

GENERAL PROVISIONS

APPLICATION OF REGULATIONS

- A. Unless otherwise noted, the regulations in this Ordinance apply throughout the Township and within each district. They shall be minimum regulations and shall apply uniformly to each class or kind of structure, land or use.
- B. All buildings, structures or land may be used, constructed, altered or occupied, only when in conformity with all of the regulations specified in this Ordinance for the district in which it is located in accordance with the procedures of this Ordinance.
- C. Except as otherwise permitted by this Ordinance, after the effective date of this Ordinance, no building or other structure shall be altered:
 - 1. To accommodate or house a greater number of persons or families than permitted by the Zoning District.
 - 2. To have narrower or smaller rear yards, front yards, or side yards, other than permitted.
- D. No yard or lot existing at the time of passage of this Ordinance shall be subdivided or reduced in dimension or area below the minimum requirements set forth in this Ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- E. Except as may otherwise be noted in this Ordinance, the erection, construction, alteration or maintenance of essential public services shall be permitted in any zoning district; because the erection, construction, alteration or maintenance is exempt from the application of this Ordinance.

CLEARING OF LAND

Unless associated with a bona fide forestry, agricultural, or public works project, (such as the installation of utilities, construction of public roadways or other similar activities conducted by, or on behalf of the state, federal government, county, or the Township), it shall be unlawful for any person to engage in land clearing, including the stripping and removal of topsoil or existing vegetation, from any site, parcel, or lot within the Township without first receiving appropriate development approval.

EXCAVATIONS

No soil, sand, gravel, or other earth material shall be removed from any land within the Township without Special Land Use approval, with the following exceptions:

- A. When the earth removal is incidental to an operation for which a building permit has been issued by the designated county or township official;
- B. When the earth removal involves any normal landscaping, driveway installation and repairs, or other minor projects;
- C. When the earth removal involves less than five hundred (500) cubic yards;
- D. When the earth removal is for the construction of a swimming pool.

MAIN BUILDING OR PRINCIPAL USE

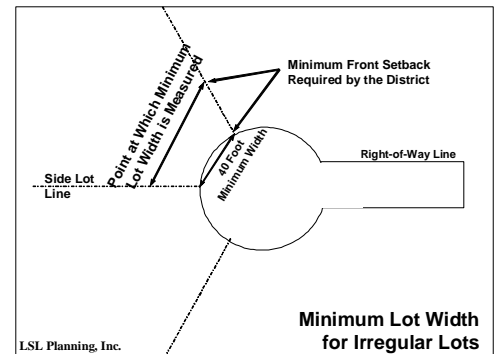
Except as may otherwise be noted in this Ordinance, each parcel shall contain only one (1) main building or principal use, except for groups of related commercial, industrial, and office buildings, and multiple family dwellings, contained within a single, integrated complex as demonstrated by sharing parking, signs, access, and other similar features which, in the opinion of the Zoning Administrator, form a unified function and appearance.

YARD AND AREA REQUIREMENTS

- A. The front yard shall be measured from the right-of-way or access easement line to the nearest foundation or building wall of the building or structure.
- B. The rear yard setback shall be measured from the rear lot line to the nearest foundation or building wall of the building or structure.
- C. The side yard setback shall be measured from the lot line to the drip line of the building or structure.
- D. Corner and through lots shall have two (2) front lot lines and two (2) front yards adjacent to the abutting roads. The other yards shall be considered side yards.
- E. Cul-de-sac Lots:

The minimum distance between side lot lines at the road right-of-way of a cul-de sac shall be forty (40) feet measured in a straight line.

- F. Lot Width to Depth Ratio (for parcels 10 acres or less). No lot created after the adoption date of this Ordinance shall have a depth exceeding four (4) times its width, as measured at the front lot line.
- G. Frontage required: All parcels shall have the required minimum lot width along and adjacent to a public road or approved private road.



HEIGHT EXCEPTIONS

The height limitations contained in this Ordinance do not apply to spires, belfries, cupolas, antennae, water tanks, ventilators, chimneys, mechanical equipment, scenery lofts, parapet walls up to four (4) feet or other similar appurtenances not intended for human occupancy and usually required to be placed above the roof level.

PROJECTIONS INTO YARDS

- A. Architectural elements attached to and necessary to the integrity of the building, or the health or safety of the occupants, such as ramps for the disabled, cornices, eaves, gutters, chimneys, pilasters, unenclosed steps, fire escapes, and similar features shall be permitted to encroach upon the minimum front and rear setback requirements of this Ordinance, provided the projection is no more than five (5) feet into the required front or rear setback of the lot. No encroachment shall be permitted into the side setback of the lot.

- B. Unenclosed terraces, patios, porches, and decks shall be permitted to encroach upon the minimum front and rear yard by up to five (5) feet provided they are:
 - 1. Attached to the main building.
 - 2. Not covered with a roof.
 - 3. Elevated no more than thirty (30) inches above the average surrounding final grade.
 - 4. Not fully enclosed by walls or fences over five and one-half (5 ½) feet in height.
 - 5. Do not encroach into the side setback of the lot.
- C. Those structures covered in paragraphs A and B above shall not be considered nonconforming, and therefore, shall be permitted to be rebuilt even if destroyed by an act of God or by the owner/occupant of the structure.

RIPARIAN/WATERFRONT ACCESS AND SHORELINE STRUCTURES

The following restrictions are intended to limit the number of users of lake or stream frontage in order to preserve the quality of the waters, to promote safety, and to preserve the quality of recreational use of all waters within Township.

- A. The restrictions of this Section shall apply to all waterfront lots and parcels on or abutting any lake, river, or stream in all Districts, regardless of whether access to the lake, river, or stream waters shall be by easement, park, common-fee ownership, single-fee ownership, condominium arrangement, license, or lease.
- B. In all Districts there shall be at least one hundred (100) feet of lake frontage, and at least two hundred (200) feet of river or stream frontage, measured on a straight line from the points that the side lot lines intersect with the ordinary high water mark of the lake, river or stream for each dwelling unit or lot utilizing or accessing the lake, river, or stream frontage. For example, four (4) dwelling units would require four hundred (400) feet of lake frontage to gain access to the lake for all of the units or 800 feet along a river or stream.
- C. The following shoreline structures are permitted as Accessory Uses which, when attached to land, shall meet the side yard setbacks of the district. Shoreline structures shall be subject to the following regulations:
 - 1. Seasonal Piers. All seasonal piers shore stations, boat lifts, etc., must be removed at the end of the boating season. Piers shall adhere to the following standards:
 - a. Maximum width: six (6) feet
 - b. Maximum length: thirty-five (35) feet except that the pier may not encroach in navigable areas.
 - c. Number per lot: There may be no more than one (1) seasonal pier per waterfront lot on lots of two-hundred fifty (250) feet or less of water frontage. One (1) additional seasonal pier shall be permitted on lots that exceed two-hundred fifty (250) feet of water frontage, provided that the piers are located a minimum of fifty (50) feet apart.

