

Section 2.70 Dimensional and Building Requirements

A. **Intent.** This section includes the dimensional requirements for lots and parcels and the location of buildings.

B. **Applicability.**

1. Lots and Parcels. All lots and parcels shall meet the minimum area and width requirements of Table 2.70-A. Lots and parcels shall not be created or changed in dimension except in conformance with these requirements.
2. Buildings. All placement of principal and accessory buildings shall conform to the minimum dimensional and sizing requirements listed in Table 2.70-B and Table 2.7-C, as applicable.
3. Accessory Buildings. Residential accessory buildings are subject to additional requirements in Table 2.70-D.
4. Farm Buildings. Where permitted, farm buildings are only subject to the setback requirements of Table 2.70-B and no other requirements within this section.

Table 2.70-A: Dimensional Requirements for Lots and Parcels								
Requirement	AG	AGLD	AGMD	WR	AS	C-1	C-2	C-3
Min. Lot Area (s.f., unless noted otherwise) ¹	5 acres	3 acres	2 acres	32,670 s.f.	14,000 s.f.	1 acre	1 acre	1 acre
Max. Density (d.u. = dwelling unit) in PUD ²	1 d.u. per 2 acres	1 d.u. per 1.5 acres	1 d.u. per 1 acre	--	--	--	--	--
Min. Lot Width (ft.) ³	165	145	125	125	90	165	165	165
Max. Depth to Width ratio ⁴	If under 10 acres in area, a lot or parcel shall not be more than four (4) times deeper than its width.							
Min. frontage and accessibility	All lots and parcels shall have a minimum road frontage on a public road or approved private street easement that is at least equal to the minimum width required by the applicable zoning district. Cul-de-sac lots or lots on the outside edge of curved streets shall have a minimum of 40 feet of street frontage. Satisfying this frontage requirement is determined to be the minimum necessary accessibility requirement for land divisions.							

¹ See definition for "lot area" in Section 20.20.

² See Article 4 for PUD development requirements. Maximum density is applied to the gross acreage of the PUD project area and shall not be modified per Section 4.40 G.

³ See definition for "lot width" in Section 20.20. On waterfront lots, the minimum lot width shall also apply to the waterfront yard measured at the ordinary high water line.

⁴ See Section 20.20 for the definitions of "lot depth" and "lot width" to determine ratio. In cases of exceptional topographic or physical conditions, such as wetlands, waterbodies, steep slopes, and stormwater retention or detention areas, or if a parent parcel is an irregular shape, the Township may approve a greater depth to width ratio as long as the resulting parcel(s) or lot(s) remain compatible with surrounding lands. The Zoning Administrator may approve greater ratios for parcels created through land divisions and the Township Board may approve greater ratios for lots as part of tentative preliminary plat review.

Table 2.70-B: Building Requirements								
Requirement	AG	AGLD	AGMD	WR	AS	C-1	C-2	C-3
Min. Principal Residential Dwelling Area (s.f.) ¹	800	800	800	800	800 ²	800	800	--
Max. Principal Non-Residential Building Size (s.f.)	--	--	--	--	--	12,000	10,000	--
Max. Building Height (ft.) ³	35	35	35	35	35	35	35	35
Max. Lot Coverage (%) ⁴	20	30	30	40	80 ⁵	50	50	50
Min. Setback (ft.) for Principal and Accessory Buildings ⁶	Front ⁷	50	50	50	50 ⁸	10	50	50
	Side	20	20	20	See Table 2.70-C	10	20	20
	Rear	25	25	25	25	10	25	25
	Wetland and Water-front ⁹	50						

Table 2.70-C: WR Zoning District Side Yard Setbacks	
Lot Width	Min. Side Setback (ft.)
125 feet or greater	20
100-124 feet	15
70-99 feet	10
50-69 feet	7
Less than 50 feet	5

¹ Individual dwelling units or each individual dwelling unit in a multiple dwelling structure that is a principal use shall satisfy the minimum area requirement.

² Not applicable to second floor dwelling units over non-residential uses.

