

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE**

ORDINANCE NO. C-361-22

**AN ORDINANCE TO AMEND CHAPTER 51, “ZONING”, OF
TITLE V, “ZONING AND PLANNING”, THE CITY OF
WALLED LAKE ZONING ORDINANCE, TO AMEND
ARTICLE 2.00, SECTION 2.02 “DEFINITIONS” AS
PROVIDED BY THIS ORDINANCE**

The City of Walled Lake Ordains:

Section 1. Purpose

The purpose of this Zoning Ordinance Amendment is to further clarify existing defined terms in the City’s Zoning Ordinance.

Section 2. Amendment to Article 2.00, Section 51-2.02

The City of Walled Lake Zoning Ordinance is hereby amended at Article 2.00, Section 51-2.02 “Definitions” by amending the definitions of the following defined terms as follows:

Building means any structure or portion thereof including a mobile home or mobile structure, or a pre-manufactured or pre-cut structure above or below ground, temporary or permanent, having one or more floors or any structure, temporary or permanent, with a roof and designed or intended primarily for the shelter, support, or enclosure of persons, animals, or property of any kind. Regardless of attachment to the ground, a building shall include, tents, awnings, vehicles, containers, trailers, or other enclosures used for the purposes of a building.

Lot, double frontage, means any interior lot having frontages on two more or less parallel streets, as distinguished from a corner lot, or any lot with frontages on two sides of the same street. In the case of a row of double frontage lots, all sides of said lots adjacent to streets shall be considered frontage, and front yards shall be provided as required.

Front lot line means in the case of as interior lot, that line separating the lot from the street. In the case of a through lot, the line separating the lot from that street which is designated in an application for a building permit, or in any manner as the front street. In the case of a corner lot, the lines, separating the lot both from that street which is designated as the front street in an application for a building permit and from the side street are front lot lines. In the case of a lot which extends between a street and a canal or lake, any street line separating the lot from the street shall be

designated as a front lot line, and the line separating the lot from the water shall be designated as the “water line”.

Rear lot line means that lot line, other than a water line, opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long lying farthest from the front lot line and extending the full width of the lot. In the case of a waterfront lot bounded entirely and contiguously between a lake and a street, there shall be no rear lot line. In the case of a waterfront lot not entirely and contiguously bounded between a lake and a street, the rear lot line means that lot line, other than a water line, opposite the front lot line located on the opposite side of the street from the water line.

Front yard means an open space extending the full width of the lot, the minimum depth of which is the horizontal distance between the front lot line and the front setback line and extending to the front exterior of a principal permitted building. Except as expressly provided by this Chapter, the lot area between a front lot line and required front setback line shall be unbuildable above grade.

Front yard, double, means an open space on: 1) corner lots (as defined in this chapter) extending the full width of the lot on both sides facing the intersecting streets, or; 2) a double frontage lot with frontage on two sides of the same street. Unless specifically noted otherwise in this chapter, both open spaces facing each side of a street shall be considered front yards for the purposes of determining required setbacks.

Side yard means an open space extending from the front yard to the rear yard, the minimum width of which is the horizontal distance from the nearest point of the side lot line to the required side setback line and extending to the side exterior of a principal permitted building. Except as expressly provided by this Chapter, the lot area between a side lot line and required side setback line shall be unbuildable above grade.

Rear (back) yard means an open space extending the full width of the lot, the minimum depth of which is the horizontal distance between the rear lot line or established zoning district line and the required rear setback line and extending to the rear exterior of the principal building. On corner lots there shall be only one rear yard, which shall be opposite from the front street as designated on the plat, site plan review application, or request for building permit. In the case of a waterfront lot bounded entirely and contiguously between a lake and a street, there shall be no rear yard. Except as expressly provided by this Chapter, the lot area between a rear lot line and required rear setback line shall be unbuildable above grade.

Waterfront yard means an open space extending the full width of the lot, the minimum depth of which is the horizontal distance between the water line and the

required waterfront setback line and extending to the lake side exterior of a principal permitted building located on the same side of the street as the water line. Except as expressly provided by this Chapter, the lot area between the water line and required waterfront setback line shall be unbuildable above grade. In the event of a conflict between a required waterfront yard and any other required yard, the waterfront yard shall be controlling.

Section 3. Severability

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this ordinance; but the remainder of this ordinance shall stand and be in full force and effect.

Section 4. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 5. Repealer.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 6. Effective Date.

The provisions of this ordinance are hereby ordered to take effect following publication as provided by the Michigan Zoning Enabling Act, as amended, *MCL 125.3101, et seq* and in the manner prescribed by the Zoning Ordinance and Charter of the City of Walled Lake. This ordinance is hereby declared to have been adopted by the Walled Lake City Council on June 21, 2022 and ordered to be given publication in the manner prescribed by the City Charter of the City of Walled Lake.

AYES: (6) Woods, Ambrose, Fernandes, Lublin, Owsinek, Ackley

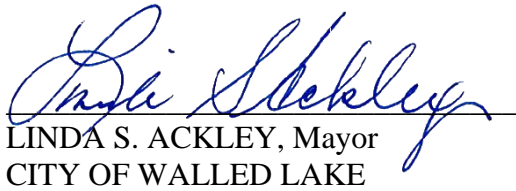
NAYS: (0)

ABSENTS: (1) Loch

ABSTENTIONS: (0)

STATE OF MICHIGAN)
)ss.

COUNTY OF OAKLAND)



LINDA S. ACKLEY, Mayor
CITY OF WALLED LAKE

JENNIFER A. STUART, City Clerk
CITY OF WALLED LAKE

Introduced: April 19, 2022
Adopted: June 23, 2022
Effective: July 28, 2022