

Elk Rapids Township Planning Commission

**NOTICE OF PUBLIC HEARING**

Tuesday, November 1, 2005 – 6:30 PM

The Elk Rapids Township Planning Commission will hold a **Public Hearing** on the below Proposed Text Amendments to the Elk Rapids Township Zoning Ordinance. The public hearing will be held on Tuesday, November 1, 2005, at 6:30 PM, Combined Government Center, 315 Bridge Street, Elk Rapids, Michigan 49629:

**Miscellaneous Zoning Ordinance text changes**

(Bold text is added. Strikethrough text is deleted.)

Section 3.02-B -- Farm Market Signs - All signs identifying such markets not to exceed sixteen (16) square feet each sign, are permitted seasonally **May through November in agricultural Zones.** ~~on the premises upon which such markets are conducted.~~

Section 6.02-A-3 -- Two (2) side yards totaling at least seventy (70) feet; the minimum of ~~one (1)~~ **each** side yard shall be thirty five (35) feet.

Section 7.02-B -- Two (2) side yards totaling **at least** twenty (20) feet; the minimum of ~~one (1)~~ **each** side yard shall be ten (10) feet.

Section 8.03-B-2 -- Two (2) side yards totaling **at least** twenty (20) feet; the minimum of ~~one (1)~~ **each** side yard shall be ten (10) feet.

Section 8.04-B-2 -- Two (2) side yards totaling **at least** twenty five (25) feet; the minimum of one (1) side yard shall be ten (10) feet **and the other side yard shall be fifteen (15) feet.**

Section 10.03 A-3 -- Side Yard – ~~Ten (10) feet for each side, totaling at least twenty (20) feet.~~ **Two (2)** side yards totaling (20) feet; the minimum of each side yard shall be ten (10) feet.

Section 16.11-C -- Proposed signage shall not include animated or flashing illumination of any type and otherwise conforms with the requirements of Township Zoning Ordinance ~~Chapter 14.~~ **Chapter 3.**

Section 1.03-OO -- Structure - A structure is any production or piece of material artificially built up or composed of parts joined together in some definite manner, and any construction, including dwellings, garages, building, mobile homes, **decks**, signs and sign boards, tower, poles, antennas, stand pipes or other like objects, but not including fences.

Table Of Contents, Chapter 2, Section 2.06 Accessory Building & Decks **Structures**

**Section 1.03-A should be revised to include the following definitions:**

A. Accessory Structures

1. Agricultural Structure – A structure designed, constructed and used for agricultural purposes and/or for the storage and maintenance of agricultural equipment.
2. Accessory Structure – A structure on the same lot with and of a nature customarily incidental and subordinate to the principal structure.
3. Attached Accessory Structure – An accessory structure attached by a common wall(s),

foundation and under the same roofline of the principle structure.

4. Detached Accessory Structure – An accessory structure not attached and not made a part of the principle structure.

**Section 2.06 should be revised to include the following text:**

Section 2.06 – ACCESSORY STRUCTURES

A. Purpose – The purpose of this section is to provide standards for land that is primarily residential with regard to attached and detached accessory structures, including, but not limited to, attached and detached garages, pole buildings, sheds and other structures as defined in Section 1.03-OO. Accessory structures are intended to be subordinate to the principal structure.

B. Definitions – Refer to Section 1.03-A.

C. Detached Accessory Structures

1. May only be built on a lot upon which there is a principal structure.
2. Are prohibited in the front yard, as defined in Section 1.03-SS-1, or in either of the front yards on a corner lot, unless the following conditions apply:

On a waterfront lot, one (1) detached accessory structure may be located on that Portion of the lot between the water and the principal dwelling provided the following criteria are met:

- a. It shall not exceed one hundred (100) square feet in area and ten (10) feet in height to the peak.
  - b. Shall meet all setback requirements of the zone district in which it is to be located.
  - c. The area of such accessory structure shall be counted as part of the overall lot coverage on the lot.
3. Shall not be used for dwelling purposes.
  4. Shall maintain a minimum of ten (10) feet of separation from each other and from the principal structure.
  5. Shall comply with all yard, setback and lot coverage requirements applicable to the permitted principal structure, except for accessory structures on lots less than or equal to 20,000 square feet, the following shall apply:
    - a. The accessory structure shall not exceed eighteen (18) feet in height to the peak.
    - b. Within any zone district that permits a residential use, a maximum of two (2) detached accessory structures are permitted, one of which shall not exceed one hundred (100) square feet in area and ten (10) feet in height to the peak.

c. When a lot is less than or equal to 20,000 square feet, the total ground level gross square footage of all detached accessory structures shall not exceed the gross square footage of the first floor of the principal structure, exclusive of all attaché accessory structures.

6. Lots under common ownership that are adjacent to one another or separated only by a public road (e.g. lots are directly across from one another) may be legally combined to form one lot. Once combined, an accessory structure may be erected across the street from the principal building lot provided all yard requirements for a principal structure are maintained.

#### D. Attached Accessory Structures

1. Shall comply in all respects with the requirements of this Ordinance applicable to the permitted principal structure.
2. An attached accessory structure may include second floor living space provided that such living space is a contiguous extension of the living space within the primary structure.
3. Attached accessory structures shall comply with all yard, setback, height and lot coverage requirements applicable to the permitted principal structure, except accessory structures on lots less than or equal to 20,000 square feet, the following shall apply:

An attached accessory structure, including a garage. Shall not exceed sixty percent (60%) of the ground floor area of the attached single family dwelling. Notwithstanding the above, an existing single family dwelling less than 960 square feet is permitted an attached garage up to five hundred and seventy six (576) square feet, or 24'x24', in area regardless of the ground floor area, subject to standards within the applicable zone district.

For review of a complete copy of the Elk Rapids Township Zoning Ordinance copies may be viewed at the Elk Rapids Township Offices or downloaded from the Township website at <http://www.elkrapids.com>

Public Input on the above proposed text amendments can be provided in writing addressed to the Elk Rapids Township Planning Commission, Secretary Shen Smith, PO Box 175, Elk Rapids, Michigan 49629, or presented in person at the public hearing on November 1, 2005.

Respectfully submitted,  
Shen Smith, Secretary

**PRINTED TOWN MEETING NEWSPAPER:** October 6, 2005 & October 27, 2005