³ See Section 2.80 for building height measurement and exceptions.

⁴ See definition for "lot coverage" in Section 22.20.

⁵ For lots, units, or parcels two (2) acres in size or greater, the lot area coverage maximum shall be reduced to 30 percent.

⁶ See Section 2.90.

⁷ See Section 2.90 B for front setback measurements.

⁸ Along private roads, platted roads, and easements in the WR district, the minimum front yard setback shall be reduced to 25 feet from the outside edge of the right-of-way or easement boundary line.

⁹ See Section 9.110 Surface Water and Wetland Buffer Requirements. A waterfront setback is measured from the ordinary high water mark, as defined in Section 22.20, or the delineation line of a wetland.

Table 2.70-D: Additional Requirements for Residential Accessory Buildings		
Requirement		All Residential Properties
Min. Setbacks and Max. Height		See Table 2.70-B. The requirements for accessory buildings are the same as those for principal buildings.
Min. Setback from other Buildings (ft.)		Minimum separation as required by Building Code.
Max. Total Building Area	Parcel less than 2 acres	No greater than the ground floor area of the principal dwelling. See Section 6.20 D.2 concerning oversize accessory buildings.
	Parcel 2 acres or greater	No limit, provided, the maximum lot coverage required by Table 2.70-B is met.
Min. Parcel or Lot Size		A parcel or lot with one or more accessory buildings shall not be reduced to a size that would result in nonconforming accessory building square footage.
Max. Number		No limit.
Yard Location Restrictions		Residential accessory buildings can be placed in front, side, and rear yards.
Other		An accessory building shall not be established on a lot or parcel without a principal building. See Section 6.20 for additional requirements.

Section 2.80 Building Height

- A. **Measurement.** Building height shall be measured from the elevation of the average of the highest and lowest adjacent finished grade to:
1. Mansard, Gable, Hip, or Gambrel Roof. The average height between the eaves and ridge.
 2. Parapet/Flat Roof. The highest point of the roof for a flat roof.
 3. Other Roof Type. A point equivalent to the roof types specified in this section, as determined by the Zoning Administrator.
- B. **Waterfront Lots- Artificial Grade.** In the case of artificially raising the natural grade of a building site, the average high and low point of the pre-existing natural grade shall be used when calculating building height on waterfront lots.
- C. **Exceptions.** The following shall be exempt from height regulations in all zoning districts: parapet walls not exceeding four (4) feet in height from the adjoining roof, chimneys, cooling towers, elevator bulkheads, fire towers, stage towers, scenery lofts, monuments, cupolas, domes, spires, necessary mechanical appurtenances, and other similar architecture or structural elements and appurtenances.

Section 2.90 Lot Lines, Setbacks, and Yards

A. **Designations.** Lot line, setback, and yard applicability per lot type is the following:

1. Interior Lot.
 - a. Lot Lines. There is one (1) front lot line, two (2) side lot lines, and one (1) rear lot line (Figure 2.1).
 - b. Setbacks. Buildings shall be subject to one (1) front setback, two (2) side setbacks, and one (1) rear setback (Figure 2.2).
 - c. Yards. There is one (1) front yard, two (2) side yards, and one (1) rear yard (Figure 2.3).
2. Corner Lot.
 - a. Lot Lines. There is (1) front lot line, one (1) secondary front lot line (side street), one (1) interior side lot line, and one (1) rear lot line (Figure 2.1).
 - b. Setbacks. Buildings shall be subject to two (2) front setbacks, one (1) side setback, and one (1) rear setback (Figure 2.2).
 - c. Yards. There is one (1) front yard, one (1) secondary front yard, one (1) side yard, and one (1) rear yard (Figure 2.3).
3. Multi-Frontage Lot. If the dwelling is oriented toward one (1) of the two (2) parallel streets, the following applies:
 - a. Lot Lines. There is (1) front lot line, one (1) secondary front lot line, one (1) rear lot line, and one (1) side lot line (Figure 2.4).
 - b. Setbacks. Buildings shall be subject to three (3) front setbacks, and one (1) side setback (Figure 2.5).
 - c. Yards. There is one (1) front yard, one (1) secondary front yard, one (1) side yard, and one (1) rear yard (Figure 2.6).
 - d. If the dwelling is oriented toward the middle street frontage, the Zoning Administrator shall determine lot lines, setbacks, and yard designations.
4. Through Lot.
 - a. Lot Lines. There is one (1) front lot line, two (2) side lot lines, and one (1) rear lot line (Figure 2.4).
 - b. Setbacks. Buildings shall be subject to two (2) front setbacks and two (2) side setbacks (Figure 2.5).
 - c. Yards. There is one (1) front yard, two (2) side yards, and one (1) rear yard (Figure 2.6).

