

**NOTICE  
PUBLICATION BY POSTING  
YORK CHARTER TOWNSHIP  
ORDINANCE NO. 138  
EFFECTIVE OCTOBER 28, 2011**

Ordinance #138, an amendment to York Charter Township Ordinance No. 65, the Township Zoning Ordinance, regulating the development and use of land, had second reading at a regular York Charter Township Board of Trustees meeting held on Tues., October 11, 2011, and said Ordinance was adopted. It will become effective upon the 8<sup>th</sup> day following publication of this Notice of Adoption, or such later date as is otherwise provided by law.

Publication of Ordinance #138 was made by posting a copy of said Ordinance in the Office of the York Township Clerk, 11560 Stony Creek Rd., Milan, MI 48160 on October 20, 2011 and on the Township's website at [www.twp-york.org](http://www.twp-york.org) on October 19, 2011 pursuant to Section 8 of the Charter Township Act, being MCL 42.8(3)(b). The proposed Ordinance is available for inspection at the Clerk's office or on the Township's website.

Helen Neill, Clerk, Charter Township of York  
Published: October 20, 2011

**CHARTER TOWNSHIP OF YORK  
WASHTENAW COUNTY, MICHIGAN  
ORDINANCE No. 138**

**AMENDMENT OF ORDINANCE No. 65**

**ZONING ORDINANCE**

**EFFECTIVE DATE: October 28, 2011**

AN ORDINANCE TO AMEND ORDINANCE NO. 65, THE ZONING  
ORDINANCE OF THE CHARTER TOWNSHIP OF YORK, PURSUANT TO  
AUTHORITY GRANTED UNDER P.A. 110 OF 2006, BEING MCL §125.3101,  
ET. SEQ., AS AMENDED.

**THE CHARTER TOWNSHIP OF YORK, WASHTENAW COUNTY, MICHIGAN,  
HEREBY ORDAINS:**

**SECTION I - AMENDMENTS, ADDITIONS, and DELETIONS.**

**A.** The Table of Contents in the York Charter Township Zoning Ordinance is amended by deleting Section 3.18 in the Table of Contents and replacing it with the following new Section 3.18 listed in the Table of Contents:

Section 3.18 Accessory Structures and Uses ..... 3-3

**B.** Section 3.18 Accessory Structures and Uses, in the Zoning Ordinance is deleted and replaced with the following new Section 3.18:

Section 3.18 Accessory Structures and Uses.

Where a lot is devoted to a permitted principal use or a permitted special use, accessory uses and structures shall be permitted as listed in the applicable zoning district or otherwise provided for in this Section or Ordinance, subject to the following:

**A. General Standards.**

The following shall apply to all accessory structures and uses permitted in the Township:

1. An accessory structure attached to the principal building of a lot shall be made a structural part thereof and shall comply with the provisions of this Ordinance that apply to principal buildings.
2. No accessory structure shall be used prior to the principal building or use, except as a construction facility for the principal building. Such structures may be used as temporary construction facilities, provided that a certificate of zoning compliance is obtained from the Zoning Inspector and any other required permits are obtained for such use from the Building Inspector. The Zoning Inspector shall in each case establish a definite time limit on the use of such facilities and limits on the uses to which such facilities may be put.
3. In the Rural Districts and Residential Districts, accessory uses and structures not attached to the principal building shall not be located:
  - a. In front of the front line of the principal building or in any area between the road right-of-way and any front building line of the principal building.
  - b. Within any required yard setback area, except that a structure under 150 square feet in floor area may be located not less than ten (10) feet from a side or rear property line.
4. In the Residential Districts, not more than thirty-five percent (35%) of the minimum required rear yard shall be occupied by accessory structures.
5. In the Business Districts and Other Districts, any accessory use or structure not attached to a principal building on the lot shall comply with all area, placement, and height regulations of the district in which it is located.
6. The combined ground floor area of accessory structures shall not exceed the ground floor area of the principal building in the following zoning districts: R-1, R-2, R-4, MHP, and HCD.

