

**ORDINANCE NO. 280**

**ZONING TEXT AMENDMENT ORDINANCE**

**AN ORDINANCE TO AMEND THE SPRING LAKE TOWNSHIP ZONING ORDINANCE BY REVISING SECTION 306 REGARDING THE REQUIREMENTS FOR ACCESSORY STRUCTURES; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.**

THE TOWNSHIP OF SPRING LAKE, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Waterfront Accessory Structures. Section 306.I.5 of the Spring Lake Township Zoning Ordinance (the "Zoning Ordinance") shall be restated to state in its entirety as follows.

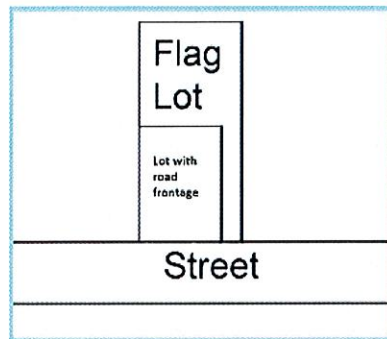
5. Waterfront Accessory Structures: A detached Accessory Building and/or Structure in the form of an unenclosed deck and/or shed may be permitted in the Front Yard of a Waterfront Lot when there is significant relief, i.e., steep slopes, which prevents reasonable enjoyment of the waterfront location. Any Waterfront Accessory Building or Structure shall be subject to approval as an authorization by the Board of Appeals and shall meet the following criteria.
  - a. Decks shall be four hundred (400) square feet or less.
  - b. Decks shall not have walls or roofs.
  - c. An Accessory Building or Structure shall be ten (10) feet or more from any Side Lot Line.
  - d. An Accessory Building or Structure shall not impede the waterfront view of an adjacent Dwelling.
  - e. Sheds shall be ten and one-half (10.5) feet tall or less and not more than one hundred (100) square feet in Floor Area.
  - f. The proposed Accessory Building or Structure shall generally be compatible with the architectural style and Building form of the principal Building.
  - g. A landscaping plan illustrating existing and proposed vegetation shall be submitted with a Site Plan for any Waterfront Accessory Building.

Section 2. Non-Waterfront Accessory Structures. Section 306.G shall be relabeled as Section 306.G.1, and Section 306.G.2 shall be added to state in its entirety as follows.

2. Accessory Buildings or Structures in the Front Yard of non-Waterfront Lots:

One (1) Accessory Building or Structure may be placed in the Front Yard of a non-Waterfront Lot and shall be subject to approval as an authorization by the Board of Appeals pursuant to Section 603 of the Zoning Act. In order to qualify for an authorization under this Section, the applicant must first comply with the following standards.


- a. The configuration of the Lot is such that a majority of the buildable Lot Area is behind existing Lots that front on a Street, which is commonly known as a “flag” Lot. A flag Lot consists of a narrower access portion from a Street or Private Road, reaching the wider building area of the Lot. Any Accessory Building or Structure in the Front Yard of a flag Lot must be in the wider portion of the Lot and not the access portion.




- b. The location of the Accessory Building or Structure will not impede access to the existing or proposed Dwelling on the Lot.
- c. The location of the Accessory Building or Structure will not obscure the view of the front of the existing or proposed Dwelling for those accessing the Lot by its Private Driveway.
- d. The position of the Accessory Building or Structure on the Lot shall minimize the visibility of the Accessory Building or Structure from other Dwellings, Private Roads, and Streets.
- e. The Lot that the Accessory Building or Structure will be located on shall conform to the minimum Lot Area requirements of the applicable Zoning District.
- f. Existing trees and other vegetation should be preserved around the Accessory Building site. If no screening exists before construction, additional landscaping may be required by the Board of Appeals.
- g. The proposed Accessory Building or Structure shall be compatible with the architecture style and form of the principal Building. Architectural elevations of the Accessory Building or Structure shall be provided for review by the Board of Appeals.

- h. The Building Height and Building Envelope of a proposed Accessory Building shall be proportional to the Lot Area upon which it is proposed to be located and consistent with other Accessory Buildings in the surrounding neighborhood.
- i. The Accessory Building or Structure shall be located in such a manner as to not cause a storm water runoff nuisance on adjacent property and shall meet the intent and guidelines of the Stormwater Management provisions in Article VI of Chapter 14 of the Township's Code of Ordinances.
- j. The Board of Appeals may require a restrictive covenant, such as a deed restriction, recorded with the Ottawa County Register of Deeds, indicating that any future Lot created by the division of the subject Lot shall comply with the required Lot Area and shall be limited to the Accessory Building and Structure size provided in this Section 306. The restrictive covenant shall be provided to the Zoning Administrator prior to the issuance of a permit under Section 116.


Section 3. Effective Date. The foregoing amendment to the Spring Lake Township Zoning Ordinance was approved and adopted by the Township Board of Spring Lake Township, Ottawa County, Michigan on April 12, 2021, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on April 24, 2021, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

  
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John H. Nash,  
Township Supervisor

  
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H. Carolyn Boersma, MMC,  
Township Clerk

**CERTIFICATE**

I, H. Carolyn Boersma, the Clerk for the Township of Spring Lake, Ottawa County, Michigan, certify that the foregoing Spring Lake Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on April 12, 2021. The following members of the Township Board were present at that meeting: John Nash, Jim Koster, H. Carolyn Boersma, Cathy Pavick, Ernie Petrus, Jerry Rabideau and Rachel Terpstra. The following members of the Township Board were absent: None. The Ordinance was adopted by the Township Board with members of the Board: John Nash, Jim Koster, H. Carolyn Boersma, Cathy Pavick, Ernie Petrus, Jerry Rabideau and Rachel Terpstra voting in favor and members of the Board: none voting in opposition. The Ordinance or a summary of the Ordinance was published in the *Grand Haven Tribune* on April 16, 2021.

  
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H. Carolyn Boersma, MMC  
Spring Lake Township Clerk