

## **ARTICLE 8 R-4 LAKE RESIDENTIAL DISTRICT**

### **8.01 INTENT AND PURPOSE**

The lake residential district is intended to ensure that the environmental and aesthetic quality of the surface water resources and wetlands of the township are protected from misuse and degradation. This zoning district is intended for residential uses directly bordering or close to lakes. These areas may have existing conditions including smaller lots than would otherwise be allowed. It is the intent of these provisions to prevent the perpetuation of small lot development in critical areas while allowing existing uses to continue. It is acknowledged that it is a proper public purpose to regulate the development of land and that the protection of this State's natural resources is paramount. It is further acknowledged that the prevention of overcrowding of the surface waters of inland lakes and streams is desirable to protect natural resources, including wetlands, wildlife habitats, and fish spawning areas; to avoid user conflict; to promote safe recreational use of inland lakes; and to protect the riparian rights of waterfront property owners and the values of their properties. It is further acknowledged that there is a common plan of development which predominates among existing waterfronts on inland lakes in the township and that it is desirable to promote the continuation of a similar plan with respect to future development of waterfront properties.

The surface water resources of Clyde Township are a valuable asset to the citizens of the township and the state. The purpose of this district is to provide specific regulations that shall:

- Further the maintenance of safe and healthful conditions.
- Prevent and control water pollution.
- Reduce hazards to persons and damage to property from flood conditions.
- Protect fish and other aquatic life.
- Provide for the wise utilization of water and related land resources.
- Control development to preserve the economic and natural environmental value of shore lands.

It is recognized that the surface water resources of the township are a shared resource of relatively fixed supply and, that public regulation will ensure reasonable usage by riparian property owners and the public.

Further, it is the intent of this article to comply with the provisions and requirements of the National Flood Insurance Program, in accord with the National Flood Insurance Act of 1968, and the rules and regulations promulgated in furtherance of this program by the Federal Emergency Management Agency.

It is further recognized that reasonable regulations are needed for the development of single lots in subdivisions platted before 1967. Where such lots have less than 15,000 square feet of total area and/or are less than 100 feet wide, and where such lots have not come into common ownership with adjacent parcels, tracts or lots, then reasonable adjustments have been provided within the regulations. (added February 27, 2009)

## **8.02 ALLOWED USES**

- A. Essential services.
- B. Single-family dwellings.
- C. Family Day-Care Homes. *[amended 8-9-06]*
- D. Accessory buildings or structures and uses customarily incidental to any of the above uses permitted by right.

## **8.03 SPECIAL LAND USES**

- A. Home occupations (See Sections 3.17 and 13.06. J) *[amended 8-9-06]*
- B. Private and public schools, libraries, museums, parks, art galleries, and similar institutional uses, when owned and operated by a governmental agency or nonprofit organization
- C. Public utilities
- D. Group Day-Care Homes *[amended 8-9-06]*
- E. An accessory building on a vacant lot (added February 27, 2009)

## **8.04 HEIGHT REGULATIONS**

No principal building or structure shall exceed 35 feet in height. No accessory building shall exceed 25 feet in height. (amended February 27, 2009)

## **8.05 AREA REGULATIONS**

No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following setback, lot area, and building coverage requirements:

- A. Required front setback: There shall be a waterfront not less than 50 feet and a street front setback of not less than 30 feet.
- B. Required side setback: There shall be a total required setback of not less than 20 feet, however, no setback may be less than 7 feet. (Revised 03-21-2000)
- C. Required rear setback: There shall be a rear setback of not less than 25 feet.
- D. Lot area: The minimum lot area for all uses in this district, unless specified elsewhere, shall be 15,000 square feet. (amended February 27, 2009)
- E. Lot width: The minimum lot width for all uses in this district, unless specified elsewhere, shall be 100 feet. Waterfront lots must also have a minimum of 100 feet of shoreline. (amended February 27, 2009)

## **8.06 ACCESSORY STRUCTURES IN THE STREET FRONT YARD**

Except for a garage, accessory structures and buildings shall not be erected in the street front yard. A garage may be constructed, erected, and placed in the street front yard of any waterfront lot which is platted or otherwise of record as of the effective date of this ordinance providing it maintains a setback of 10 feet from the road-right-of-way. On a waterfront lot, an accessory building will not be erected or maintained in any required side or lakefront setback area. (added 03-08-04)

## **8.07 MINIMUM FLOOR AREA**

- A. Each dwelling unit, unless specified elsewhere, shall have a minimum of 1,000 square feet of usable floor area.
- B. The cumulative size of all accessory buildings shall not exceed the total square footage of the principal structure.
- C. The cumulative first floor area of all structures shall not exceed 35 percent of the total lot area. (amended February 27, 2009)

## **8.08 ANTI-FUNNELING REGULATIONS**

- A. There shall be at least 100 feet of lake frontage as measured along the ordinary high water mark for each single-family home, dwelling unit, cottage, condominium

unit, site condominium unit, or apartment unit utilizing or accessing the lake frontage.

- B. Any multiple-unit residential development that shares a common lake front area or frontage may not allow lake use or access to more than one single-family home, dwelling unit, cottage, condominium unit, site condominium unit, or apartment unit for each 100 feet of lake frontage in such common lake front area, as measured along the ordinary high water mark line. (revised 03-21-2000)
- C. No single-family home, dwelling unit, cottage, condominium unit, or multiple unit residential development shall have more than one dock for each 100 feet of lake frontage, as measured along the ordinary high water mark. All such docks and dockages shall comply with all other applicable township ordinances.  
(amended February 27, 2009)
- D. The above restrictions apply to all lots and parcels on or abutting any lake in the R-4 zoning district, despite whether access to the lake waters is by easement, park, common-fee ownership, single-fee ownership, condominium arrangement, license, or lease.

## **8.09 CANAL AND CHANNEL CONSTRUCTION**

The construction of any canal or channel or similar activity within the lake residential district must be done following State of Michigan rules and regulations.