

R-1 - Single Family Residential

SECTION 701. INTENT AND PURPOSE

To designate certain portions of the township exclusively for single-family dwellings along the shoreline. It is the purpose of this district to allow residential development while protecting the viewshed and the shoreline, itself.

SECTION 702. USES PERMITTED BY RIGHT

Following are the principal permitted uses by right within the R-1 District.

- A. Single family detached dwellings, including manufactured dwellings, with such manufactured dwellings subject to Section 704.
- B. Accessory buildings and uses customarily incidental to the permitted uses above, subject to Section 705.
- C. Temporary buildings or trailer offices incidental to construction work for a period not to exceed one (1) year.
- D. Essential Services.
- E. State licensed residential facility providing resident services for persons under twenty-four (24) hour supervision or care, or both. This Section shall not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.
- F. State licensed or approved family day care facilities subject to the provisions of the Michigan Zoning Enabling Act of 2006.

- G. ~~1. Decks are not to be considered as part of lot coverage.~~
~~2. Decks are to be constructed of wood or composite material and cannot exceed 300 square feet.~~
~~3. Lake Township will use steel seawalls as the high water mark for decks.~~
~~4. There will be no setback restriction on deck placement from a seawall.~~
~~5. Decks that need to be replaced can be replaced to footprint without a variance, as long as they are not within the right of way.~~
Amended to include Section G 4.18.11
Amended to remove subsection 702.G. 1-5 5.20.2013

SECTION 703. USES PERMITTED AFTER SPECIAL APPROVAL

The following Special Approval uses shall be permitted subject to approval by the Township Board after review and recommendation by the Township Board after review and recommendation by the Planning Commission, and further subject to any and all reasonable conditions which may be imposed in accordance with the Michigan Zoning Enabling Act, P.A. 110 of 2006, and Chapter 16 of this Ordinance.

- A. Home Occupations.

SECTION 704. MINIMUM STANDARDS FOR RESIDENTIAL DWELLINGS

All single family dwellings shall comply with the following:

- A. All single family dwellings shall have a minimum of seven hundred twenty (720) square feet of floor area on the main floor.
- B. It shall maintain twenty four (24') feet minimum width across every front, side or rear elevation and complies in all respects with the Township building code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards and where such standards or regulation for construction are different than those imposed by the township building code, the federal or state standard or regulations shall apply.

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- C. It is firmly attached to a permanent foundation constructed on the site in accordance with the township building code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings. Also, in the event that the dwelling is a mobile home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
- D. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling will have any exposed towing mechanism, under carriage, or chassis.
- E. The dwelling is connected to the public sewer and water supply or to such private facilities approved by the local health department.
- F. The dwelling contains a storage area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten (10%) percent of the square footage of the dwelling or one hundred (100) square feet, whichever shall be less.
- G. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
- H. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development (being 24 CFR, 3280) and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.

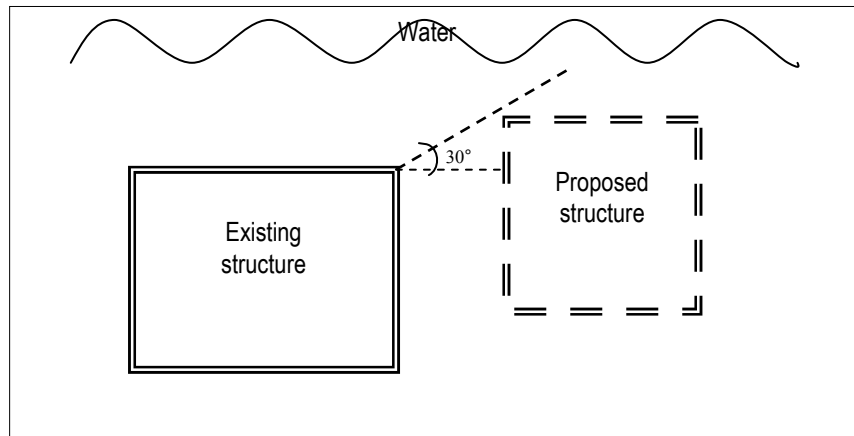
SECTION 705. DIMENSIONAL REQUIREMENTS

705.1 MINIMUM LOT SIZE.

Each lot shall contain a minimum of twelve thousand (12,000) square feet. Each lot shall have a minimum width of one hundred (100) feet of frontage on a public or private road.

