

ARTICLE 7

ACCESSORY STRUCTURES AND USES

Section 7.01 Purpose.

The purpose of this Article is to provide consistent regulations for certain buildings, structures and uses that are accessory to primary structures and permitted uses in a particular zoning district, to protect the general health, safety and welfare, to ensure that the Township's property values, appearance and rural character are preserved and respected, and to promote harmony in the physical relationships between structures in the Township.

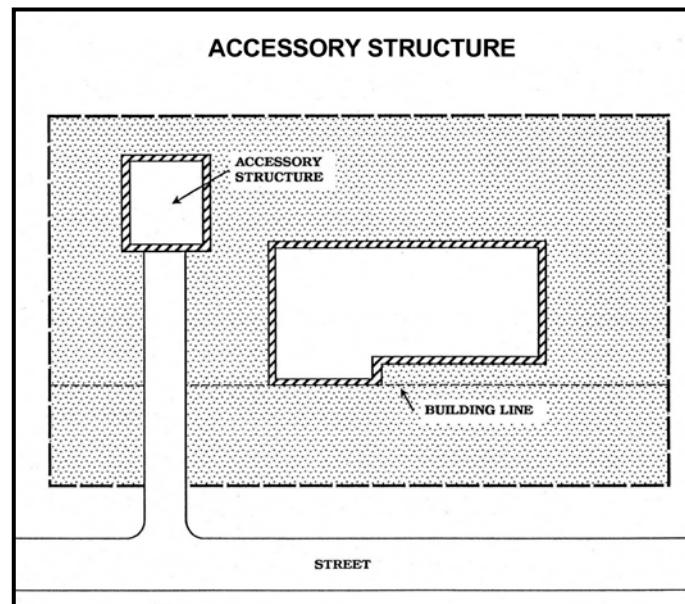
Section 7.02 Exceptions for Accessory Farm Buildings.

The requirements in this Article shall not apply to accessory farm buildings (such as barns, windmills, and silos) used in the agricultural operations on a bona-fide farm, as defined in Article 25 (Definitions), except that farm buildings shall comply with the setback requirements for the districts in which they are located.

Section 7.03 Standards for Accessory Structures.

The following shall apply to all new accessory structures in the Township (including, but not limited to attached or detached garages, sheds and similar structures), and to alterations, renovations, expansions or other work that includes exterior changes to existing structures:

- A. **Same Lot as Primary Use.** Accessory structures are permitted only in conjunction with, incidental to, and on the same lot as a primary structure, which is permitted in the particular zoning district.
- B. **Timing of Construction.** No accessory structure shall be constructed on a parcel unless there is a primary building, structure, or use being constructed or already constructed on the same parcel of land.
- C. **Prohibited in front yard area.** No accessory structure shall be erected in any required front yard, nor within twenty five feet (25') of any road right-of-way line.



D. **Required side and rear yard setbacks.**

1. **Attached accessory structures.** Accessory structures that are attached to a primary building shall comply with the minimum required side and rear yard setbacks for the primary building, as specified in Article 5 (Dimensional Standards).
2. **Detached accessory structures.** Accessory structures not attached to a primary building shall be subject to the following:
 - a. Detached accessory structures shall be set back a minimum of five feet (5') from all side and rear property lines.
 - b. Detached accessory structures 100 square feet and larger shall maintain a minimum 10-foot separation from the primary building.
 - c. Detached accessory structures shall not occupy more than twenty five percent (25%) of the rear yard area, and shall not exceed the ground floor area of the primary building.
 - d. Where a detached accessory structures has a maximum height of more than fourteen feet (14'), the structure shall be set back from all property lines by an amount equal to the height of the structure.

(Ord. 09-04, 11/3/2004)

E. **Appearance.** The building materials and design of any accessory structure shall be similar to that of the primary building on the lot, and shall be in accordance with the purpose of the district where it is located, as specified in Article 2 (Zoning Districts and Maps).

F. **Carports.** Carports and other temporary or permanent covered and unenclosed vehicle shelters shall be considered accessory structures, and shall comply with the requirements of this Article.