The combined ground floor area of accessory structures may exceed the ground floor area of the principal building in the following zoning districts: A-1, A-2, RPD and C-P. In C-1, C-2, C-3, CCP, ROP, OP, I-1, I-2 and PSP zoning districts, the ground floor area of accessory structures may exceed the ground floor area of the principle building only as permitted by the Planning Commission as part of a site plan approval.
7. In all zoning districts, a detached accessory structure shall be set back a minimum of ten (10) feet from any other principal building or accessory structure.

**B. Carports and Vehicle Shelters.**

The following additional standards shall apply to carports and vehicle shelters, including structures that are temporary in design or purpose:

1. Carports and vehicle shelters shall conform to all requirements of this Ordinance that apply to accessory structures. Carports and vehicle shelters constructed as permanent structures shall also conform to State Construction Code requirements.
2. Carports and vehicle shelters that are temporary in design or purpose shall conform to the requirements of Section 3.36 (Vermin Control), and shall be securely anchored in a manner acceptable to the Building Inspector.
3. The internal structure and outer covering of carports and vehicle shelters that are temporary in design or purpose shall be interconnected and secured in a manner acceptable to the Building Inspector.
4. Carports and vehicle shelters that are temporary in design or purpose shall not be electrified or climate-controlled.

**C. Garages and Utility Structures**

In the R-1 district, the following additional standards shall apply to garages and utility structures.

1. Front yard - Utility structures and garages shall not be located in the front yard unless structurally attached to the residential building.
2. For a structure not more than 12 feet high, not more than 32 feet long or wide, and not more than 800 square feet in floor area, the side yard shall not be less than 10 feet, except in the case of a corner lot where the yard along the street shall not be less than 50 feet. For structures more than 12 feet high, more than 32 feet long or wide, or more than 800 square feet in floor area, the side yard requirements in the Table of Dimensional Standards by District (Article 30) shall apply.
3. Rear yards - For a structure not more than 12 feet high, not more than 32 feet long or wide, and not more than 800 square feet in floor area, the rear yard shall not be less than the side yard required in subsection C(2) above. For all other structures, the rear yard shall not be less than 50 feet.

**D. Swimming Pools**

In residential districts, the following additional standards shall apply to swimming pools.

1. Front yard - Swimming pools shall not be located in the front yard.
2. Side yards - The minimum side yard set-back shall be 15 feet unless the Table of Dimensional Standards by District (Article 30) indicates a smaller set-back.

3. Rear yard – The minimum rear yard set-back shall be 15 feet unless the Table of Dimensional Standards by District (Article 30) indicates a smaller set-back.
4. Corner lots – Minimum front yard set-backs shall apply.

C. Section 40.207, Single Family Dwellings in the Zoning Ordinance, is deleted and replaced with the following new Section 40.207:

Section 40.207 Single-Family Dwellings, Detached

The intent of this Section is to ensure compliance of single-family detached dwellings on individual lots with all applicable Ordinance standards for the protection of the public health, safety, and welfare; and to ensure that new dwellings on individual lots are aesthetically compatible with existing single-family dwellings in the surrounding area. The standards of this Section are not intended to apply to dwellings located within a licensed and approved manufactured housing park in the MHP (Manufactured Housing Park) District. New single-family detached dwellings and additions to existing dwellings constructed or installed on lots in the Township, without regard to the type of construction, shall be subject to the following:

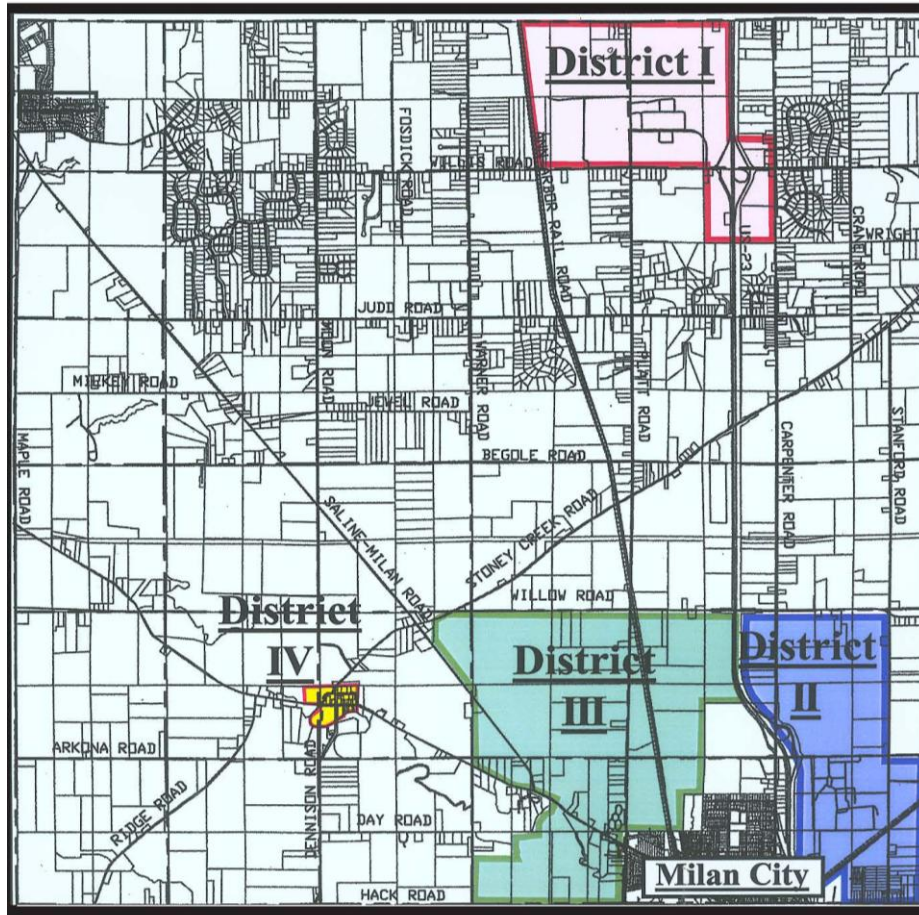
1. The dwelling shall meet all applicable federal and state design, construction, and safety codes for the type of construction.
2. The dwelling shall be placed on a permanent foundation wall meeting all requirements of the State Construction Code, subject to the following:
  - a. The foundation wall shall completely enclose the area under the dwelling. The enclosed area shall not be less than the ground floor area of the dwelling. Nothing in this provision shall be construed to limit the use of cantilevered floors, overhangs or other projecting architectural features so long as they are constructed in accordance with the building code currently in effect.
  - b. The dwelling shall be secured to the ground by an anchoring system that meets all State Construction Code and other applicable requirements before a Certificate of Occupancy is issued.
  - c. Any wheels, tongue, hitch, or other towing appurtenances attached to a manufactured dwelling shall be removed before anchoring the dwelling.
3. The dwelling shall be connected to potable water and sanitary sewerage facilities per Section 3.23 (Water and Sewage Facilities).
4. The dwelling, prior to any additions or expansions, shall have a minimum width across all front, side, and rear elevations of 20 feet.
5. The floor area per dwelling erected on any lot or parcel, as measured on the outside block dimensions, shall not be less than the following:

Number of Bedrooms per Dwelling Unit	Minimum Required Floor Area per Dwelling Unit
Less than three (3) bedrooms	1,200 square feet
Three (3) bedrooms	1,400 square feet
Four (4) or more bedrooms	1,600 square feet

