

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF BLOOMFIELD

SUMMARY OF ORDINANCE NO. 676

Mechanical and Electrical Equipment Ordinance Amendment

AN ORDINANCE TO AMEND ARTICLE 5.0 SITE STANDARDS IN CHAPTER 42, ZONING, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF BLOOMFIELD FOR GROUND AND WALL MOUNTED MECHANICAL AND ELECTRICAL EQUIPMENT.

The purpose of Ordinance 676 is to change the zoning ordinance so that Ground/Wall Mechanicals that meet certain criteria do not require Zoning Board of Appeals ("ZBA") permission or variance approval. Any and all other required permits required for these types of projects remain unchanged. Any proposals of this type that are beyond the scope of these proposed controls would still require ZBA approval.

A full copy of Ordinance 676 is posted and available in the Bloomfield Township Clerk's Office, 4200 Telegraph Road, Bloomfield Hills, MI 48302 and on the subsequent pages of this file.

MARTIN C. BROOK
BLOOMFIELD TOWNSHIP CLERK

Posted: April 25, 2023

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF BLOOMFIELD**

ORDINANCE NO. 676

**AN ORDINANCE TO AMEND ARTICLE 5.0 SITE
STANDARDS IN CHAPTER 42, ZONING, OF THE CODE
OF ORDINANCES OF THE CHARTER TOWNSHIP OF
BLOOMFIELD FOR GROUND AND WALL MOUNTED
MECHANICAL AND ELECTRICAL EQUIPMENT**

THE CHARTER TOWNSHIP OF BLOOMFIELD ORDAINS:

Section 1.

Article 5, Site Standards, Section 42-5.1 Accessory Structures, is hereby amended as follows:

42 – 5.1 ACCESSORY STRUCTURES

The regulations in this Chapter shall be subject to the following interpretations and exceptions:

1. through 6. [no change].
8. through 9. [renumbered].

Section 2.

Article 5, Site Standards, Section 42-5.17 Ground Mounted Mechanicals, is hereby added with the illustrations as follows:

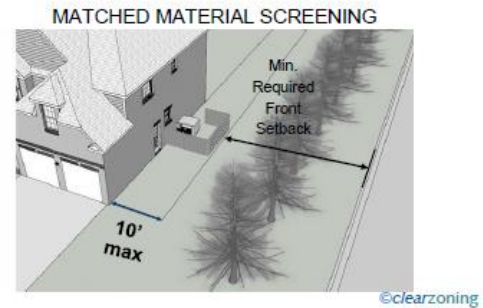
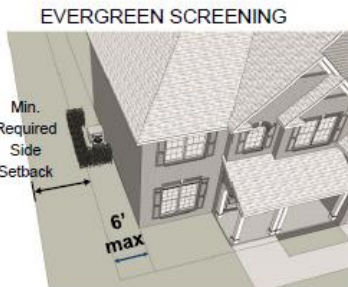
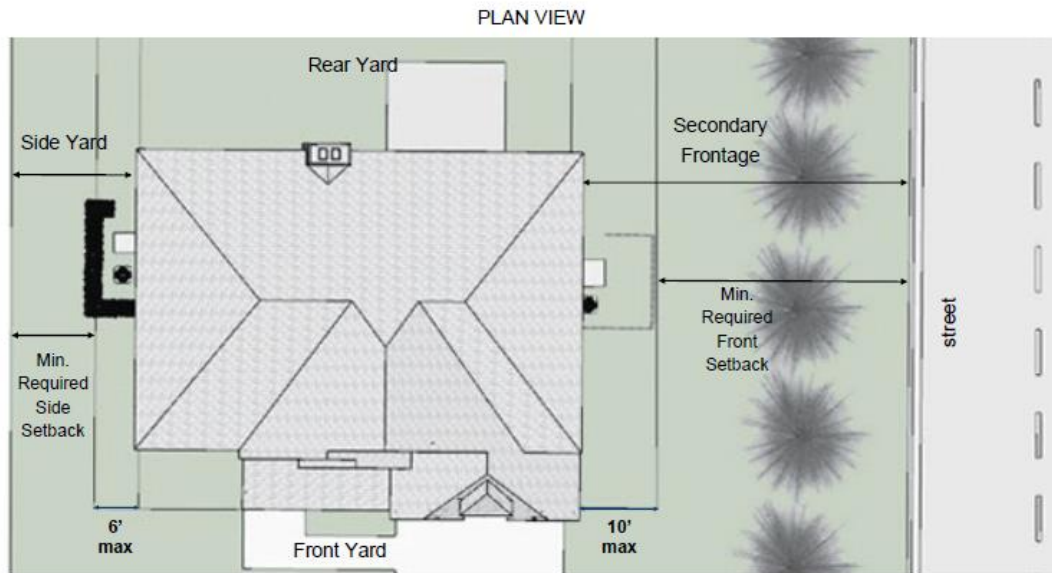
42-5.17 Ground Mounted Mechanicals

Ground mounted mechanical equipment may be placed on the site or lot as noted below. The terms “ground mounted mechanical equipment” means air conditioner units, generators, transformers, pool equipment or other related equipment. For purposes of this Section, ground mounted mechanicals shall not be considered an accessory use nor be subject to Section 42-5.1 Accessory Structures.

