

LAKE OF THE PINES ACCESSORY BUILDING REGULATIONS

Revised June 8, 2025, by the LOP Architectural Committee

ARTICLE I - DEFINITIONS:

Accessory Building - A building or portion of a building subordinate to the main building on the same lot occupied by or devoted exclusively to an accessory use. Examples of accessory buildings are garages, boat houses, tool sheds, snowmobile sheds, greenhouses, and pole barns.

Building - A structure, either temporary or permanent, having a roof supported by columns or walls for the shelter, support or enclosure of persons, or chattels, is a building. This shall include tents, garages, carports, stables, greenhouses, awnings, porches and decks or vehicles situated on private property and used for purposes for a building. When any portion thereof is completely separated from every other part thereof by division walls from ground up, and without openings, each portion of such building shall be deemed a separate building.

Building Height - The building height is vertical distance measured from the established grade to the highest point of the roof surface if a flat roof; to deck of mansard roofs; and to the main height level between eaves and ridge of gable, hip and gambrel roofs.

Lot Coverage - The part or percent of the lot occupied by buildings or structures, including Accessory Buildings or structures.

Lot Depth - The mean horizontal distance from the front street line to the rear lot line.

Lot Lines - The property lines bounding the lot.

A. Front Lot Line - In the case of an interior lot, abutting upon one (1) public or private street, the front lot line shall mean the line separating such lot from such street right-of-way. In the case of a corner or double frontage lot, the front lot line shall be that line separating said lot from that street designated as the front street by the property owner in the request for a township zoning compliance permit.

B. Rear Lot Line - Ordinarily, that lot line which is opposite and most distant from the front lot line of the lot. In the case of an irregular, triangular or gore shaped lot, a line ten (10) feet in length entirely within the lot parallel to and at the maximum distance from lot line shall be considered to be the rear lot line for the purpose of determining depth of rear yard. In cases where none of these definitions is applicable, the Township Zoning Administrator shall designate the rear lot line.

C. Side Lot Line - Any lot line that is not a front or rear lot line. A side lot line separating a lot from a street is:

- 1. A side street lot line.**
- 2. A side street lot line separating a lot from another lot or lots.**
- 3. An interior side lot line.**

D. Street or Alley Lot Line - A lot line separating the lot from the right-of-way of a street or an alley.

Lot of Record - A lot which exists in a subdivision plat as shown on the records of the county register of deeds or a lot or parcel described by metes and bounds, the accuracy of which is attested to by a Professional Engineer or Land Surveyor (registered in the State of Michigan) the description of which has been so recorded in the office of the Register of Deeds for Clare County.

Lot Width - The horizontal distance between the side lot lines, measured at two (2) points where the building line, or setback line, intersects the side lot lines.

Pole Barn or Pole Building - A quickly constructed building in which vertical poles are secured in the ground to serve as both the foundation and framework.

Set Back - The minimum horizontal distance between a structure, (excluding steps and porches that are not enclosed) decks and front-street or right-of-way line, or lot line.

Variance - A modification of literal provisions of the below specifications granted when strict enforcement of the specifications would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

Water Line - The boundary of a lake or stream as plotted on a government map such as a plat map, subdivision map, etc.

Yard - An open space of prescribed width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings, and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein. This regulation shall not exclude eaves provided that an eight (8) foot height clearance is provided above the adjacent ground level.

Yard, Front - A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.

Yard, Rear - A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building.

Yard, Side - A yard between a main building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the principal building on the lot.

ARTICLE II – GENERAL PROVISIONS

Within Lake of the Pines (LOP), Accessory Buildings shall be subject to the following regulations:

1. Where the accessory building is structurally attached to a main building it shall be subject to and must conform to all regulations of these Regulations and Freeman Township Ordinance 8 applicable to Main Buildings.

2. An Accessory Building not exceeding one story or fourteen (14) foot in Building Height may occupy not more than twenty-five (25) percent of the required Rear Yard, except barns may be permitted of any size if located at least twenty-five (25) feet from the property line and located fifty (50) feet from any dwelling.

3. An Accessory Building or structure of less than one hundred forty four (144) square feet in area shall not require a Clare County building permit provided that said building or structure meets all yard requirements for Accessory Buildings.

4. No detached Accessory Building shall be located closer than ten (10) feet to any principal building nor shall it be located closer than ten (10) feet to any side or rear lot line as measured at the drip edge of each building.

5. All Accessory Buildings must adhere to all Set Back requirements listed in Freeman Township Ordinance 8, Table 1, Single Family Residential ‘R’:

| | Non-Waterfront Property | Waterfront Property |
|---|--------------------------------|----------------------------|
| Roadway Set Back¹ | 30’ | 30’ |
| Rear Set Back | 10’ | N/A |
| Waterfront Set Back² | N/A | 50’ |
| Side Set Back | 10’ | 10’ |
| ¹ Roadway Set Back is measured from the 66’ wide road easement nearest the property front line. | | |
| ² Waterfront Set Back is measured from the Water Line defined above in Definitions. | | |

6) The maximum lot coverage by the total of all structures on a property shall not exceed twenty-five (25) percent of the total square footage of the lot under any circumstances.

7) All Accessory Buildings shall have a Building Height between 8’ and 14’.

8) All Accessory Buildings shall have a minimum overhang of 1’ on all sides.

- 9) All Accessory Buildings shall have a minimum of 1 man-door for entry and egress.**
- 10) Accessory Buildings are not required to have windows unless required by local or state building codes or ordinances.**
- 11) If exterior security or motion lights are installed, shielding is required to prevent light pollution exposure to neighboring properties.**
- 12) Building size, materials, design, and color should conform with neighboring structures to ensure maintenance of aesthetic continuity within the community. The Architectural Committee will have final approval of all design features.**
- 13) Lots with only Accessory Buildings shall be maintained, orderly, and free from clutter and blight nuisance.**
- 14) Buildings erected after the effective date of this standard as Accessory Buildings, shall not be occupied for dwelling purposes at any time – this includes any temporary basis, occasional use, or on a sustained basis. Use of Accessory Buildings for dwelling purposes shall meet all requirements of the building code and fire safety precautions and shall have received a Zoning Compliance and an Occupancy Permit from Freeman Township and/or Clare County as applicable.**
- 15) No outhouses shall be used with Accessory Buildings.**
- 16) All Accessory Building construction, or installation in the event of a prefabricated structure, require a zoning permit having been issued by Freeman Township zoning department. This includes installations of new structures that are replacing existing structures.**
- 17) In the event an Architectural Committee permit is denied, the applicant can request a Variance meeting with the Lake of the Pines Board of Directors. All Variance requests will be considered on a case-by-case basis with the Board of Directors' decision final.**
- 18) Wherever any provision of this standard imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the higher standards of this standard shall govern; furthermore, should any other law or ordinance impose more stringent or higher requirements than this ordinance, such requirements shall prevail.**

19) Enforcement of this standard of regulations shall be by any proceeding at law or in equity against any person or persons violating or attempting to violate any provision, either to restrain violation or to recover damages, and against the land to enforce any lien created by these regulations; and failure by the Lake of the Pines Association to enforce any provision or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Referenced Documents:

- 1) Freeman Township Ordinance No. 8, Zoning Ordinance – Adopted August 11, 2019**
- 2) Lake of the Pines Pole Barn & Garage Regulations – Adopted August 8, 2009**