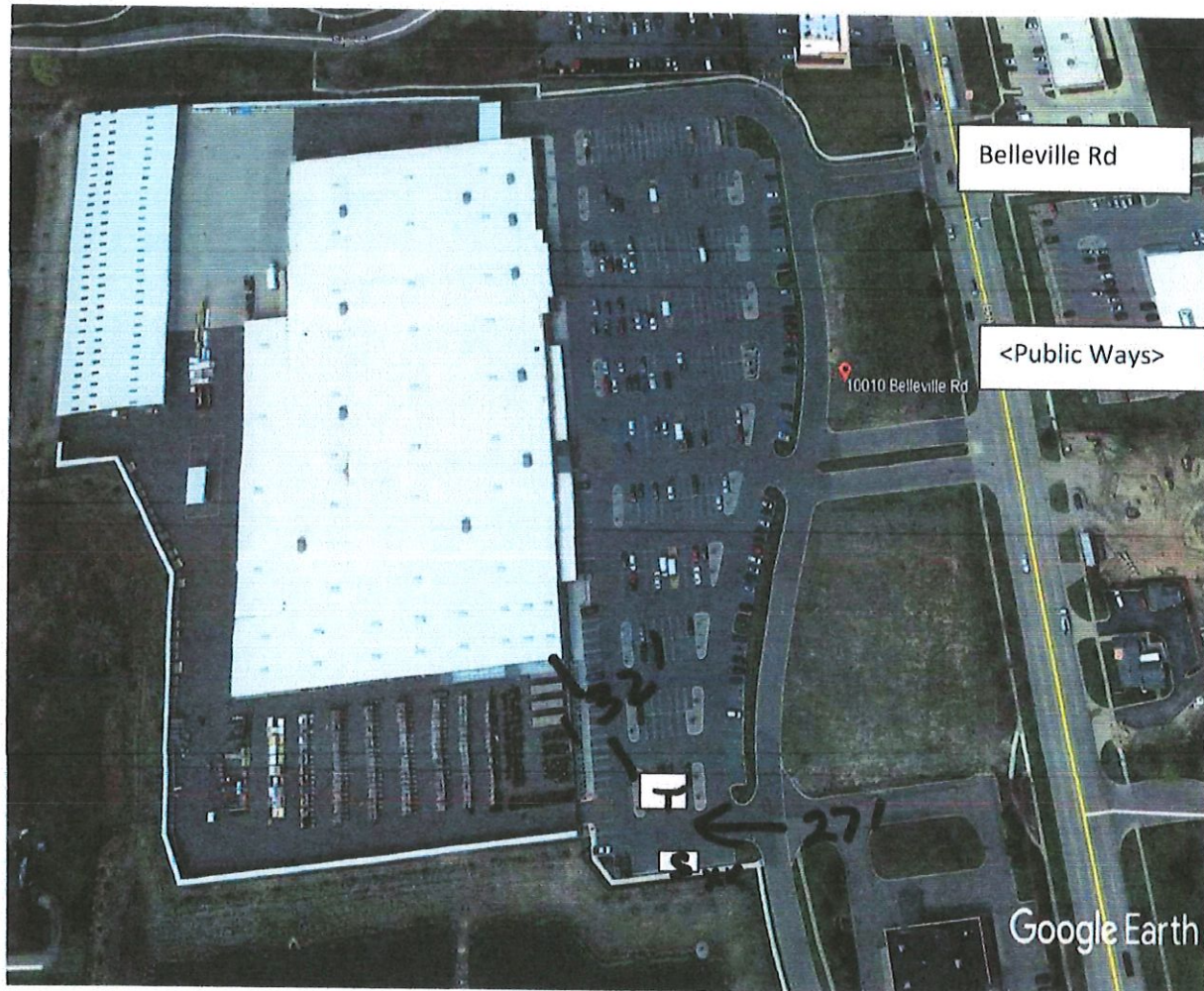
Name- Please Print – Property Owner/Controller of Property

REAL ESTATE MGR. - MENARD, INC.
Company/Title

MARCH 31, 2022
Date

Exhibit A- Plot plan

Belleville, Menards 10010 Belleville Road, Belleville, MI. 48111



T- Pole Tent 30'X50' S- Storage Unit 8'X40' Power- Generator

There are no gas stations within 50 feet on this property or surrounding properties or propane stations, flammable gas bulk dispenser, etc on this property or surrounding properties within 300 feet. There are public ways within 150 feet of the tent and storage unit.

There are over 50 car spaces available for use on the asphalt. There will be no parking within 10' of the tent.

✕ Storage unit begins at 2nd parking spot.

X _____ Date _____

MICHIGAN MI USA

ENHANCED
DRIVER LICENSE



T 160 738 271 716
DOB 09-15-1958

ISS 07-22-2021
EXP 09-15-2025

RICHARD GARY TAPPER
7376 RAFFORD LN
WEST BLOOMFIELD, MI 48322-3190

09-15-1958

Sex M

Hgt 507

Eyes BLU

Lic Type E,O

End NONE



Restrictions NONE



Richard Tapper

DD 1201310980121

DONOR
Rev 07-01-2012

Michigan Department of Licensing and Regulatory Affairs
BUREAU OF FIRE SERVICES
611 W. OTTAWA ST., 4TH FLOOR
LANSING, MI 48933

14042020

Pamela Galioto
Phantom Fireworks Eastern
Region, LLC
2445 Belmont Avenue
Youngstown OH 44505

COMPLAINT INFORMATION:

THE ISSUANCE OF THIS LICENSE SHOULD NOT BE CONSTRUED AS A
WAIVER, DISMISSAL OR ACQUIESCENCE TO ANY COMPLAINTS OR
VIOLATIONS PENDING AGAINST THE LICENSEE, ITS AGENTS OR
EMPLOYEES.

FUTURE CONTACTS:

YOU SHOULD DIRECT INQUIRIES REGARDING THIS LICENSE
OR ADDRESS CHANGES TO THE DEPARTMENT OF LICENSING
AND REGULATORY AFFAIRS BY CALLING (517) 241-8847

YOUR LICENSE MUST BE DISPLAYED IN A PROMINENT PLACE.

GRETCHEN WHITMER
Governor

STATE OF MICHIGAN
Michigan Department of Licensing and Regulatory Affairs

TYPE OF CONSUMER FIREWORKS RETAIL FACILITY: TEMPORARY
ISSUED TO THIS CONSUMER FIREWORKS RETAIL FACILITY PURSUANT TO THE
MICHIGAN FIREWORKS SAFETY ACT, P.A. 256 OF 2011.

THIS CERTIFICATE REMAINS THE PROPERTY OF THE MICHIGAN DEPARTMENT OF
LICENSING AND REGULATORY AFFAIRS (LARA), AND IS TRANSFERABLE UNDER
CONDITIONS SPECIFIED IN MCL 28.454(6), MICHIGAN FIREWORKS SAFETY
ACT. THIS CERTIFICATE IS SUBJECT TO PAYMENT OF CERTIFICATE FEES FOR
INITIAL AND ANNUAL APPLICATION OR TRANSFER FEES.

