

CITY OF ORCHARD LAKE VILLAGE
NOTICE OF ADOPTION OF ZONING ORDINANCE

NOTICE IS HEREBY GIVEN that at the July 18, 2022 Regular Meeting of the City of Orchard Lake Village Council the second reading and adoption was held on the Zoning Ordinance Amendment to No. 14.01, Article II, Section 2.02 (Definitions) & Article IV, Section 4.15(B) (Non-Permitted Accessory Buildings & Structures) – Permanent Docks.

This ordinance will take effect fifteen (15) days following publication of this notice.

Complete copies of the full text of the Zoning Ordinance are available for inspection by and distribution to the public between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, except legal holidays, at City Hall.

Rhonda McClellan
CityClerk@CityofOrchardLake.com

Publish: 7/27/2022
Two affidavits of publication please

Section 2.02 (Definitions)

DECK: An elevated, exterior, permanent structure of horizontal surfaces.

DISTRICT: A portion of the City of Orchard Lake Village within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas and other requirements are established (see also ZONE).

DOCK: A horizontal surface and other objects (posts, platforms etc.) located in on or above the water for purposes of boat mooring and access to and/or from watercraft or lake.

- a) **Permanent Dock:** A horizontal surface located in or above the water that is installed securely into the ground and or resting on the surface which is intended to remain permanent and that is lasting or intending to last or remain unchanged regardless of the season.
- b) **Seasonal Dock:** A horizontal surface located in or above the water that is installed into the ground and or resting on the surface which is intended to be removed at the end of the boating season, typically through October of each year.

DRIVE-IN ESTABLISHMENT: A business establishment, other than a drive-in restaurant, so developed that its retail or service character is depended upon providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicles, and many include drive-in banks, drive-in cleaners, drive-in laundries and other like businesses.

DRIVEWAYS: a driveway is a private lane, designed primarily for use by vehicles, that connects a house, garage, or other buildings with the street.

DWELLING, MULTIPLE: A residence for three (3) or more families living independently of each other and doing their own cooking in said building.

DWELLING, SINGLE FAMILY: A dwelling unit on one (1) building site with housekeeping facilities and construction features designed for only one (1) family.

DWELLING, TWO-FAMILY ATTACHED: A two family dwelling, attached, is a building on one (1) lot with separate housekeeping facilities for tow (2) families.

DWELLING, TWO FAMILY SEMI-DETACHED: A tow family dwelling, semi- detached is a building located on two lots with a dividing wall, through the center line of which runs the lot boundary, and intended for two (2) families, one (1) on each lot.

DWELLING UNITS: A dwelling unit is building or portion thereof designed or used as a place of residence for a single family, with housekeeping facilities and a construction features designed for only one (1) family.

Section 4.15 ACCESSORY BUILDINGS, STRUCTURES AND USES: Accessory buildings, structures, and uses (as defined in Article II, Section 2.02), except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

A. Permitted Accessory Buildings and Structures. Excepts as otherwise specifically permitted in this Ordinance, accessory, accessory buildings and structures shall be permitted only in Zones 1,2,3 and 4; except that signs shall be permitted Zones 5 & 6 un accordance with Article IV-A. Permitted accessory buildings and structures in Zones 1,2,3 and 4 are limited to those specified in the following table; except that the Zoning Board of Appeals may permit other accessory buildings and structures, but only if the proposed buildings or structures are not specifically "non-permitted" by Section 4.15, sub-section B.

In deciding whether a proposed accessory building or structure should be permitted, the Zoning Board of Appeals shall consider whether the building or structure will alter the essential character of an area, the Zoning Board of Appeals shall consider the established type and pattern of land uses, buildings, and structures in the area, the natural characteristics of the site and would be screened from view off the site.

Permitted Accessory Buildings	(Max. of Two (2) per residence, per Section 4.14)
Detached Garage	No more than one (1) per residence. See Section 7.02B, 8.02B, 9.02B, and 10.02B
Storage Shed	No more than one (1) per residence
Gazebo	No more than one (1) per residence
Pump House	A pump house shall be counted as one of the two (2) Permitted Accessory Buildings only if it is greater than 16sq.ft. or taller than 18 inches.
Dog House	A dog house shall be counted as one of the two (2) Permitted Accessory Buildings only if it is greater than 16 sq.ft. or taller than 48 inches.
Boat House	New boat houses are not permitted.
Permitted Accessory Structures	(number of permitted structures is not specified but is determined by achieving compliance with other zoning requirements)
Swimming Pool	See Section 7.02B, 8.02B, 9.02B, 10.02B, and 4.09 E
Play Structures	See Section 4.09 I
Fences	See Section 4.38
HVAC Equipment, Power Projections	See Section 4.15, subsection D.2
Sports Courts (for example, Tennis Courts, Basketball Courts, Handball Courts, etc.)	See illumination Control Ordinance (Ordinance 5.10) regarding lighting

	standards
Ground Level Unenclosed Projections	See Section 4.09B
Decks	See Section 4.09B
Lakeside Stairs	See Section 4.09C
Manufactured Landscape Features	See Section 4.09F
Retaining and Landscaping Walls	See Section 4.09G
Antenna Facilities	See Section 4.15G
Trash Dumpsters in Zones 5 and 6	See Section 4.31
Signs	See Article IV-A
Permanent Barbecues, Outdoor Kitchens	See Section 4.15H
Roof Mounted Solar Energy Systems	Roof-mounted solar energy systems are permitted provided that the solar panels are mounted flush to the surface of the roof and do not project above the peak of the roof or beyond any roof edge. A building permit shall be required for installation of roof mounted systems. Solar panels shall not be mounted on any roof that is steeper than a 12/12 pitch or on the face of any building.

B. Non-Permitted Accessory Buildings and Structures. The following accessory buildings and structures are not permitted in Zones 1, 2, 3 and 4:

Non-Permitted Accessory Buildings and Structures

Detached Car Ports Plastic
 Wrap Greenhouses New
 Boat Houses
 Summer Houses (only one (1) principal is on each lot)
 Detached Greenhouses
 Ground-Mounted Solar Energy Systems
 Permanent Docks

C. Applicability of Other Codes and Ordinance. Accessory buildings and structures shall be subject to all other applicable codes and ordinance regarding construction, installation and operations.

D. Setback and Location Requirements. Except as otherwise specified in this Ordinance (for example, in Section 4.09), accessory building and structures shall comply with the following setback and location requirements:

1. General Setback and Location Requirements

a. Detached Accessory Buildings and Structures. Detached accessory buildings and structures shall comply with applicable setback regulations in Article XIII, the Schedule of Regulations, subject to the following conditions:

First Reading: 6/21/22
 Second Reading: 7/11/22
 Adoption

Published Date: 7/27/22
 effective Date: 8/11/22