



Cooper Charter Township

1590 West D Avenue
Kalamazoo, MI 49009-6321
(269) 382-0223

STAFF MEMO

Meeting Date: April 13, 2026

To: Township Board

From: Julie Johnston, AICP
Planner/Zoning Administrator

Regarding: Accessory Uses and Buildings Ordinance Amendments – First Reading

Ordinance No. 282 is being presented to the Township Board for first reading (introduction) based on the Planning Commission's recommendation for approval.

Minor amendments are being proposed to the current Accessory Uses and Buildings Ordinance to provide some clarity and ease of use to the regulations. The biggest change is adding the height of accessory buildings for larger parcels (1 and 2 acres). Currently, the maximum building height of a residential home in the Township is 35 feet. The Planning Commission determined the maximum height for an accessory structure on parcels one acre or larger should be no greater than 30 feet.

The additional change is to include the requirements for corner lots in the accessory building ordinance to emphasize the condition of two front yard setbacks per the definition of a corner lot.

Staff recommend the Township Board approve Resolution No. 26-282 to introduce Ordinance No. 282 and set the adoption for the next regularly scheduled meeting on May 11, 2026.

Thank you,

A handwritten signature in black ink that reads "Julie Johnston". The signature is written in a cursive, flowing style.

Julie Johnston, AICP
Planner/Zoning Administrator

Attachments: Resolution 26-282
Ordinance No. 282
Public Notice
Redlined Version of Section 120.410: Accessory Uses or Buildings

**CHARTER TOWNSHIP OF COOPER
RESOLUTION NO. 26-282**

**RESOLUTION INTRODUCING ORDINANCE NO. 282, AN ORDINANCE TO ADOPT AMENDMENTS TO THE
TOWNSHIP ZONING ORDINANCE**

A resolution made and adopted at a meeting of the Township Board of the Charter Township of Cooper, Kalamazoo County, State of Michigan, held on April 13, 2026, at 7:00 P.M.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ and seconded by _____.

WHEREAS, pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3101 *et seq.* ("MZEA"), the Charter Township of Cooper ("Township") has authority to adopt and amend zoning ordinances regulating the use of land in the Township; and

WHEREAS, the Township desires to consider amending its Zoning Ordinance, specifically Section 120.410: Accessory Uses or Buildings to clarify the allowed maximum height of an accessory structure and the requirements of accessory structures on a corner lot; and

WHEREAS, upon giving notice in accordance with the MZEA, the Township Planning Commission ("Planning Commission") held a public hearing on March 18, 2026 regarding the proposed zoning ordinance amendments; and

WHEREAS, following the public hearing, the Planning Commission recommended that the proposed zoning ordinance amendments be approved; and

WHEREAS, the Township wishes to consider an ordinance approving the proposed zoning ordinance amendments.

NOW, THEREFORE, the Township Board of the Charter Township of Cooper resolves as follows:

1. The Township hereby introduces Ordinance No. 282, An Ordinance to Adopt Amendments to the Township Zoning Ordinance (the "Ordinance," attached as Exhibit A).

2. The Township Board will consider adopting the Ordinance at its next regular meeting on May 11, 2026, at 7:00 p.m.

3. Pursuant to Section 20 of the Michigan Charter Township Act, Act 82 of 1994, MCL 42.1 *et seq.* (the "Act"), the Clerk is directed to publish the Ordinance in accordance with Section 8 of the Act by posting it in the office of the Clerk and on the Township's web site. The Clerk is further directed to publish notice of the posting in a form substantially conforming to Exhibit B to this Resolution in a newspaper of general circulation within the Township within seven (7) days after the posting. The notice shall describe the purpose of the Ordinance and state that the Ordinance is posted in the office of the Clerk and on the Township's web site.

4. A copy of the Ordinance shall be available for examination at the office of the Clerk, and copies may be provided for a reasonable charge.

5. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
 :
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Cooper, Kalamazoo County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held pursuant to the Open Meetings Act on the 11th day of November, 2024.