Pamela Galioto
Phantom Fireworks
10010 BELLEVILLE RD
BELLEVILLE MI 48111

Certificate Number
CT00249

Expiration Date:
04/30/2023

This document is duly
issued under the laws of
the State of Michigan



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/16/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:	
	PHONE (A/C, No, Ext): 216-658-7100	FAX (A/C, No): 216-658-7101
INSURED Phantom Fireworks Inc. 2445 Belmont Avenue Youngstown OH 44505	E-MAIL ADDRESS: info@brittongallagher.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Everest Indemnity Insurance Co.	
	INSURER B: Axis Surplus Ins Company	
	INSURER C: Arch Speciality Ins Co	
	INSURER D:	
INSURER E:		
INSURER F:		
NAIC #		

COVERAGES **CERTIFICATE NUMBER:** 1505834738 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> Non-Owned Stnd <input type="checkbox"/> End't Included GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	S18GL00643-211	10/30/2021	10/30/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ WC STATUTORY LIMITS \$ OTHER \$
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$	Y	UXP0057739-07	10/30/2021	10/30/2022	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	P-001-000046155-04	10/30/2021	10/30/2022	Each Occ/ Aggregate Total Limits \$5,000,000 \$10,000,000
B	Excess Liability #2	Y				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
Dates of operation: June 14, 2022 through July 12, 2022
Location of tent: Menards, 10010 Belleville Road, Belleville, Michigan 48111

Certificate holder is named as additional insured.
Group Code: 44446

CERTIFICATE HOLDER

CANCELLATION

Menard, Inc.
5101 Menard Drive
Eau Claire MI 54703

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE FURNISHED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

PHANTOM FIREWORKS

30' x 50' TENT

DESCRIPTION

DATE

REVISION

DRAWN BY: A/E

JDS

2012-09

SHEET NO

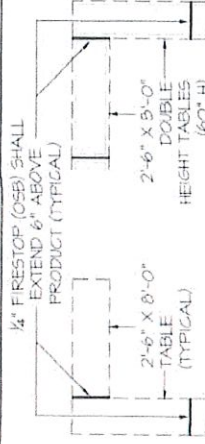
A-1.03

DATE: 05-10-2012

GENERAL NOTES

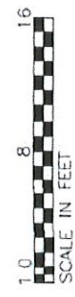
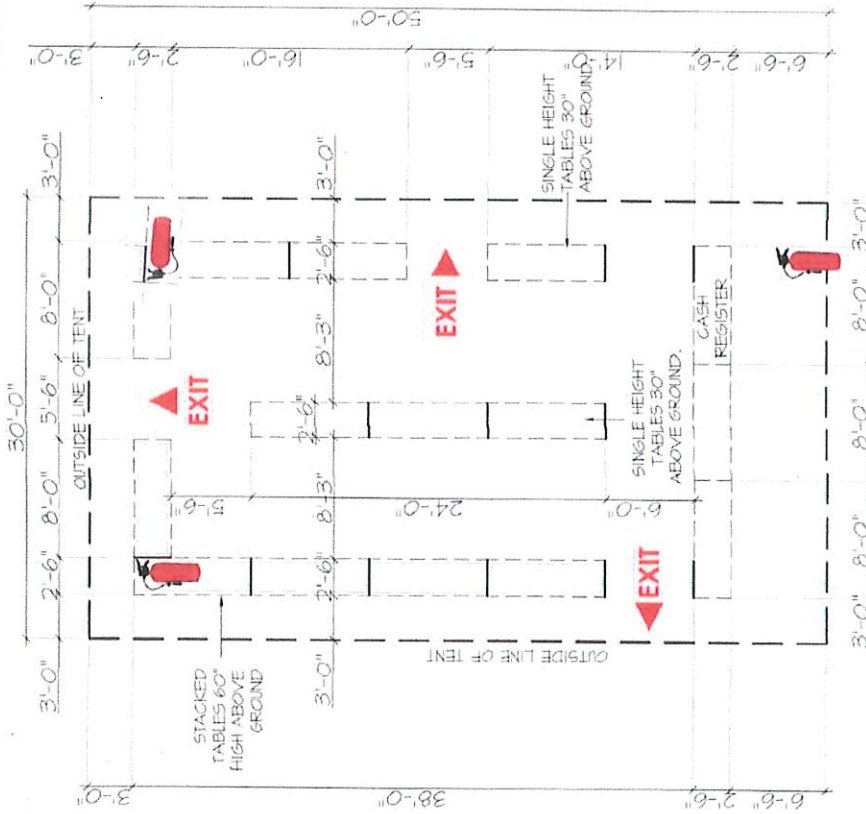
- 1) TENT SHALL HAVE (2) TWO FIRE EXTINGUISHERS LOCATED ON OPPOSITE SIDES OF THE STRUCTURE. MAINTAIN A MAXIMUM TRAVEL DISTANCE OF NOT GREATER THAN 35'-0" TO EITHER EXTINGUISHER. PROVIDE (1) ONE 5# ABC CHEMICAL RATED 3A BC AND (1) ONE 2 1/2 GALLON RATED 2A.
- 2) TENT SHALL HAVE (3) THREE EXITS AS SHOWN ON THE FLOOR PLAN DRAWING.
- 3) SINGLE HEIGHT TABLES SHALL BE 30" ABOVE THE GROUND.
- 4) STACKED TABLES SHALL BE 60" ABOVE THE GROUND.
- 5) THE AISLE AND EXIT WIDTHS SHALL BE 48" OR GREATER AS SHOWN ON THE FLOOR PLAN.
- 6) ALL MERCHANDISE SHALL BE SET BACK FROM THE TENT PERIMETER A MINIMUM OF 3'-0".
- 7) WEIGHT OF PRODUCT IS 10,400 POUNDS.
- 8) FLAME BREAK LOCATIONS ARE AT 8'-0" INTERVALS AND SHALL EXTEND UP VERTICALLY 6" ABOVE THE PRODUCT. NO FLAME BREAK IS REQUIRED WHEN A 48" OR GREATER SPACE IS BETWEEN TABLES.
- 9) PERCENTAGE OF PRODUCT IS EQUAL OR LESS THAN 40% OF THE FLOOR AREA OF THE TENT.
- 10) PERCENTAGE OF PRODUCT TO FLOOR AREA OF 30' x 60' TENT IS 18.00%.

TYPICAL FIRESTOP DETAIL



SINGLE HEIGHT TABLES

DOUBLE HEIGHT TABLES



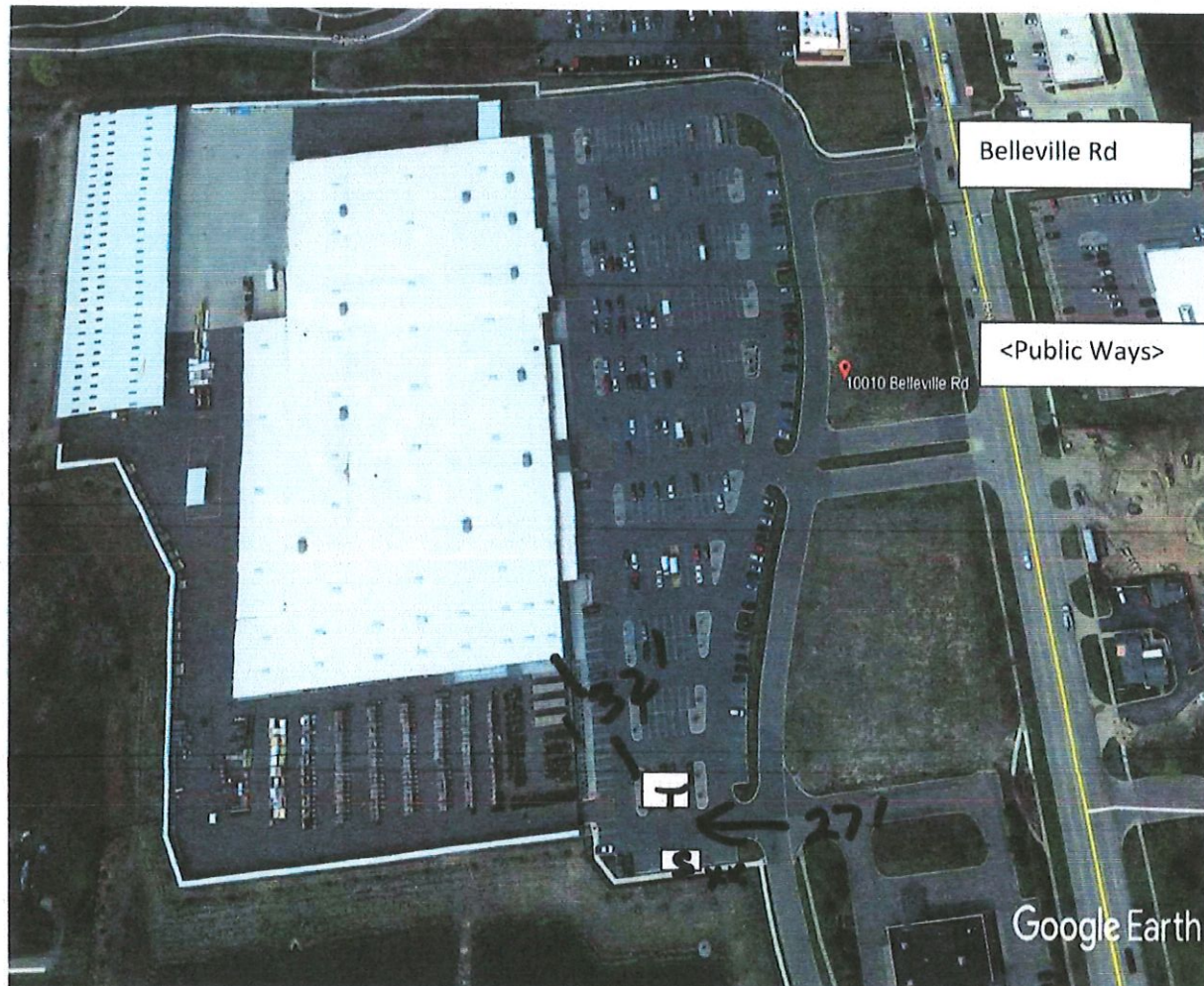
A 30' X 50' TENT LAYOUT AND EVACUATION PLAN