- d. A seasonal pier, shore stations, boat lifts, etc., shall be set back from any side lot line the same setback distance required for the principal structure of the zoning district.
2. Permanent Piers. Unless associated with a licensed marina, a permanent pier may only be placed for the private use of the owner of the riparian lot which the pier serves. A permit from the Zoning Administrator and the State of Michigan is required prior to placement of a permanent pier. A permanent pier must be physically connected to the riparian lot which it serves. The pier shall be designed so as to allow free movement of water beneath the pier and may not deposit sediment on the bed of the lake or stream. Piers shall adhere to the following standards:
 - a. Maximum width: six (6) feet.
 - b. Maximum length: thirty-five (35) feet except that the pier may not encroach in navigable areas.
 - c. Number per lot: One (1) per riparian lot on lots of two-hundred fifty (250) feet or less of water frontage. One (1) additional permanent pier shall be permitted on a lot that exceeds two hundred fifty (250) feet of water frontage, provided that the piers are located a minimum of fifty (50) feet apart.
 - d. Setback: A permanent pier shall be set back from any side lot line the same setback distance required for principal structures in the zoning district.
3. Shoreline Access Decks. A shoreline access deck is permitted only as an accessory use to a public marina or a boat livery, and may contain any related facility such as a bathing change house, fish cleaning area or boat storage. Decks shall be located a minimum of fifty (50) feet from any residential lot line. A shoreline access deck shall not exceed 200 square feet in area.
4. Boat Shelters and Boat Houses. No boat shelter or boat house may be erected on any Township inland lake, river or stream.
5. Waterfront access stairs, power lifts, boardwalks and boat landings: Stairs, power lifts or boat landings may be provided on waterfront lots provided:
 - (1) All structures shall be located within the permitted clear zone of the waterfront buffer strip.
 - a. Stairs may not be wider than five (5) feet.
 - b. Neither stairs nor power lifts shall be closer than twenty (20) feet to the ordinary high water mark.
 - c. If no public boat launch is available, a boat landing area of no more than twelve (12) feet wide may be provided within the permitted clear zone of the waterfront buffer strip.
 - d. A maximum of a four (4) foot boardwalk may be placed over wetlands to reach the waterfront if it is wholly contained within the permitted clear zone of the waterfront buffer strip.
6. Recreational Water Devices

- a. A recreational water device (e.g., swimming raft, water trampoline, etc.) may not be located so as to interfere with safe navigation of watercraft.
- b. One recreational water device is permitted per waterfront lot.
- c. All recreational water devices must be securely anchored to the floor of the water body.
- d. A recreational water device may not exceed one hundred (100) square feet in area. A minimum of three (3) reflectors, with minimum dimensions of three (3) inches wide by three (3) inches high, must be mounted on each side of the device.
- e. Platforms, towers or other appurtenances greater than twelve (12) inches high above the deck of a recreational water device are prohibited.
- f. All recreational water devices must be completely removed from the water by at the end of the boating season.

STORAGE AND REPAIR OF VEHICLES

The carrying out or repair, storage, restoration and maintenance procedures or projects on personal vehicles in any District, when such work is not conducted entirely within the interior of a building, shall be subject to the following limitations:

- A. Procedures or projects which require the vehicle to be immobile or inoperable in excess of sixty (60) days within any twelve (12) month period shall be carried out within an enclosure.
- B. Inoperable or unlicensed vehicles, boats, trailers, motorcycles, or parts thereof (except operable farm equipment) and vehicle parts shall be stored in a completely enclosed structure except for one (1) such vehicle which may be stored in the rear yard in a location not plainly visible from the road or adjoining properties.

SEASONAL CAMPING

- A. Seasonal camping on private property may be permitted in excess of thirty (30) consecutive days per year for a single recreational vehicle if an approved waste system is provided on site for waste disposal.

EXTERIOR LIGHTING

- A. All outdoor lighting shall be directed away from, and if necessary, shall be shielded to prevent the shedding of light onto adjacent properties or roadways.
- B. Light poles used to illuminate parking lots or storage areas and flagpoles shall be limited to twenty five (25) feet in height.
- C. Lights used for canopies for the uses as vehicle service stations, drive-in establishments and other similar uses shall be completely recessed in the canopy structure and shall not extend lower than the underside surface of the canopy.
- D. Lighting of parking areas, buildings, or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.

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MOVING OF STRUCTURES

No houses, structure, mobile or modular dwelling, or other building shall be moved to a lot in the Township unless it complies with all applicable building codes, and unless a zoning permit is obtained from the Zoning Administrator. The Zoning Administrator shall set a reasonable time limit for completion of the move and may require a performance bond to assure lawful completion.

