

**ARTICLE VII
AGRICULTURAL AND
SINGLE-FAMILY RESIDENTIAL DISTRICTS**

SECTION 7.1. STATEMENT OF PURPOSE

- (a) **AG-1 Agricultural District:** The purpose of the AG-1 Agricultural District is to preserve and protect the Township's supply of prime agricultural land. This district is also established to control the indiscriminate infiltration of urban development into agricultural areas which will adversely affect the agricultural use of land. This district is intended to apply to areas designated as prime farmland in the Agricultural section of the Township Master Plan and areas designated as Agricultural on the Future Land Use Map.
- (b) **AG-2 Agricultural District:** The purpose of the AG-2 Agricultural District is to maintain agricultural uses in the rural reserve areas of the Township, while allowing limited amount of rural residential development. This district is intended to apply to areas designated as rural reserve in the Agricultural section of the Township Master Plan to the east of US-23.
- (c) **RE Rural Estate Residential District:** The purpose of the RE Rural Estate Residential District is to permit single-family residential development of a rural non-farm nature in areas without public sewer and water facilities. For the Rural Estate Residential District, in promoting the general purpose of this Ordinance, the specific intent of this district is:
- (1) To encourage the construction of and the continued use of the land for single-family dwellings.
 - (2) To prohibit business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development or continuation of single-family dwellings in the district.
 - (3) To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Ordinance.
 - (4) To discourage any land use which would generate traffic on minor or local streets other than normal traffic to serve the residences on those streets.
 - (5) To discourage any use which, because of its character or size, would create requirements and costs for public services, such as fire and police protection, water supply, and sewerage, substantially in excess of such requirements and costs if the district were developed solely for single-family dwellings.
- (d) **R-1A, R-1B and R-1C Single-Family Residential Districts:** The purpose of the R-1A, R-1B and R-1C Single-Family Residential Districts are to establish districts in which the principal use of land is for single-family dwellings. For the single-family residential districts, in promoting the general purposes of this Ordinance, the specific intent of these districts is:
- (1) To encourage the construction of, and the continued use of the land for single-family dwellings.
 - (2) To prohibit business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development or continuation of single-family dwellings in the district.
 - (3) To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Ordinance.
 - (4) To discourage any land use which would generate traffic on minor or local streets other than normal traffic to serve the residences on those streets.
 - (5) To discourage any use which, because of its character or size, would create requirements and costs for public services, such as fire and police protection, water supply and sewage, substantially in excess of such requirements and costs if the district were developed solely for single-family dwellings.

SECTION 7.2. SCHEDULE OF USES

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this Ordinance. Land and/or buildings in the districts indicated at the top of Table 7.2 may be used for the purposes denoted by the following abbreviations:

- P: **Permitted Use:** Land and/or buildings in this District may be used for the purposes listed by right.
 - S: **Special Land Use:** The following uses may be permitted by obtaining special land use approval when all applicable standards cited in Article 15 are met.
 - : **Not Permitted:** The land use is not permitted in this District.
- “Requirements” indicates additional requirements or conditions applicable to the use.

TABLE 7.2 SCHEDULE OF USES							
	AG-1	AG-2	RE	R-1A	R-1B	R-1C	Requirements
Residential							
Single family detached dwellings	-	-	P	P	P	P	
Single-family farm dwellings	P	P	P	P	P	P	
Homestead residential dwellings	P	P	P	P	P	P	
Two family dwelling			S	S	S	S	
Bed and breakfast inn	S	S	S	-	-	-	7.3(a)
Agriculture							
Farms	P	P	P	P	P	P	7.3(b)
Farm ponds	P	P	-	-	-	-	7.3(c)
Growing of vegetables, fruit, flowers, trees and shrubs	P	P	P	P	P	P	
Horses, cattle or similar livestock	P	P	-	-	-	-	7.3(d)
Nurseries with up to 15,000 square feet of total greenhouse area or five (5) acres of plant production area	P	P	-	-	-	-	7.3(b)
Nurseries with more than 15,000 square feet of total greenhouse area or more than five (5) acres of plant production area	S	S	-	-	-	-	7.3(b)
Private stables	P	P	P	-	-	-	
Public stables and riding academies	S	S	-	-	-	-	7.3(e)
Raising of fur bearing animals and kennels	S	S	-	-	-	-	7.3(f)
Roadside stands	P	P	-	-	-	-	7.3(g)
Mining							
Removal of soil, sand or other materials but not being an extractive operation	S	S	-	-	-	-	
Recreational							
Gun clubs	S	S	-	-	-	-	7.3(h)
Private parks, country clubs, racquet or tennis clubs, golf courses, and golf driving ranges	S	S	S	S	S	S	7.3(h)

Publicly owned and operated parks, playfield, and other recreational facilities	S	S	P	P	P	P	
Institutional							
Cemeteries	S	S	S	S	S	S	7.3(i)
Churches and other places of worship, including other facilities normally incidental thereto	S	S	S	S	S	S	7.3(j)
Public, parochial or private elementary, intermediate and/or high schools offering courses in general education, not operated for profit	S	S	P	P	P	P	
Publicly owned and operated museums and libraries	-	-	P	P	P	P	
Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations, but not including storage yards, when operating requirements necessitate locating within the district to serve the immediate vicinity, and such use is not injurious to the surrounding area	S	S	S	S	S	S	
Human Care, Medical, Veterinary							
Adult foster care family home (6 or fewer adults)	P	P	P	P	P	P	
Adult foster care small group home (7 to 12 adults)	S	S	S	S	S	S	7.3(k)
Foster family home	P	P	P	P	P	P	
Day care home, family (6 or fewer children less than 24 hours per day)	P	P	P	P	P	P	
Day care home, group (7 to 12 children less than 24 hours per day)	S	S	S	S	S	S	7.3(l)
Nursery schools, day nurseries and child care centers (not including dormitories)	S	S	S	S	S	S	7.3(l)
Hospitals	S	S	-	-	-	-	7.3(m)
Offices of a veterinarian and animal clinics	S	S	-	-	-	-	
Transportation and Communication							
Airports, landing fields and platforms, hangars, masts and other facilities for the operation of aircraft	S	S	-	-	-	-	7.3(n)
Commercial radio, and television towers	S	S	-	-	-	-	
Wireless telecommunication facilities and wireless telecommunication antennas mounted on an alternative tower structure	S	S	S	S	S	S	
Accessory and Temporary							

Accessory buildings and uses customarily incidental to the above principal permitted uses	P	P	P	P	P	P	
Home occupations	P	P	P	P	P	P	
Recreational ponds	S	S	S	S	S	S	7.3(o)
Temporary uses and buildings, including buildings and structures for use incidental to construction work for a period not to exceed one (1) year	S	S	S	-	-	-	
Wind Energy Conversion Systems	S	S	S	S	S	S	7.3(p)

SECTION 7.3 REQUIREMENTS APPLICABLE TO SPECIFIC USES

The following uses shall be required to meet of the following specific requirements:

(a) Bed and Breakfast Inns:

- (1) The bed and breakfast in shall be a private residence, owned by the innkeeper and the residence in which the innkeeper resides while renting the rooms to transient tenants.
- (2) The bed and breakfast inn may offer sleeping accommodations to transient tenants in five (5) or fewer rooms for rent.
- (3) A restaurant that is open to the general public shall not be permitted and the bed and breakfast inn may only offer breakfast to the transient tenants.
- (4) The bed and breakfast inn shall be operated in its entirety within the principal dwelling and not within any accessory building, except for incidental storage in use of a residential type garage.
- (5) There shall be no exterior evidence, other than a permitted sign, to indicate that the residence is being utilized for any purpose other than that of a dwelling.
- (6) There shall be no alteration or construction not customarily found in residential dwellings; except such modifications as recommended by the Fire Department and accepted by the Planning Commission such as fire protection and fire suppression equipment.
- (7) Guests are not allowed to stay longer than fourteen (14) consecutive days or thirty (30) days in any one calendar year at any bed and breakfast location.
- (8) All bed and breakfast operations shall maintain on the premises a guest register and all guests shall be legibly registered and such register is subject to inspection during reasonable hours by the Township Building Inspector.
- (9) All bed and breakfast permit holders shall be reviewed on an annual basis and shall be required to comply with all state and local regulations and laws concerning bed and breakfast operations.
- (10) Sufficient off street parking shall be required as for commercial lodging establishments. Existing buildings and structures either on the premises of the bed and breakfast inn or on adjacent property shall be removed in order to provide parking for the bed and breakfast inn. All required parking for any bed and breakfast inn shall be screened from adjacent residential uses in such form and manner as may be required by the Planning Commission.
- (11) All requirements of the Fire Department compliance with and subsequent fire safety inspection reports shall be complied with.

