

The Charlevoix City Council met on Monday, June 19, 2023, with Mayor Lyle Gennett presiding. All Council Members were present. The following is an excerpt from the official records of said meeting:

**CITY OF CHARLEVOIX  
ORDINANCE NO. 840 of 2023**

AN ORDINANCE TO AMEND TITLE XV, LAND USAGE, SECTIONS 153.071, 153.072, AND 153.116 OF THE CHARLEVOIX CITY CODE

**THE CITY OF CHARLEVOIX ORDAINS:**

**SECTION 1. Title XV, Chapter 153, Section 153.071 Schedule of Uses; Table 153.071: Allowed Uses in Residential Zones of the City of Charlevoix Code is hereby amended; under the Section heading labeled *Residential*; under Section Subheading labeled *Dwellings*, under Detailed Subheading labelled *Accessory dwelling unit* shall read as follows:**

<i>Table 153.071: Allowed Uses in Residential Zones</i>						
<i>P = Permitted Use by Right</i>						
<i>S = Special Land Use</i>						
	<i>R1</i>	<i>R2</i>	<i>R2A</i>	<i>R4</i>	<i>PC</i>	<i>Specific Requirements</i>
<i>RESIDENTIAL</i>						
<i>Dwellings</i>						
<i>Accessory dwelling unit</i>	<i>P</i>	<i>P</i>	<i>P</i>			

**SECTION 2. Title XV, Chapter 153, Section 153.072 (c) Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units of the City of Charlevoix Code is hereby amended; under the Section heading labeled *Zoning District* shall read as follows:**

<i>Table 153.072 (c): Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units</i>		
<b>Zoning Districts</b>	<b>Minimum</b>	<b>Maximum</b>
R1, R2, and R2A	300	900

**SECTION 3. Title XV, Chapter 153, Section Table 153.116 Accessory Building and Uses (A) Accessory Buildings and Structures items (3), (4), and (9) City of Charlevoix Code is hereby repealed and replaced and shall read as follows:**

- (3) In the R1, R2, and R2A Residential Districts, if the principal building has an attached accessory building, only one detached accessory building shall be permitted.
- (4) Lots in the R1, R2, and R2A Zones shall be permitted to have a secondary detached accessory building, such as storage shed. Secondary accessory buildings shall meet all the requirements of this section and not exceed 200 square feet in area.
- (9) Prohibited uses within detached accessory structures or accessory structures connected by a breezeway or similar structure in all districts except the R1, R2, and R2A Zones:
  - (a) May not contain features that form a habitable dwelling unit or create a second dwelling unit;
  - (b) These structures may contain utility sinks, one bathroom, and refrigeration units. Full kitchen facilities that include a range or stove are prohibited; and
  - (c) Rooms within accessory structures may be used for additional sleeping quarters for the owner, or resident, and their immediate family provided that these rooms may not be rented out as short- or long-term rentals for any length of time.

**SECTION 4. Severability.** No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

**SECTION 5. Effective Date.**

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 840 was adopted on the 19<sup>th</sup> day of June 2023 A.D., by the Charlevoix City Council as follows:

Motion by: Kalbfell  
 Seconded by: Spring  
 Yeas: Cole, Knapp, Parr, Kalbfell, Hagen, Spring  
 Nays: None  
 Absent: None

**Motion carried.**

State of Michigan } §  
 City of Charlevoix }

Sarah J. Dvoracek

City Clerk

Lyle Gennett

City Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 840 of 2023 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on June 19, 2023 and published in the *Charlevoix Courier* on June 23, 2023, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1876.

Dated: June 20, 2023

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Sarah J. Dvoracek, City Clerk