

# PROPOSED LANGUAGE ~~For PUBLIC HEARING: May 18<sup>th</sup> 2020~~

1 To be put under "Definitions": Storage Building – A building used as a primary permitted use on otherwise vacant  
2 lots for storage or shelter of goods. A Storage building becomes an Accessory building whenever a Residence is  
3 erected on the property. The Residence becomes the principle use once it is constructed.

4 \_\_\_\_\_ TOWNSHIP

5 WEXFORD COUNTY, MICHIGAN

6 ORDINANCE NO. \_\_\_\_

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

11 THE TOWNSHIP OF \_\_\_\_\_ ORDAINS:

12 Section 1. Purpose

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

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

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

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

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

27 **1072. Location of Accessory Buildings and Structures**

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

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

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

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

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

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

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

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

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

57 1. The subject parcel must be at least the size of the minimum parcel area required in the  
58 zoning district.

59 2. An application along with a Medium Site Plan shall be presented for administrative  
60 review by staff that demonstrates, in addition to the medium Site Plan requirements,  
61 the location of a future well and septic; building envelope; buildable area; zoning  
62 district setbacks; location of a future principle permitted building or structure.

63 3. A Storage building or structure erected under this sub-subsection shall meet all of the  
64 subject zoning district minimum setbacks required for a permitted principle use  
65 without exception.

66 4. A Storage building or structure proposed under this sub-subsection shall not exceed  
67 the following dimensions:

68 a. Sidewalls: 16' (sixteen) feet

69 b. Floor Area: 1,200 (one-thousand and two hundred) square feet

70 c. Building Height: 22-1/2 (twenty-two and one half) feet

71 5. A Storage building or structure erected under this subsection shall enclose all other  
72 personal property so that there is no evidence of any outside storage including, but  
73 not limited to, automobiles, boats, trailers, recreational vehicles.

74 G. Trailers, truck bodies, tanks, semi-trailers, soft sided buildings, and shipping containers, may not be  
75 used as Storage buildings, residential accessory buildings or structures on any parcel zoned for  
76 residential use. Commercially available temporary storage containers (i.e. PODS) may be used for up to  
77 30 days for the purpose of moving or renovation projects. [recommended by ZA September 23, 2020]