DeAnna Janssen
Clerk, Cooper Charter Township

**CHARTER TOWNSHIP OF COOPER
COUNTY OF KALAMAZOO
ORDINANCE NO. 282
AN ORDINANCE TO AMEND THE ZONING ORDINANCE REGARDING ACCESSORY USES OR BUILDINGS**

The Charter Township of Cooper ordains amendments to Section 120.410: Accessory Uses or Buildings of the Zoning Ordinance:

Section 1. Amendment to Section 120.410.B.1: Accessory Buildings.

Subsection 120.410.B.1: Accessory Buildings of the Accessory Uses or Buildings Ordinance is amended to add the allowable height to the table for 1 and 2 acres where it previously was not provided in subsection as follows:

Property Size	Maximum for all Accessory Buildings	Maximum Building Height	Maximum Building Length
Less than 1 acre	1,080 sq. ft.	20 ft.	36 ft.
1 acre to 1.99 acres	1,280 sq. ft.	30 ft.	40 ft.
2 acres to 2.99 acres	1,680 sq. ft.	30 ft.	N/A

Section 2. Amendment to Section 120.410.B.6: Accessory Buildings.

Subsection 120.410.B.6: Accessory Buildings of the Accessory Uses or Buildings Ordinance has been added to include the following:

6. Corner lots shall have two front yards, with setbacks determined based upon primary and secondary road frontages as outlined in Section 120.600: Schedule of Lot, Parcel, Building Site, Yard and Area Requirements.

The remaining numbers of Subsection 120.410.B have been updated to 7 through 9.

Section 3. Severability and Validity.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This Ordinance takes effect upon the expiration of 7 days after publication as required by MCL 125.3401(7).

CHARTER TOWNSHIP OF COOPER

NOTICE OF POSTING TO INTRODUCE PROPOSED ORDINANCES

PLEASE TAKE NOTICE that at its meeting on April 13, 2026, the Township Board received the following proposed Zoning Ordinance amendments:

1. Consideration of Ordinance No. 281 to amend Section 120.410: Definitions of the Township Zoning Ordinance to update the definition of a kennel to ensure it only addresses commercial operations and to Section 120.485: Keeping of Domestic Animals, which is a new ordinance to help regulate domestic animals and any potential behavioral impacts. Regulations include requirements for maintaining animals in good health, keeping animals on premises, and managing nuisance behaviors.
2. Consideration of Ordinance No. 282 to amend Section 120.410: Accessory Uses or Buildings of the Township Zoning Ordinance to clarify the allowed maximum height of an accessory structure and the requirements of accessory structures on a corner lot.

These Ordinances will be considered for adoption on May 11, 2026 at 7:00 p.m. The proposed Ordinances are available in their entirety for public inspection. The proposed Ordinances are posted at the office of the Township Clerk, 1590 West D Avenue, Kalamazoo, Michigan, and are posted on the website of the Charter Township of Cooper, www.coopertwp.org.

DEANNA JANSSEN, Clerk
Cooper Charter Township Hall
1590 West D Avenue
Kalamazoo, MI 49009
(269) 382-0223

120.410 Accessory Uses or Buildings.

A. Accessory Uses.

Any use which complies with all of the following conditions, may be operated as an accessory use and may be operated in an accessory or principal building which:

1. Is clearly incidental and customary to and commonly associated with the operation of the principal permitted use.
2. Is operated and maintained under the same ownership and on the same lot, parcel or building site as the principal permitted use.
3. Does not include structures or structural features inconsistent with principal permitted use.
4. May only be established subsequent to the establishment, erection or construction of the principal building on the lot, parcel or building site, except as otherwise permitted herein or as described within the zoning district in which the lot, parcel or building site is situated.

B. Accessory Buildings.

1. In addition to the requirements under Section 120.600, an accessory building is subject to the following limitations:

Property Size	Maximum for all Accessory Buildings	Maximum Building Height	Maximum Building Length
Less than 1 acre	1,080 sq. ft.	20 ft.	36 ft.
1 acre to 1.99 acres	1,280 sq. ft.	30 ft.	40 ft.
2 acres to 2.99 acres	1,680 sq. ft.	30 ft.	N/A