1. One-family residential districts. Ground mounted mechanical equipment shall be permitted in a rear yard when placed immediately adjacent to the residential building. Said equipment may be permitted in any side yard or secondary frontage subject to all of the following:
 - A. For placement of said equipment in a side yard:

- i. The equipment shall be placed immediately adjacent to the residential building.
 - ii. The equipment may project up to six (6) feet into the required sixteen (16) foot side yard setback as measured from the residential building.
 - iii. Said equipment in side yards shall be screened from view through the use of evergreen plant material at least the height of the unit at the point of placement of the equipment, or by a screen wall consisting of materials compatible with those used on the main building and shall be no closer than ten (10) feet to the side lot line.
 - B. For placement of said equipment in a secondary frontage:
 - i. The equipment shall be placed immediately adjacent to the residential building.
 - ii. The equipment may project ten (10) feet into the required secondary front yard setback as measured from the residential building.
 - iii. Said equipment in secondary front yards shall be screened from public view through the use of evergreen plant material at least the height of the unit at the point of placement of the equipment, or by a screen wall consisting of materials compatible with those used on the main building and shall be no more than ten (10) feet as measured from the residential building.
 - C. Evergreen plant material utilized in vegetative screen walls shall be maintained in a healthy condition. Dead or diseased plant materials shall be replaced with healthy materials of like size and kind.
- 2. One-family cluster, planned unit developments and multiple-family residential districts.
 - A. Ground mounted mechanical equipment shall be permitted in any side yard, rear yard or secondary frontage when placed immediately adjacent to the residential building.
 - B. Ground mounted mechanical equipment shall be screened from an adjacent public or private street. Said equipment shall be obscured from public view through the use of evergreen plant material at least height of the equipment and located at the point of placement, or by a screen wall at least the height of the equipment and consisting of materials compatible with those used on the main building they are to serve.
 - C. Evergreen plant material utilized in vegetative screen walls shall be maintained in a healthy condition. Dead or diseased plant materials shall be replaced with healthy materials of like size and kind.

GROUND MOUNTED MECHANICAL OR ELECTRICAL EQUIPMENT SCREENING



3. Nonresidential districts. Ground mounted mechanical equipment shall be located immediately adjacent to the main building intended to be served and in all instances be placed in a rear yard when side yards are less than twenty (20) feet in width. When placed in side yards of greater than twenty (20) feet in width, they shall be placed immediately adjacent to the building intended to be served. They shall be screened from view through the use of materials identical to those used in the building at least the height of the equipment and at the point of placement of the equipment, or obscured from public view by evergreen plant material at least the height of the equipment and located at the point of placement.
4. When placed on the roof of the structure, they shall be fully obscured from public view meeting all the requirements of height, bulk, setback and materials as set forth in Sections 42-3.10.10.
5. Ground mounted mechanical equipment shall comply with the decibel requirements of not exceeding seventy (70) dB(a) in compliance with Chapter 14 Environment, Sections 14-22 and 14-23.

Section 3.

Article 5, Site Standards, Section 42-5.18 Wall Mounted Mechanicals, is hereby added as follows:

42-5.18 Wall Mounted Mechanicals

Wall mounted mechanical equipment may be placed on the site or lot as noted below. The terms "wall mounted mechanical equipment" means air conditioner units, generators, transformers, pool equipment or other related equipment. For purposes of this Section, wall mounted mechanical equipment shall not be considered an accessory use nor be subject to Section 42-5.1 Accessory Structures.

1. One-family residential districts including one family cluster, planned unit developments, and multiple family residential districts. When mounted on the wall, mechanical equipment may be placed on the side, rear or secondary frontage wall of the residence and shall be fully obscured from public view through the use of evergreen plant material at least the height of the equipment and located at the point of placement.
 - A. Evergreen plant material utilized in vegetative screen walls shall be maintained in a healthy condition. Dead or diseased plant materials shall be replaced with healthy materials of like size and kind.
2. Nonresidential districts. When mounted on the wall, mechanical equipment may be placed on the rear wall of the building and shall be fully obscured from public view through the use of evergreen plant material at least the height of the equipment and located at the point of placement.
 - A. Evergreen plant material utilized in vegetative screen walls shall be maintained in a healthy condition. Dead or diseased plant materials shall be replaced with healthy materials of like size and kind.
3. Wall mounted mechanical equipment shall comply with the decibel requirements of not exceeding seventy (70) dB(a) in compliance with Chapter 14 Environment, Sections 14-22 and 14-23.

Section 4. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 5. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 6. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 7. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect immediately upon publication.

Section 8. Adoption.

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Bloomfield at a meeting thereof duly called and held on the 24th day of April, 2023, and ordered to be given publication in the manner prescribed by the Charter Township of Bloomfield.

CERTIFICATION

I hereby certify that the foregoing Ordinance was adopted by the Board of Trustees of the Charter Township of Bloomfield at a meeting held on April 24, 2023, and that the original of this Ordinance is on file in my office.

Martin Brook, Township Clerk

Introduced: March 27, 2023

Published: April 9, 2023

Adopted: April 24, 2023

Published: April 30, 2023