

TOWNSHIP OF KAWKAWLIN  
BAY COUNTY, MICHIGAN

PROPOSAL TO AMEND THE ZONING ORDINANCE TO CORRECT ERRORS  
LEADING TO VARIANCES AND INCORRECT USES

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

The Township of Kawkawlin hereby ordains:

- I. CHANGE ARTICLE II – DEFINITIONS TO ADD: Crematories: A place where a furnace is used for cremating the dead bodies of people or animals or a building containing such a furnace.
- II. CHANGE SECTION 310 – REGULATIONS FOR ACCESSORY STRUCTURES TO READ AS NOTED BELOW:

Except as otherwise permitted in this chapter, accessory buildings shall be subject to the following regulations:

1. No detached building accessory to a residential building shall be located closer than ten (10) feet to any main building.
2. On waterfront parcels in the R-1, R-1A and R-2 district, the accessory structure is permitted to be located on a parcel on the opposite side of the road and directly across from the principal structure. The accessory structure must be at least twenty (20) feet from the road right-of-way and at least five (5) feet from each side lot line, not to exceed 2 times the square footage of the ground floor of the principal structure of ~~48'~~ twenty-five 25 feet in height. No accessory structure shall be used as a dwelling.
3. When a building accessory to a residential building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line to its rear, such building shall not project beyond the front yard setback required on the lot in the rear of such corner lot. A building accessory to a residential building shall in no case be located nearer than ten (10) feet to a street right-of-way line.
4. Accessory structures on property abutting a body of water greater than five acres in size shall be placed in the back yard only, no closer than five (5) feet from the property line.

5. Garages are permitted by right in the R-1 and R-1A districts without a principal structure if placed on a lot that is adjacent or directly across a road from the principal structure. Both lots must be held in the same ownership and have a deed restriction filed with the Township that neither lot may be sold independently of the other. This regulation applies to lots of 12,000 square feet or less.
6. In R Residential zoning districts, no accessory structure shall be allowed in the front yard.
7. The rear yard setback for accessory structures shall be measured as the distance between the rear property line and the closest physical edge of the accessory structure.
8. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this chapter applicable to the main building.
9. Automobiles, buses, mobile homes, semi-tractor trailers, tents, truck bodies, or similar portable units shall not be used as accessory buildings.

Shipping Containers are permitted in the A-R, R-1, R-1A, R-2, C-1, C-2 and I-1 Zoning Districts provided their appearance is maintained and no signs of rust or deterioration are apparent.

10. No attached garage or attached accessory structure shall exceed 864 square feet in area, nor shall any attached garage or any attached accessory structure exceed 25 feet in height as measured from the surrounding grade.
11. Except for legitimate farm operations in the A-R zoning district, only one accessory building is permitted per lot in addition to one attached or detached garage.
12. ~~In the A-R, R-1, R-1A, and R-2 all zoning districts, no accessory structure greater than 1,200 square feet in ground floor area shall have a ground floor area which exceeds two (2) times the ground floor that of the principal building and nor twenty-five (25) feet in height. ~~in all other zoning districts, no accessory structure shall have a ground floor area which exceeds the ground floor area of the principal building.~~ In the A-R zoning district, accessory structures of any size are permitted for legitimate farming operations with a height restriction of 35' See Section 409.3.~~
13. In no case shall the combined surface coverage of any accessory structures and the principal building exceed the maximum allowable building coverage of a lot for its zoning district.

III. CHANGE SECTION 309 – SCHEDULE OF REGULATIONS FOR ACCESSORY STRUCTURES.

Change the R-1, R-1A, R-2, R-3 and R-4 zoning districts Maximum Building Height to read 25 feet.

IV. CHANGE SECTION 509 – DRIVE-THROUGH BUSINESSES

1. Change to read: The main and accessory buildings shall be set back a minimum of forty (40) feet from any adjacent right-of-way or residential property line with the exception of in the Village Mixed-Use Zoning District.

V. Article III: Zoning Districts and Map, Consolidated Uses Chart

Change to read:

	A-R
Cemeteries, including columbarium, <u>and</u> mausoleums.	S
And;	
	I-1
Incinerators <u>and crematories.</u>	S
And;	
	C-2
Religious Institutions	<u>S</u>

VI. CHANGE SECTION 309 - SCHEDULE OF REGULATIONS FOR ACCESSORY STRUCTURES AS INDICATED BELOW:

The Schedule of Regulations for Accessory Structures shall be cross-referenced with Section 310, Footnotes to the Schedule of Regulations for Accessory Structures, found on the following page.

Zoning District	Maximum Building Height		Minimum Yard Setbacks In Feet			
	Stories	Feet	Front	Minimum Side Each	Corner	Rear (4)(7)
A-R Agricultural / Rural Residential (1)	2	35	50	5	50 (3)	5
R-1 Single-Family Residential (1)(4)(5)	1	25 48 (2)	40 (2)(6)	5 (2)	40 (3)	5
R-1A Single-Family Residential with municipal water & sewer (1)(4)(5)	1	25 48	40 (6)	5	40 (3)	5
R-2 Single-Family / Two-Family Residential (1)	1	25 48 (2)	25 (2)(6)	5 (2)	25 (3)	5
R-3 Multiple-Family Residential (1)	1	25 48	50 (6)	5	50 (3)	5
R-4 Manufactured Home Park (1)	1	25 48	25 (6)	5	25 (3)	5
C-1 Neighborhood Commercial (1)	2	25	45	5	25 (3)	25
C-2 Highway Commercial	2	25	45	5	25	25
I-1 Light Industrial	2	25	30	5	25	25
<i>Village Mixed Use</i>	<u>2</u>	<u>35</u>	<u>0-25</u>	<u>0-10</u>	<u>0-25</u>	<u>25</u>

Footnotes (1) – (7) refer to specific regulations found in Section 310, Regulations for Accessory Structures, on page 52.

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Motion passed.

I, \_\_\_\_\_, Clerk of the Kawkawlin Township Board, do hereby certify that the foregoing is a true and original copy of the Proposal To Amend The Zoning Ordinance To Correct Errors Leading to Variances and Incorrect Uses approved by the Kawkawlin Township Board at its meeting thereof held on \_\_\_\_\_.

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_