

**ORDINANCE NO. 2019-03**

**AN ORDINANCE TO AMEND CHAPTER 51 OF  
TITLE V OF THE CODE OF THE CITY OF FRANKENMUTH  
BY AMENDING SECTIONS 5.3 & 5.144**

THE CITY OF FRANKENMUTH ORDAINS: The following amendments pertain to a variety of issues found in several sections of Chapter 51 of Title V of the Code of the City of Frankenmuth.

**ARTICLE 2. DEFINITIONS**

5.3. Definitions (A-C).

(1) Accessory Building. Any structure used for storage that is not the dwelling or principal building for containing materials or persons. This includes but is not limited to gazebos, shade structures, smaller portable structures such as plastic outdoor storage containers. Neatly stacked firewood for personal use is considered an accessory structure and is permitted so long as it is no greater than 144 square feet. Accessory structures do not include improvements that are flush with the ground such as patios, sidewalks, etc.

**ARTICLE 16. GENERAL PROVISIONS**

5.144. Accessory Buildings and Private Garages.

(1) Building Size, Heights, Setbacks, and Related Regulations Table.

<b>Zoning District</b>	<b>Maximum Building Size / Height</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Rear Setback</b>
Residential Districts, including: RE, RA-1, RA-2, RA-3, MHR, RCD, R-PUD  See below regulation notes: A, B, C, D, E, F, G, H, I	Up to two structures are permitted as follows:  One up to 144 Square Feet, Height not to exceed 10 Feet  One up to 360, not to exceed 17 feet in height as measured from average grade to the highest roof elevation.		5 Feet  If 200 sq ft or greater, 10 ft setback	5 Feet  If 200 sq ft or greater, 10 ft setback

<b>Zoning District</b>	<b>Maximum Building Size / Height</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Rear Setback</b>
Agricultural, Multi-Family & Office	Not to exceed 30% rear lot coverage as reviewed and	Not permitted	5 Feet	5 Feet

Districts, including: A, RCM, O  See below regulation notes: A, B, C, D, E, G, H, I, J, K	approved by the Planning Commission.  Height not to exceed 25 feet or the height of the principal structure, whichever is less.			
Commercial Districts, including: B-1, B-2, B-3, CL-PUD, CT-PUD, P-1  See below regulation notes: D, E, J, K	As reviewed and approved by the Planning Commission.  Height not to exceed 25 feet or the height of the principal structure, whichever is less.	Not permitted	8 Feet	5 Feet
Industrial Districts, including: I, I-PUD, I-S-PUD, SU  See below regulation notes: D, E, J, K	As reviewed and approved by the Planning Commission.  Height not to exceed district height limits.	Not permitted	8 Feet	5 Feet

(2) Table Regulation Notes for Accessory Buildings and Private Garages.

A. In all residential districts, the side yard abutting upon a street shall not be less than twenty-five (25) feet, when there is a common rear yard.

B. For any single family dwelling, attached and detached private garages may provide storage for not more than one (1) commercial vehicle of not over one (1) ton capacity.

C. For any other dwellings, attached and detached private garages may provide storage for not more than one (1) commercial vehicle of not over one (1) ton capacity.

D. In no case shall the entrance to a garage be less than twenty-five (25) feet from a street right-of-way line.

E. On a corner lot, no accessory building shall be closer to the side street lot line than the side yard setbacks of the principal building on the lot. Where the rear line of a corner lot coincides with the side line of an adjoining lot in a residential district, an accessory building shall not be closer than eight (8) feet to the common lot line.

F. Accessory structures 144 square feet or less shall not exceed ten (10) feet in height nor shall any wall exceed sixteen (16) feet in length. Such structure shall not be constructed of exposed plywood or particle board, corrugated metal, similar or otherwise unorthodox materials and shall be complementary in color to the house. Accessory structures greater than 144 square feet shall include materials that are present on the principal building, vinyl siding or other exterior covering as approved by the Zoning Administrator. Colors shall be similar in tone and complementary to those on the dwelling.

G. Decorative features such as extended overhang/porch areas shall not be construed as additional square footage if they do not exceed 24 inches.

H. Parcels greater than one (1) acre in size may have one detached accessory structure not to exceed 720 square feet and an additional accessory structure not to exceed 144 square feet. The larger structure shall not exceed the height of the principal dwelling when viewed from the street and shall be no more than 22 feet tall when measured from average grade to roof peak. Sidewalls shall not exceed 12 feet.

I. Such buildings shall not be used in any part for dwelling purposes.

J. In all Office, Commercial and Industrial Districts, the side yard abutting upon a street shall not be less than one-half the front yard setback requirement as defined in that district. In a block where one or more buildings now exist, the side setback may be provided equal to the average of such existing building setback.

K. Planning Commission review and approval shall be consistent with Site Plan Review procedures listed under Article 20 of this Chapter.

(3) General Provisions.

(A) A building shall be considered as an accessory building if it does not share a common wall and roof with a principal building.

(B) Buildings that are 1,000 square feet or less are exempt from Planning Commission Site Plan Review requirements, contingent upon there being only one such building on the parcel. For any additional building(s) on commercial and industrial zoned parcels, Planning Commission approval is required.

(C) Where the nature of an accessory building requires a structural appearance inharmonious to that of the principal building, the Planning Commission shall require that it be sufficiently screened from view from streets and adjacent lots by an opaque fence, landscaping or hedge of five (5) feet in height.

(D) All outdoor lighting located on accessory buildings in all use districts shall be shielded to reduce glare and shall be so arranged as to reflect away from all adjacent parcels and rights-of-way.

(E) Architectural appurtenances including belfries, cupolas and domes as approved by the Planning Commission as part of site plan approval are not subject to height restrictions.

(F) Freestanding solid or liquid fuel-burning furnaces are prohibited within the corporate limits of the City of Frankenmuth with the following exceptions:

(1) Such furnaces may be allowed in I - Industrial Districts, but are prohibited in all other zoning districts.

(2) A minimum lot size of one acre is required.

(3) Appropriate screening is required in order to minimize the visibility of a furnace from any public street right-of-way and from any adjacent property.

(4) A site plan review by the Planning Commission is required prior to approval.

(I) No structure, whether temporary or permanent, of a fixed or portable construction, including, but not limited to, screen tents, free-standing canopy tents, portable carports, utility trailers, storage pods, delivery truck boxes, semi-trailers and other such portable or seasonal structures, shall be erected,

moved onto a parcel and used for or stored for temporary purposes unless such structure is expressly authorized by the Zoning Code and it meets the minimum standards as defined in this Chapter or otherwise approved by the Planning Commission.

This ordinance shall take effect twenty (20) days after its adoption, as provided in the City Charter.

We, the undersigned, Mayor and Clerk of the City of Frankenmuth, Michigan do hereby certify that the above Ordinance No. 2019-03 of the City of Frankenmuth was introduced at a regular meeting of the City Council held on Tuesday, June 4, 2019, and was thereafter approved at a regular session of the City Council held on Tuesday, July 9, 2019.

Dated this 9th day of July, 2019.

MARY ANNE ACKERMAN, MAYOR

PHILLIP W. KERNS, CLERK