Figure 2.1 Lot Lines for Interior and Corner Lots

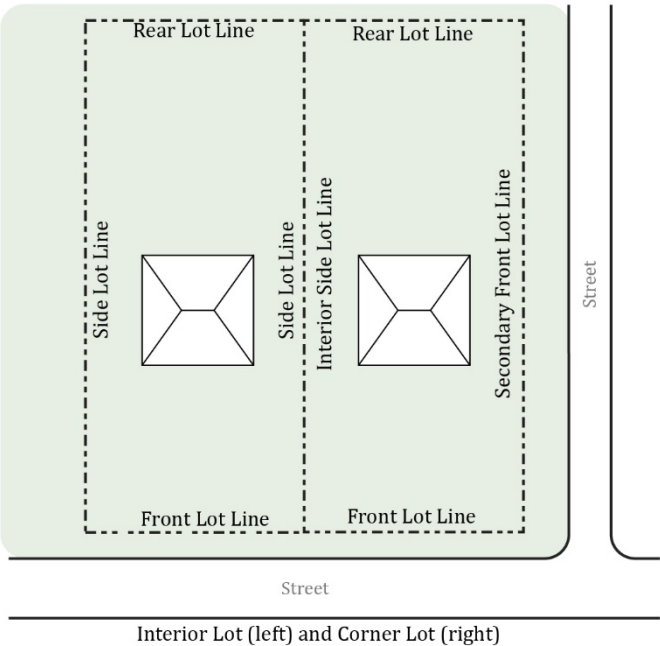


Figure 2.2 Setbacks for Interior and Corner Lots

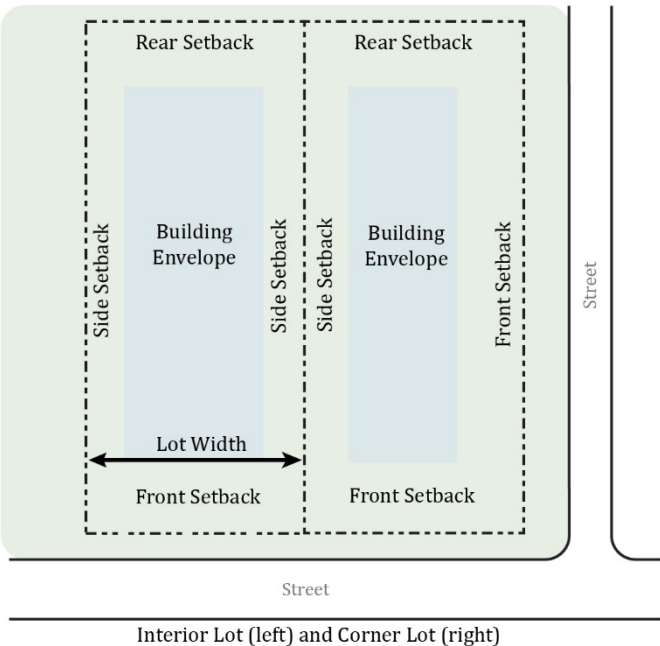


Figure 2.3 Yard Designations for Interior and Corner Lots

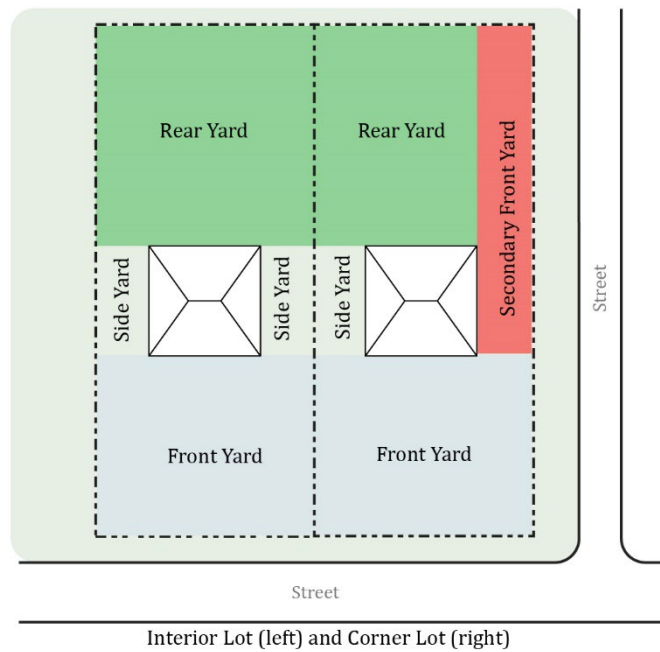


Figure 2.4 Lot Lines for Through and Multi-Frontage Lots

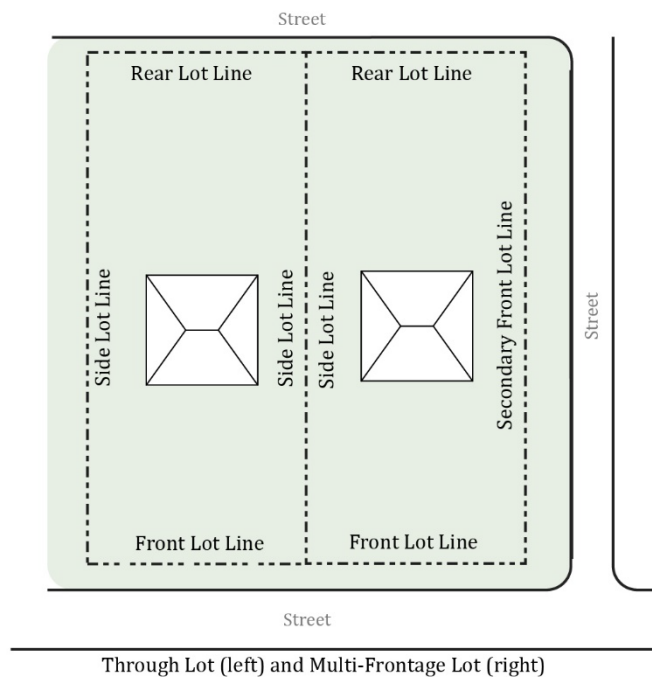


Figure 2.5 Setbacks for Through and Multi-Frontage Lots

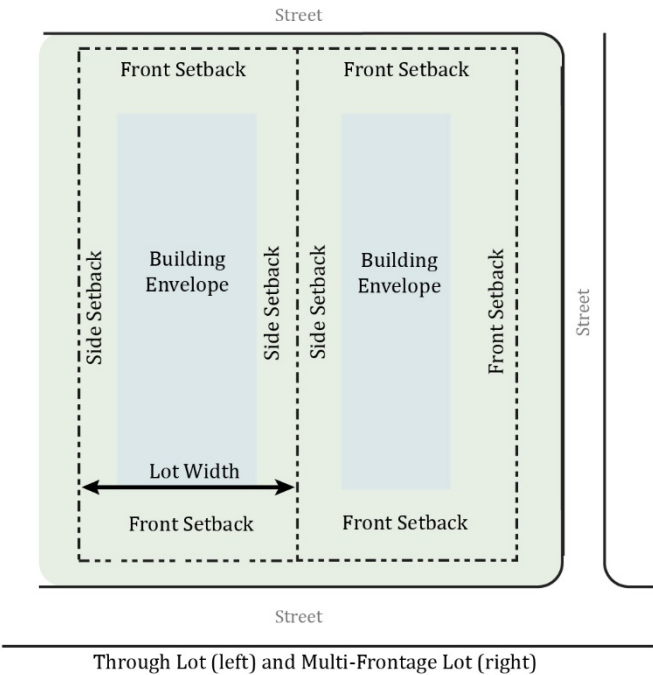