2. Parcels, lots, or building sites of 3 acres or more in size are subject to the lot coverage provisions of Section 120.600 of the Ordinance.
3. Roofs must be sloped with a rise over run pitch between 4/12 and 9/12. Flat roofs are prohibited.
4. Accessory buildings may only be established subsequent to the establishment, erection or construction of the principal building on the lot, parcel or building site, except as otherwise permitted herein or as described within the zoning district in which the property is situated.
5. Accessory buildings shall be located in the rear or side yard of said lot, parcel or building site, unless the lot is in excess of 2.5 acres, in which case the accessory building may be located in the front of the principal structure so long as the accessory building is set back a distance equal to twice the minimum front yard setback as set forth in the particular zoning district in which they are located.
6. **Corner lots shall have two front yards, with setbacks determined based upon primary and secondary road frontages as outlined in Section 120.600: Schedule of Lot, Parcel, Building Site, Yard and Area Requirements.**
7. **Portable Accessory Structures**
 - a. One single portable accessory structure which is mobile, does not include footings, and is not permanently affixed to the ground such as a temporary pavilion, portable garage, portable carport, portable covered metal structure or any other similar accessory structures or buildings not exceeding 200 square feet in area nor exceeding an overall height of 20 feet shall be allowed, in addition to any other accessory buildings permitted on the lot, parcel, or building site.
 - b. The placement of the single portable accessory structure that does not exceed 200 square feet in area or an overall height of 20 feet is exempt from the square footage or lot coverage restrictions as set forth herein.
 - c. All portable accessory structures must be located in the rear yard and shall be at least 10 feet from any property lines.
 - d. It is the responsibility of property owners to place a portable accessory structure subject to this subsection at a location on their property that conforms to these requirements. Property lines should be verified by property owners before placement of any structure.

- e. Any portable accessory structures exceeding 200 square feet in area and/or exceeding an overall height of 20 feet, which is mobile and not permanently affixed to the ground, will require a building permit per applicable building code requirements and will be counted towards the overall accessory structure square footage allowance. Portable accessory structures exceeding 200 square feet in area shall also be subject to the lot coverage requirements and all other provisions of this Ordinance which are applicable to accessory buildings.
 - f. Residentially zoned properties 2.5 acres or more and without a principal structure are permitted one portable yard barn as defined in Section 120.14 and under the following conditions:
 - i. Use: The portable yard barn may only be utilized for the storage of equipment to maintain the property.
 - ii. Front Yard Setback: The portable yard barn must be setback a distance equal to twice the minimum front yard setback as set forth in the particular zoning district in which it is located.
 - iii. Rear and Side Yard Setbacks: At least 10 feet from any rear or side yard property line.
8. Any portable accessory structures exceeding 200 square feet in area and/or exceeding an overall height of 20 feet, which is mobile and not permanently affixed to the ground, will require a building permit per applicable building code requirements. Portable accessory structures exceeding 200 square feet in area shall be subject to the lot coverage requirements and all other provisions of this Ordinance which are applicable to accessory buildings. Portable accessory structures include any temporary pavilion, portable garage, portable carport, portable shed, portable yard barn, portable covered metal structure or any other similar accessory structures or buildings. It is the responsibility of the property owner to place all portable accessory structures on their own property. In accordance with setback requirements, property lines should be verified before placement of any structure by property owners.
9. Exception for Non-Buildable Lots: Any accessory building may be permitted on a non-buildable parcel subject to the following conditions:
- a. The non-buildable parcel shall be consolidated with a contiguous parcel, lot or site condominium unit by recording a deed restriction that such consolidation of the non-buildable parcel with a parcel, lot or unit must remain in perpetuity.

- b. The zoning of the consolidated parcel, lot or unit shall be of the same zoning classification or in a different zoning classification where single-family dwellings are permitted in both districts.
- c. The buildable parcel, lot or unit must be legal or legal nonconforming (lot of record) and the consolidated non-buildable parcel must be of a contiguous width equal to or greater than the width of the buildable parcel for its entire width.
- d. That this exception is for accessory buildings only and shall not allow for any consolidation that would allow for a lot or unit to be used for access for a principal building site.
- e. That the location of the accessory building shall be behind the principal dwelling, using the extended lot width side yard setbacks. This would ensure that the accessory building is not located behind that of an adjoining dwelling (or lot if vacant) and that such area could be split for the benefit of the adjoining lot at some point in the future.