SCALE: 1/8" = 1'-0"

A-1.03

Exhibit A- Plot plan

Belleville, Menards 10010 Belleville Road, Belleville, MI. 48111



T- Pole Tent 30'X50' S- Storage Unit 8'X40' Power- Generator

There are no gas stations within 50 feet on this property or surrounding properties or propane stations, flammable gas bulk dispenser, etc on this property or surrounding properties within 300 feet. There are public ways within 150 feet of the tent and storage unit.

There are over 50 car spaces available for use on the asphalt. There will be no parking within 10' of the tent.

X Storage unit begins at 2nd parking spot.

X _____ Date _____



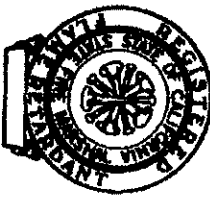
8' Long X 4' Ht.

IMPORTANT DOCUMENT

Certificate of Flame Resistance

REGISTERED
APPLICATION
NUMBER

F121.4



MANUFACTURERS OF THE FINISHED
TENT PRODUCTS DESCRIBED HEREIN

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

S & R TENT
30124 CALAHAN

ROSEVILLE

MI

48066

Certification is hereby made that:
The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code, equal to exceeds NFPA 701, CPAI 84, ULC 109.
The method of the FR chemical application is:

Description of item certified:

30' x 50' canopy

(0001)

**Flame Retardant Process Used Will Not Be Removed By
Washing And Is Effective For The Life Of The Fabric**

JOHN BOYLE & CO
STATESVILLE, NC

Name of Applicator of Flame Resistant Finish

Date of Manufacture
4/22/98

Order Number
183683



PORTABLE STORAGE CONTAINERS



- Container delivered to your home or business provides secure & convenient ground level access.
- Units available with shelving and painted light beige for quality appearance.
- All steel containers include your choice of patented door & locking systems.
- Easy opening, waist high, single lever doors on one end, both ends or sides.
- Sizes range from 10' to 40' lengths and 8' or 10' widths.

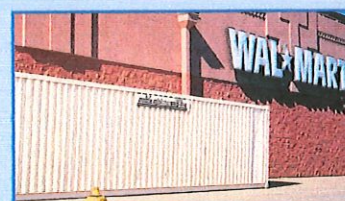
ANYONE CAN SELL STORAGE - WE SELL SECURE STORAGE!

Our patented high security locking system includes three solid interior locking bars, padlock pocket and concealed lever lock. It also utilizes Mobile Mini's exclusive high security ContainerGuard Lock™.



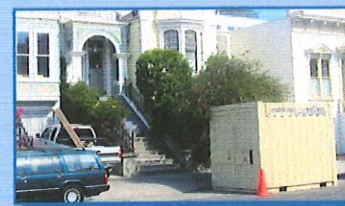
COMMERCIAL APPLICATIONS Trusted for Over 25 Years

Ideal for job site, additional warehouse or seasonal storage needs. Mobile Mini's secure containers are available in 100 different sizes and configurations to meet your needs at your location. Our high security containers are used by over 100,000 customers nationwide.



RESIDENTIAL APPLICATIONS Storage Made Easy

Ideal for home remodels! A Mobile Mini storage container delivered to your home provides easy and convenient, ground-level access and easy opening doors. Our hassle free low cost service allows you to access your belongings anytime at your location and eliminates the need to rent a truck or drive to a self storage facility.



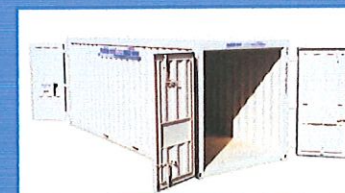
WIDER IS BETTER 10' Wide Storage Units

An exclusive Mobile Mini product, our extra-wide storage units are ideal for palletized storage. 20% more square footage, but 40% more usable space compared to a standard 8' wide unit! Units are 10' wide and available in lengths of 18' or 25'.



DOORS WHERE YOU NEED THEM Maximize your Storage Space

Our standard rental units are equipped with our exclusive high-security doors on one end. We also offer rental units with our doors on both ends or on the sides for efficient storage and convenient side or end access. Side door configurations are available with one to four side double doors. The choice is yours!





MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power– Director of Planning and Economic Development
RE: Sumpter Road Mixed Use Zoning District and Sumpter Road Overlay District: Work Session #1
DATE: April 8, 2022

Dear Planning Commissioners:

In collaboration with our Planning Consultants, I am happy to present a set of zoning ordinance amendments that will provide actionable standards for development based on the vision set forth in the 2022 Van Buren Township Sumpter Road Corridor Plan. This topic was first introduced at the regular Planning Commission meeting on March 23, 2022. The following revisions to the Zoning Ordinance and Map are recommended under the draft 2022 Sumpter Road Corridor Plan:

1. Develop new, form-based regulations for a **Sumpter Mixed Use District (SMU)**. The regulations incorporate building types standards and contain a Regulating Plan that assigns Lot Types in a manner substantially similar to those described in this Plan. A Table of Permitted Uses, by-right and by Special Land Use approval, is also created as part of this effort. Uses include a mix of residential, commercial, office, limited light industrial, recreational, and community / educational / institutional use types. The SMU District will also include regulations pertaining to setbacks, alignment and spacing of buildings, in the same manner as the existing Mixed-Use (MU) District in the Township Zoning Ordinance.
2. Create a **Sumpter Road Overlay District (SROD)** that will encompass all parcels abutting Sumpter Road, and can apply to additional areas as needed in the future. Design standards regulated in the SROD will encompass, access management standards, guidelines for future local access streets, non-motorized transportation, architectural standards, lighting, landscaping, and fencing.

In an effort to begin the process for Item #1 above, the Planning Commission is requested to discuss proposed text amendments to the Van Buren Township Zoning Ordinance to consider the addition of Section 3.121 (Sumpter Road Mixed Use District) and Article 6, Chapter 4 (Supplemental Zoning District Standards – Sumpter Road Overlay District), and related amendments to the Zoning Ordinance to accommodate the addition of these districts.