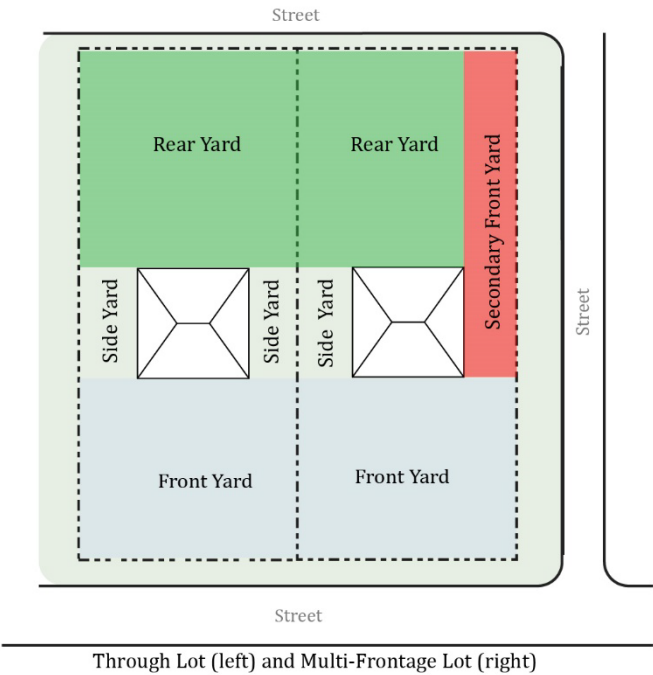


Figure 2.6 Yard Designations for Through and Multi-Frontage Lots



B. Setbacks.

1. Measurement.

- a. Setbacks are measured from lot lines to the exterior edge of the foundation of buildings and structures or the exterior and outermost edge of any structure over 30 inches with or without a foundation. Also included is any portion of a building or structure which is supported by a foundation, regardless of height.
