

**Hawes Township
Ordinance No. 1 of 2019**

AN ORDINANCE TO AMEND THE HAWES TOWNSHIP ZONING ORDINANCE TO ADDRESS ACCESSORY BUILDINGS.

Hawes Township, Alcona County, Michigan ordains:

Section 1: Additions and deletions to the Hawes Township Zoning Ordinance Sections 2.02C, 2.07C, and 8.03.

That the Hawes Township Zoning Ordinance, Section 2.02C is hereby amended to read as follows:

(DELETE) No structures or accessory buildings, including storage buildings, shall be erected or moved on lots or parcels of land unless a dwelling has been erected or moved onto the premises. Any accessory building shall not exceed the ground footage of the main building.

That the Hawes Township Zoning Ordinance, Section 2.07C is hereby amended to read as follows:

(DELETE) No structures or accessory buildings, including storage buildings, shall be erected or moved on lots or parcels of land unless a dwelling has been erected or moved onto the premises. Any accessory building shall not exceed the ground footage of the main building.

That the Hawes Township Zoning Ordinance, Section 8.03 is hereby amended to read as follows:

(ADD) Section 8.03M Accessory Buildings

A. Attached Accessory Buildings.

An accessory building which is attached to the main building shall be considered part of the main building.

B. Detached Accessory Building on Lots with a Main Building.

Accessory building shall meet the following regulations whether or not a zoning permit is required:

1. **Permits Required.** Any accessory building over one hundred (100) square feet requires a zoning permit.

2. **Location.** In all districts, accessory buildings shall not be located in the front yard except for the following: An accessory building in the F-R (Forest-Recreational) District, A (Agricultural) District, or A-R (Agricultural Residential) District may be located in the front yard if the accessory building is not visible from the road (year-round).
3. **Setbacks.** All accessory buildings shall meet setbacks of the main building.
4. **Height.** An accessory building shall not exceed the allowable height of the main building.
5. **Accessory Building as a Dwelling.** No accessory buildings shall be used for human occupancy unless otherwise permitted in this Ordinance.
6. **Nontraditional Storage Facilities/Shipping Containers.**
 - a. Truck bodies, school bus bodies, manufactured homes, travel trailers or other items built and intended for other uses shall not be used as permanent accessory buildings. Semi-trailers may be used as temporary storage for commercial and industrial uses in the commercial and industrial districts in the rear or side yard only for no more than ninety (90) days.
 - b. **Shipping Containers.** Shipping containers shall be allowed to be used as accessory buildings for storage purposes only. Shipping containers shall not be utilized for any dwelling purposes. Shipping containers shall be either painted to blend in with the natural landscape or covered in a siding material that would typically be utilized for a main building. Shipping containers shall be placed on a foundation or gravel surface with adequate drainage.
7. **Swimming Pools, Hot Tubs, and Spas.** The current Alcona County building code requirements for fencing and latching around swimming pools, hot tubs and spas are incorporated into this Ordinance by reference.

C. Accessory/Storage Buildings on Lots without a Main Building.

Accessory buildings, including storage buildings, may be erected or moved onto vacant lots or parcels of land in all districts. The Zoning Administrator shall review and issue a zoning permit for such accessory/storage buildings provided they meet the following criteria:

1. The accessory/storage building shall be located on the lot so that there exists a location on the lot where a future main building, which meets the minimum required floor area of the zoning district, may be constructed in full compliance with the dimensional regulations (setbacks) of the zoning district in which located.

2. In all districts, an accessory/storage building shall be located so that, when a main building is constructed, the existing accessory building is not located in the front yard. An accessory building in the F-R (Forest-Recreational) District, A (Agricultural) District, or A-R (Agricultural Residential) District may be located in the front yard (when the main building is constructed) if the accessory building is not visible from the road (year-round).

Section 2: Severability

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Hawes Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.



Hawes Township Supervisor



Hawes Township Clerk

Janette Richardson-
I, Storer, Clerk for Hawes Township, hereby certify that the foregoing is a true and correct copy of Ordinance No. 1 of 2019 of Hawes Township, adopted by at a meeting of the Township Board of Trustees held on 4-9-19.

A copy of the complete ordinance text may be inspected or purchased at the Hawes Township Hall, at 1341 N Fawn St Lincoln

Adopted:
4-9-19

Published:
4-17-19

Effective:
4-24-19, subject to PA 110 of 2006 as amended.