(b) Farms: Farms, which shall include: 1) tree fruit production, 2) small fruit production, 3) field crop production, 4) forage and sod production, 5) livestock and poultry production, 6) fiber crop production, 7) apiary production, 8) maple syrup production, 9) mushroom production and 10) greenhouse production, subject to (4) below; and all structures, machinery, vehicles, uses, activities and storage incidental to and a necessary part of the commercial production of farm products, shall be subject to the following:.

- (1) Farms shall follow generally accepted agricultural and management practices as defined by the

Michigan Commission of Agriculture.

- (2) Farm buildings shall not be located nearer than one hundred (100) feet from a front lot line, sixty (60) feet from all other lot lines or one hundred (100) feet from any dwelling.
 - (3) Horses, cattle or similar livestock shall be confined in a suitable fenced area or other enclosure.
 - (4) Nurseries with no more than 15,000 square feet of total greenhouse area or five (5) acres of plant production area shall be permitted. Larger nurseries shall only be permitted after special land use approval
 - (5) Establishments involved in industrial processing of agricultural products, dog kennels, stockyards, slaughterhouses, stone quarries, gravel, or sand pits, or the removal, and sale of topsoil, fertilizer works, truck terminals or the disposal of garbage, sewage, rubbish, or junk shall not be considered a farm.
- (c) **Farm Ponds:** Farm ponds constructed and maintained according to Soil Conservation Service specifications, and having a permit from the Michigan Department of Natural Resources according to Act 346, P.A. 1972, The Inland Lakes and Streams Act.
- (d) **Horses, cattle or similar livestock shall be confined in a suitable fenced area or other enclosure.** A suitable fence or other enclosure shall be erected around the entire premises for outside use by horses, cattle or similar livestock. Such enclosure shall be set back one hundred (100) feet from any adjacent dwelling.
- (e) **Public Stables and Riding Academies:** Any building used as a stable shall not be located nearer than sixty (60) feet to any property line and not nearer than one hundred (100) feet to any dwelling unit.
- (f) **Raising of Fur Bearing Animals and Kennels:** No building wherein animals are kept shall be located nearer than one hundred (100) feet to any dwelling unit, and that no dog run or exercise area shall be located in any required yard space.
- (g) **Roadside Stands:** Roadside stands shall be for the display and sale of produce raised on the same premises. The roadside stand shall be located not less than twenty-five (25) feet from the street or highway right-of-way line and further provided that an open space for parking, twenty-five (25) feet off the highway or street right-of-way be provided for patrons of such roadside produce stand. A maximum of one (1) roadside stand shall be permitted on any premises.
- (h) **Private Parks, Country Clubs, Gun Clubs, Golf Courses, and Golf Driving Ranges:** Private parks, country clubs, gun clubs, golf courses, and golf driving ranges shall be subject to the following conditions:
- (1) Any structure on the parcel shall be setback at least two hundred and fifty (250) feet from a lot line of any adjacent Residential District.
 - (2) All ingress and egress from the parcel shall be directly onto a major thoroughfare.
- (i) **Cemeteries:** Cemeteries shall be subject to the following conditions:
- (1) The cemetery site shall contain an area of at least twenty (20) acres.
 - (2) The site shall be so located as to have at least one (1) property line abutting a major thoroughfare. All egress and ingress to the site shall be directly onto said major thoroughfare.
 - (3) The perimeter of the site shall be fenced in accordance with Section 5.33.
 - (4) Any structure located on the site shall be at least one hundred (100) feet from any lot line.
- (j) **Churches and Other Places of Worship:** Churches and other places of worship, including other facilities normally incidental thereto shall be subject to the following conditions:
- (1) Unless established prior to the enactment of this Ordinance, a church site shall contain an area of at least two (2) acres.
 - (2) The site shall be so located as to have at least one (1) property line abutting a major thoroughfare. All

ingress and egress to the site shall be directly onto said major thoroughfare.