G. **Basement structures and garage dwellings.** Basement-only structures and above or in-garage dwellings are prohibited.

Section 7.04 Standards for Waterfront Yards.

The following structures are permitted with a waterfront yard provided such structures are accessory to a permitted primary use of waterfront property and the use is limited to private recreational or personal use by the occupants of the property. No structure in a waterfront yard will be approved without an existing primary structure on the parcel.

A. **Permitted Encroachments.** Permitted encroachments as regulated in Section 5.205 (Permitted Yard Encroachments) are allowed in a waterfront yard.

B. **Shed.** A shed, not exceeding a floor area of more than one hundred (100) square feet and a height of eight (8) feet shall be permitted within the waterfront yard, provided such shed is setback a minimum of twenty-five (25) feet from the shoreline and complies with all accessory building standards contained in this Article (Article 7) and Section 5.202.C (Clear Vision Triangles).

A. **Docks and boat wells.** The following waterfront structures and appurtenances shall be permitted provided that they met the requirements of Section 5.202.C (Clear Vision Triangles):

1. Piers and wharves, including floating types;
2. Flush mount and swivel hoists, overhead hoists, davits and mooring whips;
3. Spring or mooring piles; and
4. Unenclosed boat/port well having a roof only and not exceeding a height of twenty-two (22) feet above the mean high water mark.

B. A maximum of two (2) boat ports/wells and two (2) hoists or other out of water lifting devices are permitted per zoning lot. A lot containing a multiple family dwellings shall be limited by a marina operating permit issued by the Michigan Department of Environmental Quality.

C. Bulkheads or seawalls are permitted, provided no bulkhead or seawall may extend into the waterway beyond the lot line of any lot.

D. Construction, installation, storage, docking, or mooring of structures or watercraft shall not obstruct the natural flow of water or access of boaters to adjoining or nearby parcels, deeper water, or normal boating routes.

E. All permitted structures shall be kept safe, secure and in good repair.

F. The placement of navigational aids and regulatory markings are exempt from the requirements of this section.

G. Temporary waterfront structures (docks, boat hoists, mooring, buoys) may be stored within the clear vision triangle of a waterfront lot between September 15 and May 15.

H. All temporary waterfront structures (docks, boat hoists, mooring, buoys) shall be removed no later than November 15 and installed no earlier than April 15.

Section 7.05 Standards for Accessory Uses.

Detached accessory buildings or structures in residential districts (R-1 and R-2) shall not be used for dwelling units, for any business, profession, trade, occupation, or as a storage space offered for rent. Attached accessory apartments are allowed in the R-1, R-2, and A zoning districts subject to the design standards of Section 6.201 (Accessory Apartments) which regulates attached accessory apartments to detached single family dwellings and attached apartments accessory to permitted office and service uses or commercial uses.

Section 7.06 Swimming Pools.

A. Pools and any associated deck and fencing shall not be located within any required front yard. The outside edge of a pool wall or perimeter of pool decking shall be set back a minimum of ten feet (10') from all adjacent property lines. The outside edge of a pool wall shall be set back a minimum of ten feet (10') from adjacent structures.

- B. For the protection of the general public, all swimming pools shall be completely enclosed by a minimum four foot (4') high fence or other means of access control. Above ground pools with a minimum height of four feet (4') may have gates, removable or swing-up steps or other means to limit entry in lieu of a fence.
- C. All electrical installations or wiring in connection with swimming pools, shall conform to the provisions of the State Electrical Code. If service drop conductors or other utility wires cross under or over a proposed pool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation thereof before a permit shall be issued for the construction of a swimming pool. No portion of a swimming pool or associated structure shall be permitted to encroach upon any easement or right-of-way which has been granted for public utility use. A no-fault ground unit should be provided to protect against electrical shock.

Section 7.07 Temporary Accessory Structures and Uses.

Temporary accessory structures and uses shall comply with the use standards of Article 4 (Land Use Tables), and the design standards of Section 6.704 (Temporary Structures and Uses).