



## *China Township -Accessory Buildings Regulations - Summary of Provisions*

### **15.41 Definitions.**

**201.1 Accessory use or accessory.** An "accessory use" is a use which is clearly incidental to, customarily found in connection with and (except in the case of accessory off-street parking spaces or loading) located on the same zoning lot as, the principal use to which it is related.

When "accessory" is used in the text, it shall have the same meaning as accessory use.

An accessory use includes, but is not limited to, the following:

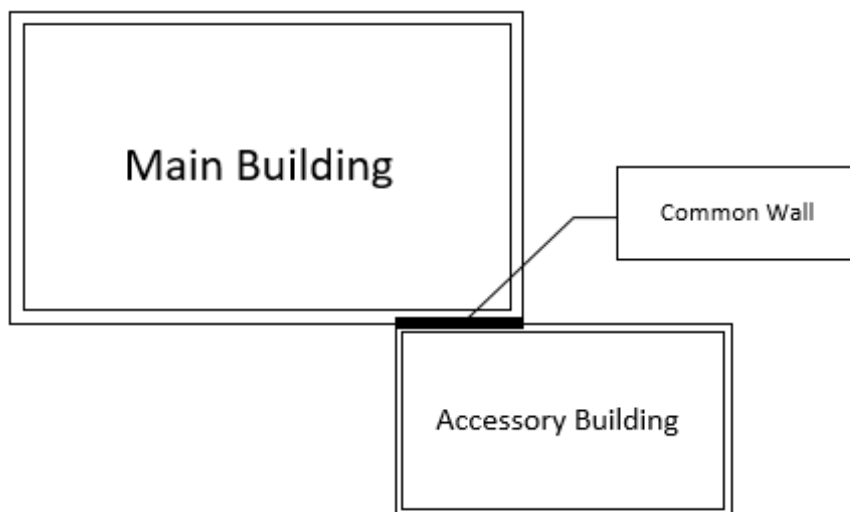
- a. Residential accommodations for servants.
- b. Residential accommodations for caretakers.
- c. Swimming pools for use of the occupants of a residence, or their guests
- d. Domestic or agricultural storage in a -barn, shed, tool room, or similar accessory building or other structure.
- e. Home occupations.
- f. A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays.
- g. Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations.
- h. Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.
- i. Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located.
- j. Accessory off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located.
- k. Accessory signs, subject to the sign regulations for the district in which the zoning lot is located.
- l. Boathouses used for the accessory storage of not more than two (2) boats on any lot or parcel.

**201.1.1 Accessory building (Accessory structure).** A subordinate building or structure, which may be attached to or detached from the main building, but which is located on the same lot, the use of which is clearly incidental and accessory to that of the main building.

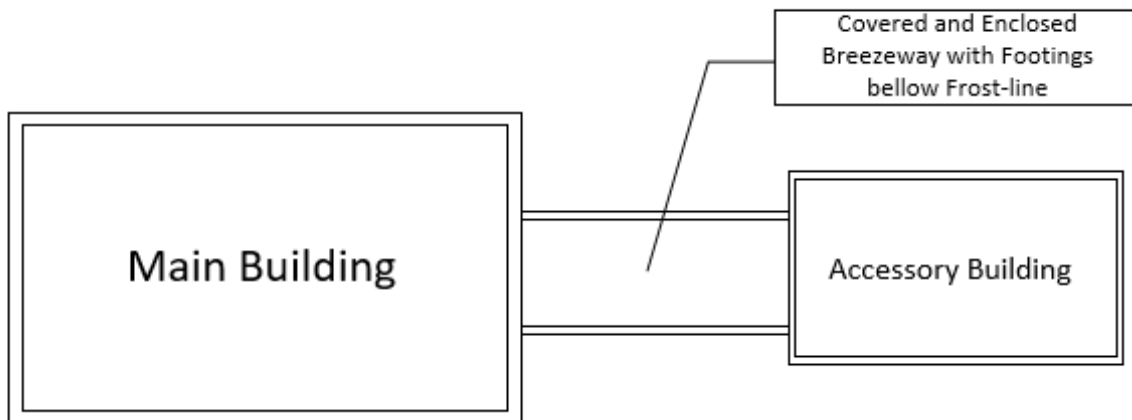
**201.1.2 Accessory building or structure, attached.** An accessory building or structure shall be considered attached to the main building or structure if meets all of the following criteria:

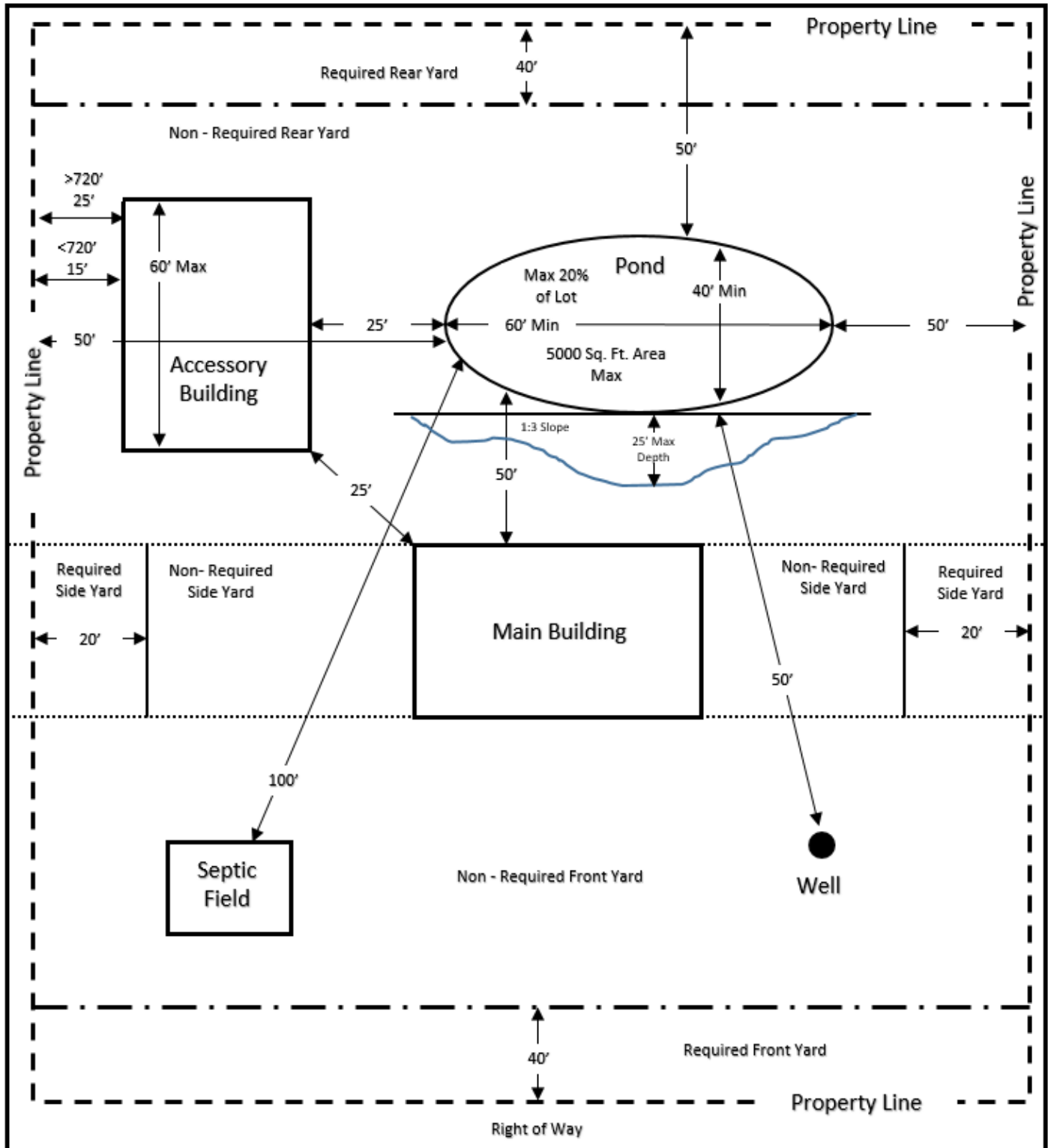


### Attached Accessory Building Example "A"



### Attached Accessory Building Example "B"







**CHARTER TOWNSHIP OF CHINA  
ST. CLAIR COUNTY, MICHIGAN**

**ORDINANCE NO. 162**

**AMENDMENT OF THE CHARTER TOWNSHIP OF CHINA  
CODE OF ORDINANCES – CHAPTER 30: ZONING**

**TITLE**

AN ORDINANCE amending the Charter Township of China Code of Ordinances – Chapter 30: Zoning, to revise regulations regarding accessory structures in residential districts; and repealing any and all Ordinances and/or Resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF CHINA, ST. CLAIR COUNTY, MICHIGAN, ORDAINS:**

**SECTION 1 – AMENDMENTS**

The text of the Charter Township of China Code of Ordinances – Chapter 30: Zoning, is hereby further amended as follows:

Subsection 1.1 – Subparagraph 2 of Section 30-424 (Accessory Buildings in Residential Districts) of Division 1 (Generally) of Article IV (Supplementary Regulations) shall be repealed and the following substituted therefor:

(2) *Location.* Accessory buildings shall not be erected in any required yard, except in a rear yard. However, when located on a parcel of land having an area of at least five acres, they may be located in any non-required yard provided that they meet all required setbacks from property lines, structures, wells, septic tanks and fields, and ponds, provided further that, when located in a non-required front yard, a 360-foot setback is maintained from the centerline of any abutting road. In addition, when an accessory building is located in a non-required front yard as permitted in this subsection, in no instance shall the accessory building be placed within that portion of the front yard lying between lines formed by the projected side walls of the main building.