In its first work session, the Planning Commission is requested to focus on the purpose of the SMU District, permitted principal and special land uses in two of the District's four identified lot types (e.g., "Anchor" and "Shallow Frontage"), acceptable building types for these lot types, and dimensional requirements for these buildings. To assist with this effort, I have provided the following

materials for reference:

- Worksheets on the following pages which provide a simplified visual guide to the content of the Zoning Ordinance amendments the Planning Commission is requested to consider.
- The entire draft text for the proposed Section 3.121 in addition to relevant other changes to the Zoning Ordinance.
- Additionally, the application of the Sumpter Road Mixed Use District standards to specific parcels can be reviewed on an interactive map which is accessible via this webpage: <https://arcg.is/1uOjzP0>.

Prior to the first work session, the Planning Commissioners are requested to provide their feedback in writing. Their feedback and key issues based on their feedback will be reviewed during the work session. The tentative sequence of work sessions to review the proposed Zoning Ordinance amendments is as follows:

1. Review SMU – first two of four lot types;
2. Review SMU – last two of four lot types;
3. Review SROD District draft language;
4. Additional work sessions as needed; and
5. Public hearing to consider comprehensive zoning ordinance amendments and make recommendation to the Van Buren Township Board of Trustees.

Prior to the adoption of the Zoning Ordinance amendments, the Planning Commission and Board of Trustees will also be requested to adopt a final draft of the Sumpter Road Corridor Plan. Thank you for allowing us to contribute to this important discussion.

Sincerely,



Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

CC: Planning Consultants Adam Cook and Vidya Krishnan, McKenna

	Building Type		Setbacks			Height	Use Types					
			Front	Side	Rear		R	O	C	I	RC	C/E/I
Anchor Lots	Mixed Use		See footnote 1	See Footnote 2	See footnote 3	Max. 36 ft./ 3 Stories	X	X	X	X	X	X
	Retail		See footnote 1	See Footnote 2	See footnote 3	Max. 18' / 1 story		X	X			
	Liner		See footnote 1	See Footnote 2	See footnote 3	Max. 30 ft./ 2 Stories		X	X			
	Cottage Retail		Max 54'	See Footnote 2	See footnote 3	Max 24' / 20 stories	X	X	X	X	X	X
	Workshop (Accessory)		10' min. behind principal bldg	See Footnote 2	See footnote 3	Max 18'		X		X	X	X
	Barn-Style (Rear Only)		50' min. from principal bldg	5' min.	5' min.	Max 36'		X	X	X	X	X
	Artist Cottage (Rear Only)		10' min. behind principal bldg	See Footnote 2	See footnote 3	Max 18'		X	X	X	X	X
	Artisan Studio (Rear Only)		10' min. behind principal bldg	See Footnote 2	See footnote 3	Max 18'		X	X	X	X	X
	Studio Shed / Roadside Stand		Same as principal bldg	5' min.	5' min.	Max 18'			X			











Use Type Key

R: Residential. C: Commercial. O: Office. I: Industrial. RC: Recreational. C/E/I: Community / Educational / Institutional.

Footnotes

1. 0' along service road, otherwise a maximum of 54'.
2. A minimum 20' separation between buildings is required.
3. 25' or height of the building, whichever is greater.



	Building Type		Setbacks			Height	Use Types					
			Front	Side	Rear		R	O	C	I	RC	C/E/I
 Frontage Lots (Shallow)	Mixed Use		See footnote 1	See Footnote 2	See Footnote 3	Max. 36 ft./ 3 Stories	X	X	X	X	X	X
	Retail		See footnote 1	See Footnote 2	See Footnote 3	Max. 18' / 1 story		X	X			
	Liner		See footnote 1	See Footnote 2	See Footnote 3	Max. 30 ft./ 2 Stories		X	X			
	Cottage Retail		Max 54'	See Footnote 2	See Footnote 3	Max 24' / 20 stories	X	X	X	X	X	X
	Single Family House ⁴		30' / 18' for porch	10' 1 side / 25' 2 sides	See Footnote 3	Max 24'	X	X	X		X	X
	Duplex ⁴		30' / 18' for porch	10' 1 side / 25' 2 sides	See Footnote 3	Max 24'	X	X	X		X	X
	Detached Garage (Accessory)		See Article 7, Chapter 2 (Accessory Structures and Uses)				X					
	Maker Space (Special Land Use)		See footnote 1	See Footnote 2	See Footnote 3	Max 18'.		X	X	X	X	X
	Accessory Dwelling Unit (Accessory)		10' behind principal	5' min.	See Footnote 3	Max 24'	X					











Use Type Key

R: Residential. C: Commercial. O: Office. I: Industrial. RC: Recreational. C/E/I: Community / Educational / Institutional.

Footnotes

1. 0' along service road, otherwise a maximum of 54'.
2. A minimum 20' separation between buildings is required.
3. 25' or height of the building, whichever is greater.
4. Only where there is direct access to a residential street.



	Building Type		Setbacks			Height	Use Types					
			Front	Side	Rear		R	O	C	I	RC	C/E/I
Frontage Lots (Deep)	Cottage Retail		Max 54'	See Footnote 2	See Footnote 3	Max 24' / 20 stories	X	X	X	X	X	X
	Single Family House		30' / 18' for porch	10' 1 side / 25' 2 sides	See Footnote 3	Max 24'	X	X	X		X	X
	Duplex		30' / 18' for porch	10' 1 side / 25' 2 sides	See Footnote 3	Max 24'	X	X	X		X	X
	Detached Garage (Accessory)		See Article 7, Chapter 2 (Accessory Structures and Uses)				X					
	Barn-Style (Rear Only)		50' min. from principal bldg	5' min.	5' min.	Max 36'		X	X	X	X	X
	Workshop (Rear Only, Special Land Use)		10' min. behind principal bldg	See Footnote 2	See footnote 3	Max 18'		X		X	X	X
	Artist Cottage (Rear Only)		10' min. behind principal bldg	See Footnote 2	See footnote 3	Max 18'		X	X	X	X	X
	Artisan Studio (Rear Only)		10' min. behind principal bldg	See Footnote 2	See footnote 3	Max 18'		X	X	X	X	X
	Studio Shed / Roadside Stand		Same as principal bldg	5' min.	5' min.	Max 18'			X			
	Accessory Dwelling Unit (Rear)		10' behind principal	5' min.	See Footnote 3	Max 24'	X					

Use Type Key

R: Residential. C: Commercial. O: Office. I: Industrial. RC: Recreational. C/E/I: Community / Educational / Institutional.

Footnotes

1. 0' along service road, otherwise a maximum of 54'.
2. A minimum 20' separation between buildings is required.
3. 25' or height of the building, whichever is greater.