(3) Wherever the off-street parking area is adjacent to land zoned for residential purposes, a continuous and obscuring wall not less than five (5) feet in height shall be provided along the sides of the parking area adjacent to the residentially zoned land in accordance with Section 5.32.

(k) **Adult foster care small group home (7 to 12 adults):** Adult foster care group homes shall be at least one thousand five hundred (1,500) feet from another group home, day care home or similar facility.

(l) **Nursery Schools, Day Nurseries, Child Care Centers and Group Day Care Homes:** Nursery schools, day nurseries and child care centers group day care homes shall comply with the following requirements:

(1) These child day care facilities shall be located at least one thousand five hundred (1,500) feet from any other child care facility.

(2) An on-site drive shall be provided for drop offs\loading. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street.

(3) For each child so cared for, there shall be provided and maintained a minimum of seven hundred (700) square feet of outdoor play area. Such play space shall be screened from any adjoining lot in any residential district in accordance with Section 5.32. The required open space shall not be located within a required front yard.

(m) **Hospitals:** Hospitals shall be subject to the following requirements:

(1) Minimum site size shall be five (5) acres.

(2) The lot location shall be such that at least one (1) property line abuts a major thoroughfare. The ingress and egress for off-street parking facilities for guests and patients shall be directly from said thoroughfare.

(3) Minimum main and accessory building setback shall be one hundred (100) feet.

(4) Ambulance and emergency entrance areas shall be visually screened from the view of adjacent residential uses by a structure or by a masonry wall of six (6) feet or more in height.

(5) No power plant or laundry shall be located nearer than three hundred (300) feet to any adjacent residential use.

(n) **Airports, Landing Fields and Platforms, Hangars, Masts and Other Facilities for the Operation of Aircraft:** The site shall be so located as to have at least one (1) property line abutting a major thoroughfare. All ingress and egress to the site shall be directly onto said major thoroughfare.

(o) **Recreational Ponds:** Recreational ponds shall be situated on parcels of less than ten (10) acres, constructed and maintained according to Soil Conservation Service specifications, and have a permit from the Michigan Department of Natural Resources as required according to Act 236, P.A. 1972 The Inland Lakes and Streams Act, and fenced. The fence shall be constructed of at least 5' of #12 1/2 gauge, 2" x 4" welded wire secured to metal posts.

(p) **Wind Energy Conversion Systems (WECS).** A WECS to service the energy needs of the property where the structure is located is allowed with special land use approval, subject to the following requirements:

(1) Only one (1) WECS shall be permitted per parcel.

(2) The tower shall not be taller than eighty (80) feet. The height of the overall WECS with the blade in the vertical position shall not exceed one hundred and thirty (130) feet above ground level.

(3) All towers shall be set back a distance at least equal to one and a half (1 ½) times the height of the overall WECS from all property lines. The height shall be measured to the top of the blade at its highest point.

(4) All towers used to support the wind generating equipment shall be adequately anchored to prevent their being knocked down by high winds.

(5) The WECS shall be equipped with both a manual and automatic braking device capable of stopping the WECS from operation in high winds within eighty percent (80%) of design limits of the rotor.

(6) Noise emissions from the operation of a WECS shall not exceed forty-five (45) decibels on the DBA scale as measured at the nearest property line or road.

(7) To prevent unauthorized climbing, the WECS must provide an anti-climb device.

SECTION 7.4 AREA, HEIGHT, AND PLACEMENT REQUIREMENTS.