6. The dwelling shall be aesthetically compatible in design and appearance with housing in the neighborhood and other single-family detached dwellings in the Township. Compatibility shall be determined according to the following standards:
  - a. Exterior walls shall be finished with natural or simulated natural materials, common to dwellings in the Township such as, but not limited to, beveled siding, vertical siding, board and batten siding, or brick.
  - b. Front and rear or front and side exterior doors shall be provided. Permanent steps, porches or barrier free access ramps shall be provided where there is a difference in elevation between a doorway and grade level.
  - c. The roof shall be finished with shingles or similar materials. Roof designs and roof materials shall be similar to those commonly found on dwellings in the Township. A roof drainage system shall be provided that will collect, and concentrate the discharge of, roof drainage, and will avoid drainage along the sides of the dwelling.
7. A building permit shall be required for construction of the foundation wall, for placement of the single-family detached dwelling on the lot, and for any addition(s) to the dwelling. A building permit shall not be issued until a Certificate of Zoning Compliance has been issued in accordance with Section 57.03 (Certificates of Zoning Compliance).
8. Additions to existing dwellings shall conform to all requirements of this Section and Ordinance.
9. Not more than one (1) principal detached single-family dwelling shall be located on a lot, nor shall a principal detached single family dwelling be located on the same lot with any other principal building, except as permitted under Article 43.0 (Planned Unit Development District - PUD) or except as permitted on farms for tenants or seasonal agricultural workers. A single-family detached dwelling shall not be used as an accessory building in any residential district.

C. The following Urban Service District Map is added at the end of Article 45 of the Zoning Ordinance as Appendix B:

**Article 45**  
**Appendix B**  
**York Township**



**Urban Service Districts Map**

**SECTION II - SEVERABILITY**

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof, or of any other provisions in the Charter Township of York Zoning Ordinance.

**SECTION III - REPEAL**

All ordinances or parts of ordinances in conflict with this are hereby repealed.

**SECTION IV - SAVINGS CLAUSE**

The balance of the York Charter Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The repeal and 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 V - PUBLICATION AND EFFECTIVE DATE**

The Township Clerk shall cause this Ordinance to be published in the manner required by law.

This Ordinance shall be effective on the 8<sup>th</sup> day after final publication of the Ordinance.

This Ordinance was duly adopted by the York Charter Township Board at its regular meeting called and held on the 11th day of October, 2011, and was ordered given publication in the manner required by law.

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Helen Neill  
Charter Township of York Clerk

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Joseph B. Zurawski  
Charter Township of York Supervisor

Dated: \_\_\_\_\_, 2011

First Reading: September 13, 2011  
First Publication by Posting: October 6, 2011  
Adoption: October 11, 2011  
Final Publication by Posting: October 20, 2011  
Effective Date: October 28, 2011

**CLERK’S CERTIFICATE**

I, Helen Neill, Clerk of the Charter Township of York, Washtenaw County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of York Charter Township Ordinance No. 138, which was duly adopted by the Township Board of York Charter Township at a Regular Meeting of said Board, held on October 11, 2011, after said Ordinance had previously been introduced at a Regular Meeting of the Board held September 13, 2011, and published in the form it was introduced in accordance with P.A. 359 of 1947, as amended.

I further certify that Member Jane Kartje moved for adoption of said Ordinance, and that Member Wayne Meier seconded said motion.

I further certify that the following Members voted for adoption of said Ordinance: Sally Louis, Jane Kartje, Jill Hargrove, Wayne Meier, Gary Zajac, Helen Neill, Joe Zurawski, and that the following Members voted against adoption of said Ordinance: None, and that the following Members were absent or abstained from voting on the adoption of said Ordinance: None.

I further certify that after its passage the Ordinance was published in *The Milan News-Leader* and *The Saline Reporter* a notice of publication by posting at the York Township Hall and on the York Charter Township website on October 20, 2011, in accordance with P.A. 359 of 1947, as amended.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and the Clerk.

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Helen Neill  
Charter Township of York Clerk

Dated: \_\_\_\_\_, 2011