PERMITTED USES¹		SPECIAL LAND USES¹
RESIDENTIAL USES <ul style="list-style-type: none"> • Dwelling, Single-Family Residential Attached • Dwelling, Single-Family Residential Detached • Two-Family Dwelling • Home Occupations • Accessory Dwelling Unit OFFICE USES <ul style="list-style-type: none"> • Financial Institution-with drive-through in rear only • Office, Medical or Dental • Office, Professional • Veterinary/Animal Clinics and Hospitals (no breeding, boarding, or training) COMMERCIAL USES <ul style="list-style-type: none"> • Contractor Establishment, Indoor • Grocery Store • Health or Exercise Club or Spa • Mortuary Establishment • Printing Shops and Establishments • Private Clubs • Private Indoor Instructional Institutions • Public Auction Rooms • Restaurant, Carry-Out • Restaurant, Outdoor Dining • Restaurant, Sit-Down • Restaurant with walk-up window • Retail Sales, Indoor • Service Establishment, Office, Showroom, or Workshop (No Retail Required) 	<ul style="list-style-type: none"> • Service Establishment, Office, Showroom, or Workshop (Retail Required) • Service Establishment, Personal Services • Studios INDUSTRIAL USES³ <ul style="list-style-type: none"> • Laboratories, Minor COMMUNITY, EDUCATIONAL AND INSTITUTIONAL USES <ul style="list-style-type: none"> • Adult Foster Care, Family Home • Day Care Home, Family Home • Places of Assembly • Public Buildings and Uses • Religious Institutions • School (College or University, Public or Non-Profit) • School (College or University, Private) • School (Primary or Secondary) RECREATION USES <ul style="list-style-type: none"> • Private Swimming Pools • Publicly-Owned Recreational Facilities OTHER USES <ul style="list-style-type: none"> • Home Occupations • Parking Garages • Accessory structures and uses customarily incidental to the above permitted uses 	RESIDENTIAL USES <ul style="list-style-type: none"> • Apartments² LODGING USES <ul style="list-style-type: none"> • Bed and Breakfast COMMERCIAL USES <ul style="list-style-type: none"> • Greenhouses and Nurseries • Brewpub with Tavern License³ INDUSTRIAL USES³ <ul style="list-style-type: none"> • Light Manufacturing other than light manufacturing uses listed in Section 2.102(131)(c)-(d)⁴ • Outdoor Storage of Building or Contracting Equipment and Supplies • Micro Brewery • Small Wine Maker • Small Distiller COMMUNITY, EDUCATIONAL AND INSTITUTIONAL USES <ul style="list-style-type: none"> • Senior Housing in building not to exceed 5,000 square feet • Adult Day Care Center • Adult Foster Care, Large Group Home • Adult Foster Care, Small Group Home • Child Care Centers • Day Care Home, Group • Hospitals and Nursing Homes • Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations (excluding storage yards) when necessary to serve the immediate vicinity RECREATION USES <ul style="list-style-type: none"> • Indoor Recreation • Private Clubhouse

1. The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Section 3.104](#) (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in [Section 3.104](#) (including footnotes), then [Section 3.104](#) shall prevail. Refer to [Article 2](#) for definitions of uses and refer to [Article 5](#) for development standards for specific uses. Section 3.121(F) (Sumpter Road Mixed Use District – Building Type Standards) refers to the use categories (e.g., “Residential”) in the above list.
2. Apartments in the SMU Zoning District are only permitted within building types specified in Section 3.121(F). Minimum floor area per dwelling unit (sq. ft.) in apartment units shall be the same as for apartment units in the RM zoning district as labeled in Section 4.102, Table 2.
3. Must be at least 200’ from any existing single-family residential dwelling.
4. Only the following light manufacturing uses are permitted, subject to special land use approval: The assembly, fabrication, manufacture, compounding, processing, packaging, or treatment of such products as cutlery, food products, hardware, pharmaceuticals, toiletries, musical instruments, optical goods, toys, rubber stamps and other small molded rubber products, novelties, electrical instruments (e.g., electric or neon signs, appliances, computers, radios, phonographs, televisions and video recorders) and pottery, figurines, and other ceramic products using only previously pulverized clay; and the manufacture, compounding, assembling, fabrication, packaging, or treatment of products, articles, or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fiberglass, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills), and yarn.

Section 3.121. SMU, Sumpter Road Mixed-Use District

(A) STATEMENT OF PURPOSE
<p>The Sumpter Road Mixed-Use District is intended to encourage contextually appropriate development and redevelopment by implementing the following mixed-use policies of the 2020 Township Master Plan, Sumpter Road Corridor Plan, and South Side Master Plan:</p> <ol style="list-style-type: none"> 1. Mix of Land Compatible Land Uses. Permit a range of compatible land uses within the semi-rural context of the Sumpter Road corridor, such as residential (from single-family to multi-family), public, institutional, retail, personal services, and appropriate light industrial uses. 2. Accommodate All Modes of Transportation. Create walkable, pedestrian-oriented development that does not conflict with motorized traffic at key nodes along the corridor. Otherwise, ensure development does not inhibit the safety and comfort of non-automobile users of the corridor. 3. Building Location and Site Design. Ensure that buildings have a strong relationship to the street by requiring development to be human-scale through appropriate building location and site design. Accommodate the varying size of land parcels in the District by regulating these elements relative to their location on a given parcel. 4. Use of Buildings. Allow compatible mixed uses to be located in a single building. 5. Land Assembly for Development. Because frontage land on major roads tends to have higher property values, the mixed-use standards in this Section create a strong economic incentive to combine shallower frontage land with land behind the frontage. By allowing lots to extend deeper into frontage property, typical strip development will be discouraged and a more sustainable mix of land uses will be permitted. Clustering of new residential development with open space preservation will be encouraged.

(B) PERMITTED USES¹	(C) SPECIAL LAND USES¹
<p>RESIDENTIAL USES</p> <ul style="list-style-type: none"> • <u>Dwelling, Single-Family Residential Attached²</u> • <u>Dwelling, Single-Family Residential Detached³</u> • <u>Two-Family Dwelling</u> • <u>Home Occupations</u> • <u>Accessory Dwelling Unit</u> <p>OFFICE USES</p> <ul style="list-style-type: none"> • <u>Financial Institution-with drive-through in rear only</u> • <u>Office, Medical or Dental</u> • <u>Office, Professional</u> • <u>Veterinary/Animal Clinics and Hospitals (no breeding, boarding, or training)</u> <p>COMMERCIAL USES</p> <ul style="list-style-type: none"> • <u>Contractor Establishment, Indoor</u> • <u>Grocery Store</u> • <u>Health or Exercise Club or Spa</u> • <u>Mortuary Establishment</u> • <u>Printing Shops and Establishments</u> • <u>Private Clubs</u> • <u>Private Indoor Instructional Institutions</u> • <u>Public Auction Rooms</u> • <u>Restaurant, Carry-Out</u> • <u>Restaurant, Outdoor Dining</u> • <u>Restaurant, Sit-Down</u> • <u>Restaurant with walk-up window</u> • <u>Retail Sales, Indoor</u> • <u>Service Establishment, Office, Showroom, or Workshop (No Retail Required)</u> 	<p>RESIDENTIAL USES</p> <ul style="list-style-type: none"> • <u>Apartments²</u> <p>LODGING USES</p> <ul style="list-style-type: none"> • <u>Bed and Breakfast</u> <p>COMMERCIAL USES</p> <ul style="list-style-type: none"> • <u>Greenhouses and Nurseries</u> • <u>Brewpub with Tavern License³</u> <p>INDUSTRIAL USES³</p> <ul style="list-style-type: none"> • <u>Light Manufacturing other than light manufacturing uses listed in Section 2.102(131)(c)-(d)⁴</u> <p>OUTDOOR STORAGE OF BUILDING OR CONTRACTING EQUIPMENT AND SUPPLIES</p> <ul style="list-style-type: none"> • <u>Outdoor Storage of Building or Contracting Equipment and Supplies</u> <p>MICRO BREWERY</p> <ul style="list-style-type: none"> • <u>Micro Brewery</u> <p>SMALL WINE MAKER</p> <ul style="list-style-type: none"> • <u>Small Wine Maker</u> <p>SMALL DISTILLER</p> <ul style="list-style-type: none"> • <u>Small Distiller</u> <p>COMMUNITY, EDUCATIONAL AND INSTITUTIONAL USES</p> <ul style="list-style-type: none"> • <u>Senior Housing in building not to exceed 5,000 square feet</u>

Article 3: Zoning Districts and Permitted Uses

<ul style="list-style-type: none"> • <u>Service Establishment, Office, Showroom, or Workshop (Retail Required)</u> 		<ul style="list-style-type: none"> • <u>Adult Day Care Center</u> • <u>Adult Foster Care, Large Group Home</u> • <u>Adult Foster Care, Small Group Home</u> • <u>Child Care Centers</u> • <u>Day Care Home, Group</u> • <u>Hospitals and Nursing Homes</u> • <u>Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations (excluding storage yards) when necessary to serve the immediate vicinity</u> <p><u>RECREATION USES</u></p> <ul style="list-style-type: none"> • <u>Indoor Recreation</u> • <u>Private Clubhouse</u>
---	--	---

1. The above list is a summary of uses permitted by right or special land use approval in the district. Refer to Section 3.104(including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in Section 3.104 (including footnotes), then Section 3.104 shall prevail. Refer to Article 2 for definitions of uses and refer to Article 5 for development standards for specific uses. Use categories in Section 3.121(F) (Sumpter Road Mixed Use District – Building Type Standards) refer to the use categories (e.g., “Residential”) as detailed in the above list.
2. Apartments in the SMU Zoning District are only permitted within building types specified in Section 3.121(F). Minimum floor area per dwelling unit (sq. ft.) in apartment units shall be the same as for apartment units in the RM zoning district as labeled in Section 4.102, Table 2.
3. Must be at least 200’ from any existing single family residential dwelling.
4. Only the following light manufacturing uses are permitted, subject to special land use approval: The assembly, fabrication, manufacture, compounding, processing, packaging, or treatment of such products as cutlery, food products, hardware, pharmaceuticals, toiletries, musical instruments, optical goods, toys, rubber stamps and other small molded rubber products, novelties, electrical instruments (e.g., electric or neon signs, appliances, computers, radios, phonographs, televisions and video recorders) and pottery, figurines, and other ceramic products using only previously pulverized clay; and the manufacture, compounding, assembling, fabrication, packaging, or treatment of products, articles, or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fiberglass, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills), and yarn.

(D) REQUIRED CONDITIONS OF THE SMU, SUMPTER ROAD MIXED USE DISTRICT

1. Drive-through and drive-in restaurants are prohibited.
2. Bars or standalone taverns which are not affiliated with a restaurant or brewpub are prohibited in the SMU.
3. Any form of automotive manufacturing, heavy manufacturing and processing, and the following forms of light manufacturing are prohibited within this District: Tool and die shops, metal working machine shops involving the use of grinding or cutting tools, manufacturing shops for tools, dies, jigs, and fixtures, the manufacture, compounding, assembling, fabrication, packaging or treatment of products, articles or merchandise from sheet metal, and the manufacture or assembly of light sheet metal products including heating and

Article 3: Zoning Districts and Permitted Uses

ventilating equipment, cornices, eaves and gutters; and publishing, printing, forming of boxes and cartons and manufacturing of cardboard products.

•

Article 3: Zoning Districts and Permitted Uses

<u>Street Type Name</u>	<u>Street Easement or Right-of-Way Width</u>	<u>Street Pavement Width</u>	<u>Location</u>	<u>On-Street Parking</u>	<u>Minimum Required Driveway Spacing</u>
<u>Service Road</u>	<u>40 ft.</u>	<u>32 ft.</u>	<u>Immediately east of and parallel to Sumpter Road, north of Hull Road. Intended for one-way, northbound traffic.</u>	<u>Yes – Diagonal, one side</u>	<u>See Article 9</u>
<u>Local Street Extended</u>	<u>66 ft.</u>	<u>30 ft.</u>	<u>West of and parallel to Sumpter Road. Must be a linear extension of an existing classified Local street (see 2020 Master Plan, Map 5).</u>	<u>Yes – Variable configuration</u>	<u>See Article 9</u>
<u>Railroad Street</u>	<u>66 ft.</u>	<u>36 ft.</u>	<u>South of and generally parallel to the Norfolk Southern railroad right-of-way.</u>	<u>Yes – Variable configuration</u>	<u>See Article 9</u>
<u>Local Arterial</u>	<u>Variable</u>	<u>Variable</u>	<u>Hull Road and Sumpter Road</u>	<u>Variable</u>	<u>See Article 9</u>

¹– Must meet the design criteria of Section 9.106(F) of the Zoning Ordinance.

(E) ALLOWABLE MIXED-USE LOT TYPES¹
All existing or new platted lots within the Sumpter Road Mixed-Use District shall be classified as one of the following subareas, illustrated on the Regulating Plan (Figure x.xxx):
<ul style="list-style-type: none"> (1) <u>Anchor Lots (A).</u> (2) <u>Landlocked Lots (LL).</u> (3) <u>Frontage Lots (Deep) (FL-D)</u> (4) <u>Frontage Lots (Shallow) (FL-S)</u>

¹ Definitions and characteristics of the identified lot types are included in the 2022 Van Buren Township Sumpter Road Corridor Plan and illustrated in the Regulating Plan in 3.121(H) of this Ordinance. Individual properties' lot type classifications may be altered by conditions such as parcel divisions or combinations or the creation of new access to lots which change their classification. Such conditions shall be reviewed as needed by the Township Planning and Economic Development Director at the time of an application for development or redevelopment..

Article 3: Zoning Districts and Permitted Uses

<u>Building Type Name</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>	<u>Height</u>	<u>Allowable Lot Types – Front Locations</u>	<u>Allowable Lot Types – Rear Locations</u>
<u>Mixed Use</u>	0 ft. along <u>Service Road</u> Max. 54 ft. otherwise	See Footnote 1.	Min. 25 ft. or height of building, whichever is greater	Max. 36 ft./ 3 Stories	A FL-S	
<u>Retail</u>	0 ft. along <u>Service Road</u> Max. 54 ft. otherwise	See Footnote 1.	Min. 25 ft. or height of building, whichever is greater	Max. 18 ft./1 story	A FL-S	
<u>Accessory Dwelling Unit</u>	Must be located at rear of principal residential unit; min. 10 ft. separation	5 ft.	Min. 25 ft. or height of building, whichever is greater	Max. 24 ft.		FL-D (Accessory) FL-S
<u>Liner</u>	0 ft. along <u>Service Road</u> Max. 54 ft. otherwise	See Footnote 1.	Min. 25 ft. or height of building, whichever is greater	Max. 30 ft./ 2 Stories	A FL-S	
<u>Cottage Retail</u>	Max. 54 ft.	See Footnote 1.	Min. 25 ft. or height of building, whichever is greater	Max.: 24 ft./ 2 Stories	A FL-D FL-S LL	
<u>Barn-Style</u>	Must be located at rear of principal residential unit; min. 50 ft. separation	5 ft.	Min 5 ft.	Max. 36 ft.	LL (Accessory)	A (Accessory) FL-D (Accessory)
<u>Duplex</u>	Min. 30 ft. Porches may encroach up to 12 ft. into setback	Min. 10 ft. one side / 25' two sides.	Min. 25 ft. or height of building, whichever is greater	Max. 24 ft.	FL-D FL-S ²	
<u>Single-Family House</u>	Min 30 ft.; Porches may encroach up to 12 ft. into setback	Min. 10 ft. one side / 25' two sides.	Min. 25 ft. or height of building, whichever is greater	Max. 24 ft.	FL-D FL-S ² LL	
<u>Detached Garage</u>	See Article 7, Chapter 2 (Accessory Structures and Uses)				FL-D (Accessory) FL-S (Accessory) LL (Accessory)	
<u>Workshop</u>	If located at rear of principal building: min. 10 ft. separation, Max. 54' otherwise	See Footnote 1.	Min. 25 ft. or height of building, whichever is greater	Max. 18 ft.	LL (Special Land Use)	A (Accessory) FL-D (Special Land Use)
<u>Artisan Studio</u>	If located at rear of principal residential unit: min. 10 ft. separation, max. 54' otherwise	See Footnote 1.	Min. 25 ft. or height of building, whichever is greater	Max. 18 ft.		A FL-D

Article 3: Zoning Districts and Permitted Uses

<u>Artist Cottage</u>	<u>If located at rear of principal residential unit: min. 10 ft. separation, max. 54' otherwise</u>	<u>See Footnote 1.</u>	<u>Min. 25 ft. or height of building, whichever is greater</u>	<u>Max. 18 ft.</u>	<u>LL</u>	<u>A FL-D</u>
<u>Maker Space</u>	<u>0 ft. along Service Road, Max. 54' otherwise</u>	<u>See Footnote 1.</u>	<u>Min. 25 ft. or height of building, whichever is greater</u>	<u>Max. 18 ft.</u>	<u>FL-S (Special Land Use) LL</u>	
<u>Studio Shed / Roadside Stand</u>	<u>No closer to front lot line than principal building</u>	<u>Min. 5 ft.</u>	<u>Min. 5 ft.</u>	<u>Max. 18 ft.</u>	<u>A (Accessory) FL-D (Special Land Use) LL (Special Land Use)</u>	<u>A (Accessory)</u>

¹A minimum 20' separation between buildings is required. The side yard setback may be less than 20' so long as unobstructed access around all sides of each building is provided via a 20' wide cross access and shared driveway agreement which provides for 20' access around all sides of each building (see figure below).



²Only permitted in this lot type where there is direct access to a residential street.

1
.
1
.
1

- (F) **BUILDING TYPE STANDARDS.** A range of Building Types permitted in the Sumpter Road Mixed-Use District are described and illustrated in this section. Each Building Type contains a mix of allowable uses by floor, with retail always at the ground floor level of non-residential buildings. Building frontage orientation is coordinated with street frontages in the Building Type illustrations. Such orientation of building fronts and frontages must be followed with the use of each Building Type, though architectural variation that achieves these objectives is permitted.

(1) BUILDING TYPE STANDARDS: MIXED USE BUILDING

Description. The Mixed Use Building Type is a multi-story Building Type with storefronts along all primary frontage lines. This Building Type is ideal for smaller-floorplate retail spaces that can flexibly accommodate the surrounding local trade area.

Permitted Uses and Special Land Use. Ground floor permitted uses are restricted to non-residential uses listed in Section 3.121(B) and (C), while the upper floors may have any use permitted in the District, subject to Section 3.121(B) and (C)

Parking. Parking in front of buildings shall be limited to a maximum of one single tier of parking and one maneuvering lane, set behind a greenbelt as required under Article 10 (Landscaping and Screening).



(2) BUILDING TYPE STANDARDS: RETAIL BUILDING

Description. The Retail Building Type is a single-story, limited-use building with storefronts along all primary frontage lines. This Building Type is ideally configured for downtowns and in retail segments of downtown shopping streets, though they may also be used for single-use, suburban areas.

Permitted Uses and Special Land Uses. Commercial and Office uses listed in Section 3.121 (B) and (C) only.

Parking. Parking in front of buildings shall be limited to a maximum of one single tier of parking and one maneuvering lane, set behind a greenbelt as required under Article 10 (Landscaping and Screening).



(3) BUILDING TYPE STANDARDS: ACCESSORY DWELLING UNIT

Description. An Accessory Dwelling Unit exists as accessory to a Primary Dwelling Unit and must be located behind the corresponding Primary Dwelling Unit. Accessory Dwelling Units allow for site flexibility and increased density without changing site character. The Accessory Dwelling Unit minimum floor area is 500 sq. ft. for an efficiency unit, 700 sq. ft. for a one bedroom unit, 900 sq. ft. for a two-bedroom unit and 1,100 sq. ft. for a unit with three or more bedrooms..

Permitted Uses and Special Land Uses. Residential uses only.



(4) BUILDING TYPE STANDARDS: LINER BUILDING

Description. The Liner Building Type is a Mixed Use or Retail Building Type that has been limited in depth to conceal parking behind. This Building Type is ideal for mid-block conditions, and adjacent to – or located toward the edge of – existing strip-type shopping centers.

Permitted Uses and Special Land Use. Commercial and Office uses listed in Section 3.121 (B) and (C) only.

Parking. Parking in front of buildings shall be limited to a maximum of one single tier of parking and one maneuvering lane, set behind a greenbelt as required under Article 10 (Landscaping and Screening).



(5) BUILDING TYPE STANDARDS: COTTAGE RETAIL BUILDING

Description. The Cottage Retail Building Type is a mixed-use building type with a residential building form that permits storefronts along all primary frontage lines and extends down the sides of the secondary frontage line. This building type emulates a building form that has evolved in older neighborhoods adjacent to planned retail centers. It is a modestly-scaled building, including a gable and a pitched roof, usually with a storefront at the ground floor. Roofs must have a minimum slope of 4:12. Storefronts shall be located along all primary frontage lines and extend from a primary frontage a minimum of twelve (12) feet into any secondary frontage.

Permitted Uses and Special Land Use. Non-residential uses may only be permitted in the front of the building on the ground floor. Other areas of the building, including upper stories, are limited to Residential uses, in accordance with the uses listed in Section 3.121(B) and (C).

Parking. Parking in front of buildings shall be limited to a maximum of one single tier of parking and one maneuvering lane, set behind a greenbelt as required under Article 10 (Landscaping and Screening).



(6) BUILDING TYPE STANDARDS: BARN-STYLE

Description. The Barn-style Building Type is an agricultural building type accessory to a Principal Building. The barn Building Type satisfies the functionality of a mix of building types and uses on a site without compromising the rural or residential character of the site. The design of the Barn Building Type includes a gambrel, gable, or shed roof profiles and all wood construction on a masonry foundation. Allowable Colors: Red, Brown, White. Allowable roof materials: Standing seam, natural finish.

Permitted Uses and Special Land Use. Non-residential uses as regulated under Section 3.121(B) and (C).

Design.



(7) BUILDING TYPE STANDARDS: DUPLEX BUILDING

Description. The Duplex Building Type is any independent building configuration consisting of exactly two residential units, usually surrounded by a private or common yard, meeting minimum room quantity and size requirements as dictated by the local building code, zoning, or both.

The units can be side-by-side (similar to rowhouses) or stacked one above the other. Similar to single-family residential buildings, duplex buildings include front porches that encroach into the established building setback and optional detached garages. A front porch of at least twelve (12) feet wide and seven (7) feet deep is required for new buildings. The minimum floor area in each duplex dwelling unit is 1,000 square feet. The duplex building type may contain certain non-residential uses but may not contain industrial uses.

Permitted Uses and Special Land Use. All non-industrial uses.

(8) BUILDING TYPE STANDARDS: SINGLE-FAMILY HOUSE

Description. A Single-Family House Building Type exists as the Primary Dwelling Unit on its corresponding site and must be located forward of all other buildings on its site by a distance of minimum 10 feet. Minimum floor area is 1,250 sq. ft. The Single-Family Home Building Type preserves the existing residential character along Sumpter Road, while allowing for a mix of Building types and uses behind. New buildings should generally fit the style of Mid-Century American residential construction, such as Ranch, Prairie, Cape Cod, or Modern. Decks and patios must be to the side or rear of structures on new buildings. The single-family house building type may contain certain non-residential uses but may not contain industrial uses.

Permitted Uses and Special Land Use. All non-industrial uses.

(9) BUILDING TYPE STANDARDS: DETACHED GARAGE

Description. The Detached Garage Building Type is accessory to a Primary Dwelling Unit. The Detached Garage allows for vehicular storage and accessory utility activities on a site. The detached garage will adhere to the same size, height, roof pitch, architectural, and setback standards as used for detached accessory buildings in residential zoning districts under Article 7, Chapter 2 (Accessory Structures and Uses).

Permitted Uses and Special Land Use. Vehicular Parking and residential storage.



(10) BUILDING TYPE STANDARDS: WORKSHOP

Description. The Workshop Building Type is a utility building type. The design of the Workshop Building Type includes a one-story building which must consist of wood, brick, Portland Cement stucco, rock-face block or stone construction. Maximum building footprint is 5,000 sq. ft. and maximum building height is 18'.

Permitted Uses and Special Land Use. Uses other than Residential and Commercial Uses as listed in and subject to the regulations of Section 3.121(B) and (C).



(11) BUILDING TYPE STANDARDS: ARTISAN STUDIO

Description. The Artisan Studio is a flexible building type that accommodates entrepreneurial activities including culinary, winemaking, craft fabrication, and other light-footprint industries.. The design of the Artisan Studio Building Type includes a one-story building and must consist of wood, brick, Portland Cement stucco, rock-face block, or stone construction.

Permitted Uses and Special Land Use. Uses other than Residential Uses as listed in and subject to the regulations of Section 3.121(B) and (C).



(12) BUILDING TYPE STANDARDS: ARTIST COTTAGE

Description. The The Artist Cottage is a small-floorplate building, resembling a residential cottage. It is intended to provide space for production of small goods that do not require electrical, mechanical, or plumbing equipment or fixtures of a grade atypical for residential use..

Permitted Uses and Special Land Use. Uses other than Residential Uses as listed in and subject to the regulations of Section 3.121(B) and (C).



(13) BUILDING TYPE STANDARDS: MAKER SPACE

Description. The Maker Space is a building that combines a public-facing retail shopfront with an adjacent light manufacturing space. It may contain direct vehicular access to the interior via a garage bay..

Article 3: Zoning Districts and Permitted Uses

Permitted Uses and Special Land Use. Uses other than Residential Uses as listed in and subject to the regulations of Section 3.121(B) and (C).

Parking. Parking in front of buildings shall be limited to a maximum of one single tier of parking and one maneuvering lane, set behind a greenbelt as required under Article 10 (Landscaping and Screening)



(14) BUILDING TYPE STANDARDS: STUDIO SHED / ROADSIDE STAND

Description. The Studio Shed/Roadside Stand is intended for the sale and production of goods on a seasonal or intermittent basis. These structures are permanent or semi-permanent, and are easily adaptable for other uses. They are "drive up" in nature, rather than "drive through"- the former does not require large expanses of pavement for queuing, nor are orders taken via intercom systems.

Permitted Uses and Special Land Use. Accessory to commercial uses listed in and subject to the regulations of Section 3.121(B) and (C).



(G) REGULATING PLAN

A Regulating Plan designates the locations where different Building Type standards apply, based on the physical character of the area.



Sumpter Road Lot Types

Van Buren Township, Wayne County, MI

February 4, 2022 - DRAFT

Legend

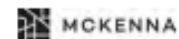
- Anchor Lots
- Landlocked Lots
- Primary Lots (Deep)
- Primary Lots (Shallow)

- Parcel Boundaries
- Municipal Boundaries



0 300 600
Feet

Base Map Source: Michigan Center for Geographic Information, v. 2.0
Data Source: Van Buren Township, 2021, Reference 2021



Additional Related Changes

Additions to Section 2.102

ACCESSORY DWELLING UNIT. A secondary house or apartment used for residential purposes that shares the building lot of a larger, primary home which is detached from the larger, primary home.

APARTMENT OR APARTMENT UNIT: A renter-occupied room or suite of rooms arranged and intended as a place of residence for a single family living together as a single housekeeping unit that is contained within a building which is not a single-family dwelling, such as a mixed use building, cottage retail building, apartment house, or multiple-family high rise dwelling.

BREW PUB WITH TAVERN LICENSE: An establishment associated with a license issued by the State of Michigan in conjunction with a tavern license that authorizes the person licensed with the tavern to manufacture and brew not more than 18,000 barrels of beer per calendar year in this state and sell at its licensed premises the beer produced for consumption on or off the licensed brewery premises in the manner provided for in sections 405, 407, and 537.

MANUFACTURING AND PROCESSING (LIGHT): Includes the following uses and any other similar uses conducted entirely within a completely enclosed building:

- a. The assembly, fabrication, manufacture, compounding, processing, packaging, or treatment of such products as cutlery, food products, hardware, pharmaceuticals, toiletries, musical instruments, optical goods, toys, rubber stamps and other small molded rubber products, novelties, electrical instruments (e.g., electric or neon signs, appliances, computers, radios, phonographs, televisions and video recorders) and pottery, figurines, and other ceramic products using only previously pulverized clay;
- b. The manufacture, compounding, assembling, fabrication, packaging, or treatment of products, articles, or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fiberglass, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills), and yarn;
- c. Tool and die shops, metal working machine shops involving the use of grinding or cutting tools, manufacturing shops for tools, dies, jigs, and fixtures, the manufacture, compounding, assembling, fabrication, packaging or treatment of products, articles or merchandise from sheet metal (excluding large stamping such as automobile fenders and bodies), and the manufacture or assembly of light sheet metal products including heating and ventilating equipment, cornices, eaves and gutters; and
- d. Publishing, printing, forming of boxes and cartons and manufacturing of cardboard products.

MICRO BREWERY: A manufacturer of beer which manufactures 60,000 or fewer barrels of beer a year. Can sell beer to Wholesaler licensees to sell to retailers. May also sell beer to consumers under an On-Premises Tasting Room Permit at the location where it manufactures beer. May also self-distribute beer it manufactures to retailers if it sells fewer than 2,000 barrels of beer a year. No local legislative approval required for licensure, if manufacturing only; On-Premises Tasting Room Permit requires local legislative approval.

RESTAURANT, CARRY-OUT: An establishment where food is prepared and served to a customer solely for the consumption off the premises and where food and nonalcoholic beverages comprise greater than 50% of revenues.

RESTAURANT, DRIVE-IN OR DRIVE-THRU: An establishment where food is prepared and served on the premises for the consumption within automobiles or an establishment with combined drive-in and sit-down facilities and where food and nonalcoholic beverages comprise greater than 50% of revenues.

RESTAURANT, SIT-DOWN: An establishment where food is prepared and served for consumption within the principal building, with or without carry-out facilities, including delicatessens, bakeries, and coffee shops and where food and nonalcoholic beverages comprise greater than 50% of revenues.

SERVICE ROAD. Low-speed, one-way roadways adjacent and parallel to a major roadway which provide direct access to properties fronting on the major roadway.

SMALL DISTILLER: A manufacturer of spirit products that contain more than 10% alcohol by volume which manufactures 60,000 or fewer gallons of spirits a year. Can sell spirits it manufactures to the Commission to sell through Authorized Distribution Agents to retailers. May self-distribute spirits it manufactures to retailers if it sells less than 3,000 gallons of spirits a calendar year to retailers. May sell spirits it manufactures to customers under an On-Premises Tasting Room Permit at the location where it manufactures it and also through an Off-Premises Tasting Room license or Joint Off-Premises Tasting Room license. No local legislative approval required for licensure, if manufacturing only; On-Premises Tasting Room Permit requires local legislative approval.

SMALL WINE MAKER: A manufacturer of wine which manufactures 50,000 or fewer gallons of wine a year. Can sell wine to Wholesaler licensees to sell to retailers. May also sell wine to consumers under an On-Premises Tasting Room Permit at the location where it manufactures it and also through an Off-Premises Tasting Room license or Joint Off-Premises Tasting Room license May self-distribute wine it manufactures to retailers. May hold a Farmer's Market Permit that allows the sale and sampling of its wine at a farmer's market. No local legislative approval required for licensure, if manufacturing only; On-Premises Tasting Room Permit requires local legislative approval.

TAVERN: Any place licensed to sell at retail "beer", "wine", or "mixed spirit drinks", but not "sprints", as defined by the MLCC, for consumption on the premises only.

Revision to Section 3.119

- **Change all references from Mixed Use District or Mixed-Use District to Belleville Road Mixed-Use District.**

Additions to Section 4.102.

- **(Add row explaining as follows): Belleville Road Mixed Use District – See Section 3.119 for District-Specific Regulations**
- **(Add row explaining as follows): Sumpter Road Mixed Use District – See Section 3.121 for District-Specific Regulations**

Article 6, Chapter 3 (Supplemental District Standards: Sumpter Road Overlay District)

- **To be reviewed at a later date.**