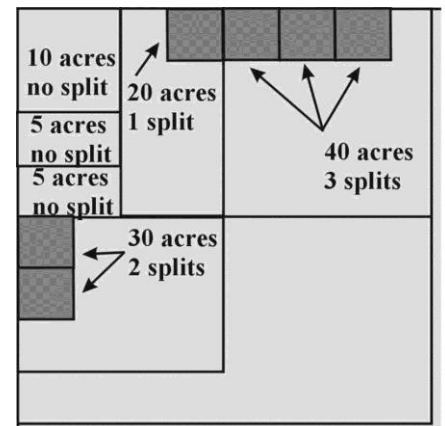
All lots and buildings shall meet the following dimensional requirements:

TABLE 7.4 AREA, HEIGHT, AND PLACEMENT REQUIREMENTS											
Districts	Min. Lot Size per Unit			Min. Yard Setback (ft) (e)				Min. Floor Area		Max. Building Height	
	Area	Width (ft.)	Depth (ft.)	Front (b)(c)(d)	Least	Total	Rear	(sq.ft.)	% Max.	Stories	(ft.)
AG-1 Agriculture-1 (a)	40 acres	660 Home- stead 190	200 4:1 max depth: width	50	25	50	50	1,000	30	2 ½	35
AG-2 Agriculture-2	5 acres	300	200 4:1 max depth: width	50	25	50	50	1,000	30	2 ½	35
RE Rural Estates	5 acres	300	NA	50	20 (f)	55	35 (f)	1,400	30	2 ½	35
R-1A Residential with sewers	22,500 sq.ft .	150	150	50	15 (f)	35	35 (f)	1,200	30	2 ½	35
without sewers	40,000 sq.ft.	200	200	50	15 (f)	35	35 (f)	1,200	30	2 ½	35
R-1B Residential with sewers	15,000 sq.ft.	100	150	50	15 (f)	35	35 (f)	1,000	30	2 ½	35
without sewers	30,000 sq.ft.	150	200	50	15 (f)	35	35 (f)	1,000	30	2 ½	35
R-1C Residential	43,264 sq.ft.	208	208	50	20 (f)	55	35 (f)	1,200	30	2 ½	35

Footnotes to Schedule of Area, Height, and Placement Requirements

(a) **Permitted lots in AG-1 Agriculture District.** The minimum lot area in the AG District shall be forty (40) acres; provided divisions of less than forty (40) acres may be allowed as follows:

- (1) For each parcel of twenty (20) acres, one additional lot may be created.
- (2) An additional lot may be created for each ten (10) acres beyond the original twenty (20) acres.
- (3) Parcels less than twenty (20) acres shall not be permitted to create additional lots.



Any lot created according to the above requirements shall be at least two (2) acres in area and shall have a minimum of one-hundred and ninety (190) feet of public road frontage. Where there are existing residential lots with areas less than twenty (20) acres adjacent to the parent parcel, the lots to be split shall be adjacent to such existing residential lots. The lots shall meet county health department requirements for well and sanitary septic systems. Lots shall meet the dimensional requirements for homesteads in the AG District

- (b) **Front Setback Measured from Right-of-way:** In determining the required front yard setbacks in any zoning district, it shall be the distance between the structure parallel to the roadway and the right-of-way line. For lots located on the county functional roadway classification plan being of a minor collector or higher the yard setback shall be measured from the sixty six (66) foot future right-of-way.
- (c) **Corner Lot Setback:** In all residential districts the width of side yards which abut upon a street, on the same side of which other residential lots front, shall not be less than the required front yard setback for said homes. All buildings, structures, and accessory uses shall maintain such required yard space.
- (d) **Front Setback, Built-up Blocks:** When twenty-five (25) percent or more of all the buildings in the same block at the time of passage of this Ordinance has been built up with buildings having more or less setback than herein provided, no building hereafter erected or altered shall project beyond the minimum setback line so established.
- (e) **Natural Features Setback:** A twenty five (25) foot natural feature setback shall be maintained in relation to the ordinary high water mark of any pond, river or channel, and to the edge of any drainage way or regulated wetland. The Zoning Board of Appeals may modify this requirement based upon the standards of section 22.6.6.
- (f) **Residential Agriculture Buffer:** Where residential lots adjoin a lot zoned AG Agriculture, a fifty (50) foot setback shall be maintained between the principal dwelling and the boundary of the AG District. The principal dwelling shall also comply with the setback requirement from a barn required under section 7.3(b).