

West Traverse Township Ordinance Number 01 of 2015

An Ordinance to amend Article IV and Article VI of the West Traverse Township Zoning Ordinance.

The Township of West Traverse Ordains:

Section 1. Amendment of Article IV, General Provisions, Section 402.13 Accessory Buildings

Section 402.13 Accessory Buildings of the West Traverse Township Zoning Ordinance is hereby amended to read as follow:

402:13 ACCESSORY BUILDINGS

ACCESSORY BUILDINGS						
<i>Accessory Buildings</i>		<i>Lot Size</i>				
		<i>Less than 1 acre</i>	<i>1 to < 2 acres</i>	<i>2 to < 4 acres</i>	<i>4 to < 10 acres</i>	<i>10 acres or greater</i>
Major Accessory Buildings (>200 sf)	<i>Number Allowed</i>	<i>One</i>	<i>One</i>	<i>One</i>	<i>Two</i>	<i>Three</i>
	<i>Maximum Size - sq. ft (structure footprint)</i>	<i>600</i>	<i>864</i>	<i>1,200</i>	<i>1,600 if 1 1,200 each if 2</i>	<i>2,400 if 1 1,600 each if 2 1,200 each if 3</i>
	<i>Maximum Height of sidewall</i>	<i>12 feet</i>	<i>14 feet</i>	<i>16 feet</i>	<i>16 feet</i>	<i>18 feet</i>
<u>Minor Accessory Buildings</u> <i>With existing principal structure (200sf or less, with max peak height: 12 ft), # Allowed- in addition to Major Accessory buildings</i>		<i>One</i>	<i>One</i>	<i>Two</i>	<i>Two</i>	<i>Two</i>

MINOR ACCESSORY BUILDINGS:

Without a Principal Structure

- NO minor accessory structure* shall be allowed prior to issuance of the zoning permit for the principal structure, and the minor accessory structure shall comply with the applicable district setbacks.
- * Exception: One minor accessory structure for the sole purpose of housing mechanical equipment, such as a pump house, shall be allowed without a principal structure, and the minor accessory structure shall comply with the applicable district setbacks..

With an existing Principal Structure

- Minor accessory buildings on properties with an existing principal structure shall comply with the applicable district front yard setback, but side and rear setback requirements shall be reduced to ten (10) feet for such minor accessory buildings.

MAJOR ACCESSORY BUILDINGS WITHOUT A PRINCIPAL STRUCTURE

- The applicant shall file an affidavit with the Register of Deeds stating the proposed use of the building. Such affidavit shall be recorded by the applicant and a copy returned to the Township prior to the issuance of a zoning permit.
- On properties of greater than 4 acres, with Planning Commission approval, one major accessory building shall be allowed without a principal structure in compliance with the standards listed in the chart above and comply with the applicable district setbacks. The major accessory building shall be sited in such a manner as to permit the construction of a legal principal use at a future time, and shall be subject to the size limitations in the chart.

LANDSCAPING AND/OR SCREENING: May be required depending on the size of the structure and/or the proximity of the structure to the property line, as determined by either the Zoning Administrator or the Planning Commission.

EXEMPTIONS: Where it can be demonstrated to the Planning Commission by the applicant that no good purpose would be served by a strict compliance with the provisions of this Section, the Planning Commission may waive or modify said standards on a case by case basis subject to Planning Commission review and notifications to adjoining property owners within three hundred (300) feet.

Section 2. Amendment of Article VI, Terminology and Definitions, Section 602 Definitions

Section 602 Definitions of the West Traverse Township Zoning Ordinance is hereby amended to delete the definition for Accessory Uses and Structures.

Section 3. Amendment of Article VI, Terminology and Definitions, Section 602 Definitions

Section 602 Definitions of the West Traverse Township Zoning Ordinance is hereby amended to add the following definitions in appropriate alphabetical order to read in their entirety as follows:

Accessory Building or Structure - A supplemental building or structure on the same lot as the main building, or a structure which is intended to be supplemental to an allowed use to be added in the future, provided such a structure is devoted exclusively to an accessory use, but not for dwelling, lodging, or sleeping purposes. Where an accessory building is attached to a main building in a substantial manner, including a common wall, the accessory building shall be considered a part of the main building.

Accessory Use - A use naturally and normally incidental and subordinate to the main use of the land or building.

Section 4. Severability.

If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses be declared invalid.

Section 5. Conflicts.

If any provision of the West Traverse Township Zoning Ordinance conflicts with this Zoning Ordinance Amendment, then the provisions of this Zoning Ordinance Amendment shall control.

Section 6. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.

Township of West Traverse

By: Robert Sandford, Supervisor
Adoption date: _____

By: Cindy Baiardi, Clerk
Effective date: _____