Subsection 1.2 – Subparagraph (4).a.2 of Section 30-424 (Accessory Buildings in Residential Districts) of Division 1 (Generally) of Article IV (Supplementary Regulations) shall be repealed and the following substituted therefor:

2. In accordance with the following table when located in an AG or CR district:

Accessory Structure Total	Required Minimum
≤ 720 sq. ft.	15 feet
>720 sq. ft.	25 feet

Subsection 1.3 – Subparagraph 5 of Section 30-424 (Accessory Buildings in Residential Districts) of Division 1 (Generally) of Article IV (Supplementary Regulations) shall be repealed and the following substituted therefor:

(5) Maximum length and width; maximum ground floor area. In order to insure that accessory buildings will be of a scale and scope compatible with the residential character of the district, while providing for reasonable accommodation of those lawful storage needs that are clearly incidental to and customarily found in connection with the principal residential dwelling usage



of a lot or parcel (including lawful home occupation), the following limitations on the size, area and height of accessory buildings shall apply:

- a. The maximum length or width of an accessory building shall not exceed ninety (90)feet.
- b. The combined ground floor area of all detached accessory buildings on a lot or parcel shall not exceed the limits set forth in the following table:

<b>Lot or Parcel Size</b>	<b>Ground Floor Area</b>
Less than 1.25 acre	1,800 square feet
At least 1.25 but less than 2.5 acres	2,250 square feet
At least 2.5 but less than 5.0 acres	2,700 square feet
At least 5.0 acres but less than 10 acres	3,600 square feet
At least 10 acres but less than 15 acres	4,500 square feet
At least 15 acres	5,400 square feet

- c. The limits in subsections (5) b and c of this section on the floor area (individual or combined) of accessory buildings shall not apply in the case of a bona fide farm in the AG district when located on a parcel of land of 30 acres or more or in the case when the accessory buildings are part of a lawfully permitted nonresidential use and are shown on an approved site plan. Additional exceptions for farm buildings are provided in subsection 10, below.

Subsection 1.4 – Subparagraph 6 of Section 30-424 (Accessory Buildings in Residential Districts) of Division 1 (Generally) of Article IV (Supplementary Regulations) shall be repealed and the following substituted therefor:

(6) *Maximum height.*

- a. A detached accessory building shall not exceed one story or twenty-two (22) feet in height. (See the definition of "building height" in section 30-3 together with accompanying illustrations for definition and means of determining building height.)
- b. On lots or parcels within the boundaries of a recorded plat, the height shall not exceed fourteen (14) feet, except that the twenty-two (22) foot limit shall be retained for lots containing five acres or more within the boundaries of an assessor's or supervisor's plat recorded prior to the adoption of the ordinance from which this chapter is derived.



## **SECTION 2. REPEAL OF CONFLICTING PROVISIONS**

All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

## **SECTION 3. SEVERABILITY**

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

## **SECTION 4. PUBLICATION**

A Notice of Ordinance Adoption setting forth the regulatory effect of the Ordinance or the text of the Ordinance shall be published in the Voice newspaper, a newspaper of general circulation within China Township within fifteen (15) days of the adoption of this Ordinance.

## **SECTION 5. EFFECTIVE DATE**

This Ordinance shall take effect seven (7) days after the date of publication as provided for in Section 4.



**CERTIFICATE OF TOWNSHIP CLERK**

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of China Township, St. Clair County, Michigan, at a meeting held on the 17<sup>th</sup> day of October, A.D., 2016.

I hereby further certify that the following Township Board members were present at the meeting: L. Schwehofer, J. Rust, K. Donaldson, E. Neiman, S. Westrick, R. Allen and V. Schwehofer

and the following Township Board Members were absent:

None

I further certify that Member Donaldson moved for the adoption of the Ordinance, and that motion was supported by Member V. Schwehofer.

I further certify that the following Township of China Board Members voted for the adoption of the Ordinance:

L. Schwehofer, J. Rust, K. Donaldson, E. Neiman, S. Westrick, R. Allen and V. Schwehofer

and that the following Township of China members voted against adoption of the Ordinance:

None

Kristi A. Donaldson

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Kristi Donaldson, Clerk  
Charter Township of China