705.2 MINIMUM YARD REQUIREMENT.

- A. Each front yard shall be a minimum of twenty-five (25') feet from road right-of-way.
- B. Each side yard shall be a minimum of at least six (6') feet, with total minimum side yards of sixteen (16') feet from the property line.
- C. On lots abutting on water such as lakes, streams, rivers and bays, no building or structure shall be erected less than thirty-five (35') feet from the ordinary high water mark as determined by survey, or if not established, then the highest known water level.
- D. The building setback on the lakeside of a waterfront property shall be such that from an adjoining property structure, by using a measurement from the front face corners of the existing principal structure (not including decks or porches, covered or uncovered) as a baseline to the proposed structure and/or addition, there shall be no more than a thirty (30°) degree angle. In addition, no trees or shrubs shall be planted within this thirty (30°) degree angle which will block the view from (of) existing neighboring properties.



The purpose being that new residences or additions should not obstruct the view from (of) existing neighboring properties. A special variance shall be required where the existing structure is setback more than fifty (50') feet from the front (waterfront) property line.

705.3. MAXIMUM LOT COVERAGE.

~~Twenty five (25%) percent of the property may be covered by buildings and structures.~~
Thirty-five (35%) percent of the property may be covered by buildings and structures.
Amended 8.17.09

705.4 MAXIMUM BUILDING HEIGHT.

In this District maximum height shall be as listed below:

- A. Residential dwelling unit ~~twenty eight (28')~~ thirty-five (35') feet or two (2) stories in height above the average grade of adjacent properties. In addition, site plan review will take into consideration existing structures on adjacent properties in order to maintain harmony. *Amended 8.17.09*
- B. Detached accessory structure twenty-one (21') feet, ten (10') feet wall height.
- C. The wall height of any structure in the same footprint or on the same foundation of the principal dwelling, whether above or below the average grade, the bottom story, basement, garage, etc., is limited to ten (10') feet sidewalls. If the story or basement is converted to a garage, the garage floor area cannot be larger than six hundred seventy-two (672') feet in ground floor area. *Amended 9.17.12*

705.5 ACCESSORY STRUCTURES.

Accessory structures are permitted in the R-1 district, subject to the following and additional structure regulations as contained in Chapter 12:

- A. One (1) garage (attached or detached) plus one (1) accessory building shall be permitted on any one parcel.
- B. An accessory or garage building, whether attached or unattached, shall not exceed ~~six hundred seventy-two (672)~~ eight hundred sixty-four (864) square feet. *Amended 11.19.2012*
- C. No two combined accessory structures shall exceed one thousand two hundred (1,200) square feet in area.
- D. When a garage is structurally attached to a main building, it shall be subject to and must conform to all regulations applicable to the main or principal building.

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- E. No garage, accessory building or portion thereof shall be erected or extended into the required front and waterfront yard setback areas. An attached garage building of fireproof construction may be erected to extend beyond the front line of the house except that such garage shall not encroach upon the minimum front yard setback area as required by this ordinance. No garage or accessory building shall be permitted in the waterfront yard.

- F. Setbacks for Accessory Structures are as follows:
 - 1. For all attached garages, the structure is subject to the same setback regulations as the principal structure.

 - 2. For all detached structures, the structure must be located a minimum of ~~ten (10')~~ five (5) feet from the nearest point of ~~the principal structure~~ any adjacent building and conform to all other setback regulations as the principal structure. *Amended 8.06.2015*

705.6 BOAT HOISTS AND DOCK LOCATIONS.

All boat hoists, watercraft hoists or docks placed in the waters abutting waterfront property shall be located in the center of said property. No more than three (3) hoists shall be allowed per waterfront residence.