- b. Front setbacks shall be measured from the outside edge of an abutting public road right of way, private street easement, or access easement. Where the right-of-way cannot be indicated on a survey, the outside edge shall be determined and measured from the centerline based on right-of-way width information provided by the Van Buren County Road Commission, Michigan Department of Transportation, or land records.

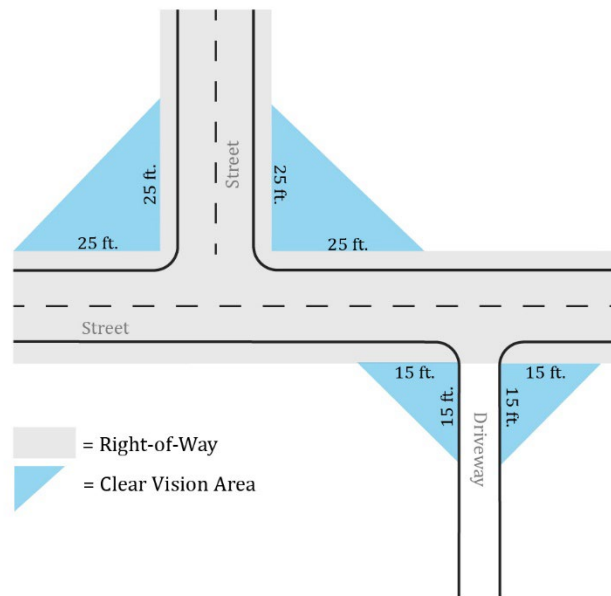
2. Allowable Projections into Setback Areas.

