

CHARTER TOWNSHIP OF FENTON
Ordinance No. _____
Adopted: _____, 2008

An ordinance to amend Section 2.01, 4.02 and 4.28 of Zoning Ordinance No. 594 to add definitions, general provisions and sight line provisions for Membrane Storage Structures and Portable On-Demand Storage Structures.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN,
ORDAINS:

ARTICLE I. Section 2.01 (Definitions) of Zoning Ordinance No. 594 is hereby amended to add the following definitions:

Membrane storage structure – A structure consisting of a frame that is covered with a plastic, fabric, canvas or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles or other personal property. The term shall also apply to structures commonly known as hoop houses, canopy covered carports and tent garages but shall not apply to boat lifts and canopies that are placed in public waters, seasonal canopies, gazebos and similar structures, or temporary tents or canopies used for special events such as weddings or graduations.

Portable on-demand storage structure – Any container, storage unit or other portable structure that is used for the storage of personal property, which is located outside an enclosed building. The term does not include normal sheds or membrane storage structures.

ARTICLE II. Section 4.02 (Accessory Buildings) of Zoning Ordinance No. 594 is hereby amended to add the following provisions:

- F. Membrane storage structures as defined in this ordinance may be permitted on any lot in the AG, R-1, R-2, C-1, C-2, C-3, M-1, M-2 and M-3 zoning districts and on R-3 zoned lots that are 2 acres or larger in size as an accessory structure provided:
 - 1. A temporary membrane storage structure is defined as any such structure erected on a lot for 8 months or less per year
 - a. One temporary membrane storage structure per zoning lot is permitted.
 - b. The maximum size of a temporary membrane storage structure is four hundred (400) square feet.
 - c. A zoning permit is required to allow the erection of a temporary membrane storage structure. A structure that is removed and erected again at a later date requires a zoning permit each time the structure is erected.

- d. A temporary membrane storage structure shall not be allowed within the actual front yard of a parcel and shall comply with the sight-line requirements of Section 4.28 of this ordinance.
 - 2. A membrane storage structure erected on a lot for more than 8 months shall be considered permanent and shall comply with all ordinance requirements for accessory structures. A membrane storage structure is considered “erected” if the frame remains up, even if the covering material has been removed.
- G. Portable on-demand storage structures may be permitted on any lot provided:
- 1. A property owner is allowed up to two 8 x 8 x 16 structures.
 - 2. A lot is limited to not more than 90 days a calendar year, although the time period may be extended by the zoning administrator based on a showing of hardship.
 - 3. The structure must be at least 5’ from the side or rear lot line and 20’ from the front lot line.
- H. Temporary accessory structures such as tents or canopies are allowed provided they comply with the setback requirements of the ordinance. Temporary accessory structures are allowed in the rear yard on lake lots provided they comply with Section 4.28 of the Zoning Ordinance.

ARTICLE III. Section 4.28 (Sight Line) of Zoning Ordinance No. 594 is hereby amended to provide as follows:

SECTION 4.28 Sight Line

On any lot or parcel touching a lake, no structure or barrier in excess of thirty (30) inches in height shall be erected beyond the sight line.

- A. This sight line provision may be waived if the applicant can demonstrate by clear and convincing evidence that:
- 1. One or both properties that are contiguous to the lot or parcel on which the structure or barrier is to be constructed are vacant or unimproved.
 - or
 - 2. The lot or parcel on which the structure or barrier is to be constructed is a peninsula, a point, a bay, or otherwise positioned differently, (relative to the lake), thereby making the enforcement of the sight line provision ineffective as a means of preserving a riparian property owner’s reasonable view of the lake.

B. The waiving of the sight line provision as described in 1. and 2. above shall be at the discretion of the Zoning Administrator. If such a waiver is granted, the structure or barrier may extend up to ten (10) feet into the required rear yard.

C. Temporary accessory structures such as tents, canopies gazebos or similar structures are allowed within the sight line for a period of 10 days one time a year.

ARTICLE IV. This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE V. All ordinances and provisions of ordinances of the Charter Township of Fenton in conflict herewith are hereby repealed.

ARTICLE VI. This amendatory ordinance shall be published as required by law and shall take effect 7 days after adoption and publication.

Enacted at a regular meeting of the Fenton Township Board held on the ____ day of _____ 2008.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk