

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

72 G. Trailers, truck bodies, tanks, semi-trailers, soft sided buildings, and shipping containers, may not be
73 used as residential accessory buildings or structures on any parcel zoned for residential use.
74 Commercially available temporary storage containers (i.e. PODS) may be used for up to 30 days for the
75 purpose of moving or renovation projects. [recommended by ZA March 13, 2020]