- a. Architectural features such as cornices, bay windows, window wells, eaves, and other cantilevered elements determined by the Zoning Administrator to be similar, may project no further than three (3) feet into a setback area, provided that the projection is at least five (5) feet from any lot line.
- b. Stairs may project into a setback area, provided that the projection is at least five (5) feet from any lot line.
- c. Accessible ramps may project into a setback area to the degree necessary to accommodate the structural improvement.

C. Corner Clearance and Visibility. On a corner lot or a lot with a driveway, there shall be no sight obstruction between two and one-half (2 ½) and 10 feet above the ground within the following clear vision areas (Figure 2.7):

1. Street Intersection. A triangular area formed by the right-of-way lines and a line connecting them measured 25 feet from their point of intersection.
2. Driveway and Street Intersection. A triangular area formed by the street right-of-way line and the driveway line measured 15 feet from their point of intersection.

Figure 2.7 Clear Vision Area



Section 2.100 Common Use and Keyhole Lots

A. **Applicability.** The following lots and parcels are subject to the requirements of this section.

1. Lots and parcels created after the effective date of this ordinance.
2. Lots and parcels existing prior to the effective date of this ordinance that did not provide common use access to a water body (riparian rights to non-riparian landowners) prior to the effective date of this ordinance.
3. Lots and parcels that have been providing common use access to a water body for a defined geographical area or a specific number of lots through an association or subdivision/condominium deed prior to the effective date of this ordinance and where it is proposed to expand the geographical area or number of lots that are provided common use access to a water body through the common use access lot.
4. Lots and parcels existing prior to the effective date of this ordinance that have been providing common use access to a water body for a defined geographical area or a specific number of lots and parcels may continue to provide riparian rights subject to the marina operating permit requirements of the Michigan Department of Natural Resources under the Michigan Inland Lakes and Streams Act.

B. **General Requirements.**

1. The deed to such lot or parcel shall specify the non-riparian lots or parcels that shall have rights to its use.
2. Such riparian lot or parcel shall satisfy the minimum frontage standards along the water frontage of the subject zoning district, measured by a straight line that intersects each side lot

line at the water's edge; a minimum lot depth of 150 feet, measured as the minimum distance between the water's edge and the lot line which is opposite the water's edge; and a minimum area of three-quarters (3/4) acre.

3. Boat and Watercraft Docks.
 - a. The maximum number of boats and/or personal watercraft which can be docked, moored, or stored at a common use riparian parcel shall be one (1) per 150 feet of riparian frontage.
 - b. If the facility stores four (4) or more boats and personal watercraft, the facility must obtain a permit for marina operation from the Michigan Department of Natural Resources in accordance with Administrative Rules of the Michigan Inland Lakes and Streams Act (P.A. 346 of 1972, as amended). Design for a boat and watercraft dock facility shall meet all of the Michigan Department of Natural Resources standards for marinas.

Section 2.110 Other Requirements

In addition to the requirements of this article, the following articles may apply to the development of land and certain uses and activities.

- A. **General Provisions for All Districts.** Article 5 includes general provisions and requirements for certain activities that are not regulated distinctly by zoning districts.
- B. **Specific Use Requirements.** Requirements specific to certain uses are located in Article 6 if noted in the far-right column in Table 2.50.
- C. **Parking and Loading.** Article 7 will apply to all projects that require off-street parking or loading spaces.
- D. **Lighting.** Article 8 applies to parking lot lighting for non-residential and multi-family development.
- E. **Landscaping and Environment.** Non-residential and multi-family site development will require compliance with Article 9.
- F. **Signs.** If signs are desired on a lot or parcel, the requirements of Article 10 will apply.
- G. **Review Procedures.** All development projects will be reviewed in accordance with Article 11 and articles 12-15, as applicable.
 1. General Processes- Article 11.
 2. Site Plan Review- Article 12.
 3. Special Land Use Review- Article 13.
 4. Planned Unit Development Review- Article 14.
 5. Condominium Review- Article 15.
- H. **Rezoning.** If rezoning is required, Section 16.30 will apply.
- I. **Variance.** If variances are required, Section 18.60 will apply.

Article 2. Zoning District Regulations

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