

# ACCESSORY BUILDING LANGUAGE REVIEW: August 24<sup>th</sup>, 2020

1 \_\_\_\_\_ TOWNSHIP

2 WEXFORD COUNTY, MICHIGAN

3 ORDINANCE NO. \_\_\_\_\_

4 AN ORDINANCE TO AMEND THE WEXFORD JOINT ZONING ORDINANCE EFFECTIVE DECEMBER 31, 2016 BY  
5 AMENDING THE GENERAL REGULATIONS PERTAINING TO ACCESSORY BUILDINGS AND STRUCTURES IN SELECT  
6 ZONING DISTRICTS TO AMEND THE WEXFORD JOINT ZONING ORDINANCE, EFFECTIVE DECEMBER 31, 2016 AND TO  
7 REPEAL ALL ORDINANCES IN CONFLICT HEARWITH

8 THE TOWNSHIP OF \_\_\_\_\_ ORDAINS:

9 Section 1. Purpose

10 The purpose of this ordinance is to: Address the number of dimensional variances being requested pertaining to  
11 accessory buildings and structures by allowing detached accessory buildings and structures, in select zoning  
12 districts, to have equal setbacks as required for a principle building and / or structure, and to allow certain  
13 detached accessory structures and buildings to be located in front yards, in select zoning districts, and to allow the  
14 placement of an 'accessory' building or structure on a parcel of land without a principle building and / or structure  
15 present.

16 Section 2. Amendment to Article 10, Section 1003, subsection D.

17 Article 10, Section 1003, subsection D of the Wexford Joint Zoning Ordinance ("Ordinance") is hereby amended in  
18 its entirety, to read as follows:

19 D. Notwithstanding anything to the contrary contained in this section no parcel of land shall contain more  
20 than one principal building or use and no accessory building or structure may be located on any parcel of land  
21 which does not have a principal building or use already established or being established contemporaneously with  
22 the accessory building or structure, **unless otherwise provided for in this Ordinance.**

23 Section 3. Amendment to Article 10, Section 1072 of the Wexford Joint Zoning Ordinance.

24 **1072. Location of Accessory Buildings and Structures**

25 A. All accessory buildings and structures shall be in the side yard or rear yard, except when built as part of  
26 the main building, or if built on parcel which abuts water bodies, in which case said structures shall only  
27 be in side yards. Docks, other structures dependent on proximity to water may be located in a waterfront  
28 yard.

29 B. An accessory building attached to the principal building of a parcel shall be made structurally a part  
30 thereof, and shall comply in all respects with the requirements applicable to the principal building.

31 C. An accessory building or structure, unless connected with a roof at least four (4) feet wide attached and  
32 made part of the principal building as provided, shall not be closer than ten (10) feet to the principal  
33 building, and shall meet all setback requirements of the district in which it is to be erected, moved,  
34 altered or used.

35 D. No accessory building shall be more than two times the square feet than the principal building and not  
36 taller than the principal building unless it is an accessory building for an agriculture use, **unless otherwise**  
37 **provided for in this Ordinance.**

38           **E. Accessory buildings and structures being located on a parcel in a residential zone that already has a**  
39           **principle building or structure established or being contemporaneously proposed are subject to the**  
40           **following setback regulations:**

41                   **1.       An accessory building or structure, located in the side or rear yard, shall be permitted**  
42                                   **up to a 50 (fifty) percent encroachment into the side or rear yard setback, if sidewalls**  
43                                   **do not exceed 12' (feet) and the over-all height does not exceed 16' (feet).**

44                   **2.       An accessory building or structure located in the front yard (not including any**  
45                                   **waterfront yard) shall meet all applicable required yard setbacks, shall not exceed 16'**  
46                                   **(feet) in height, and shall not exceed 1000 (one thousand) square feet in floor area,**  
47                                   **and shall not be closer than 50' (fifty) feet to any front yard property line.**

48                   **3.       An accessory building or structure located at least 200' (feet) from the front property**  
49                                   **line and still located in the front yard may be constructed to the sizes and**  
50                                   **specifications as permitted in the respective zoning district.**

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52           **F. An accessory building or structure proposed in the Rural Residential, Ag-Forest Production, or the**  
53           **Forest Conservation District may be permitted prior to, and without necessity of a permitted principle**  
54           **building, structure, or use being first established if all of the preceding and following standards are met:**

- 55                   1.       **The subject parcel must be at least the size of the minimum parcel area required in the**
- 56   **zoning district.**
- 57                   2.       **An application along with a Medium Site Plan shall be presented for administrative**
- 58   **review by staff that demonstrates, in addition to the medium Site Plan requirements,**
- 59   **the location of a future well and septic; building envelope; buildable area; zoning**
- 60   **district setbacks; location of a future principle permitted building or structure.**
- 61                   3.       **An accessory building or structure erected under this sub-subsection shall meet all of**
- 62   **the subject zoning district minimum setbacks required for a permitted principle use**
- 63   **without exception.**
- 64                   4.       **An accessory building or structure proposed under this sub-subsection shall not**
- 65   **exceed the following dimensions:**
- 66                                   a.       **Sidewalls: 16' (sixteen) feet**
- 67                                   b.       **Floor Area: 1,200 (one-thousand and two hundred) square feet**
- 68                                   c.       **Building Height: 22-1/2 (twenty-two and one half) feet**