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ACCUMULATION OF WASTE

The accumulation of waste, rubbish, garbage, refuse, trash; abandoned, discarded or unused objects, machinery or equipment such as furniture, stoves, refrigerators, freezers, cans or containers; or other deleterious substance on the premises of private residences or properties, commercial institutions, and in the roadway creates blight and greatly increases danger of fire, and spread of infections and diseases and is expressly prohibited by this Ordinance.

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DAMAGED BUILDINGS

- A. A building which has collapsed or been damaged by fire, flood, storm, dilapidation, or act of God to such an extent that the cost of repair and reconstruction exceeds fifty percent (50%) of its replacement value at the time the damage occurred shall be repaired, removed, or reconstructed within one year of the damage and according to the provisions of this Ordinance and the appropriate construction code requirements relative to new construction.
- B. A building damaged by wear and tear, deterioration and/or depreciation to such an extent that the cost of repair and rehabilitation exceeds fifty percent (50%) of its replacement value shall be repaired, removed, or rehabilitated within one year of the date of notice given the Zoning Administrator, according to the provisions of this Ordinance and the building code relative to new construction.
- C. The Zoning Administrator may require that damaged buildings be secured at the doors and windows or that the building be removed.

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OUTSIDE WOOD FURNACES

Wood furnaces located outside a structure shall be placed only under the following conditions:

- A. A Zoning Permit shall be required to place an outdoor wood burner.
- B. The lot shall be a minimum of two (2) acres in area.
- C. The heating unit shall be forty (40) feet from any other structure.
- D. The heating unit shall be located a minimum of one hundred fifty (150) feet from any property line.
- E. The unit shall not be located in the required front yard.
- F. The operation of the unit shall not constitute a nuisance to neighboring properties.

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ROADSIDE STANDS

Roadside stands may be permitted in the AR, R-1 and CF districts, subject to the following:

- A. Adequate off-road parking shall be provided on the property and outside the public road right-of-way.

- B. One (1) small sign may be permitted of up to sixteen (16) square feet. Freestanding signs shall be outside of the road right-of-way, adhere to clear vision standards, and have a height limit of eight (8) feet from the ground to the top of the sign.

HOME OCCUPATIONS

Home occupations are permitted in all Districts that permit single-family dwelling units provided they comply with the standards of this Section:

- A. Only members of the family and one additional employee may be engaged in connection with the home occupation and the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
- B. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation.
- C. No home occupation shall be conducted in any accessory building and not more than twenty-five (25) percent of the livable floor area of the dwelling unit shall be used in the conduct of the home occupation.
- D. There shall be no outdoor, on-site storage of materials, equipment, or accessory items and/or display of materials, goods or supplies used in the conduct of the home occupation in any district.
- E. There shall be no sale of products or services except as are produced on the premises or those products which may be directly related to and incidental to the home occupation.
- F. Business by customers shall be limited to the hours of 7:00 a.m. to 8:00 p.m.
- G. One on-site sign not exceeding eight (8) square feet in area shall be permitted provided it is non-illuminated.
- H. Any parking for vehicles associated with the home occupation shall be provided off the road. No commercial vehicles exceeding a rated capacity of three (3) tons may be parked on the premises. No more than two off-street parking spaces for customers may be permitted.
- I. No equipment or process shall be used in the home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in the line voltage off the premises.

KEEPING ANIMALS

- A. Livestock may be kept in any District of the Township provided that the parcel is at least three (3) acres for the first animal unit and one-quarter (1/4) acre for every animal thereafter or that General Accepted Agricultural and Management Practices (GAAMPS) adopted by the Michigan Department of Agriculture are met for the parcel housing animals. Compliance with GAAMPS must be demonstrated by the property owner housing animals.
- B. Animal holding areas (e.g., pens, corrals or paddocks) shall be a minimum of fifty (50) feet from any property line. Pasture areas may be up to property lines.
- C. Manure shall be properly maintained and adhere to agricultural practice (GAAMPS) by the State of Michigan. All manure stockpile or compost areas shall be a minimum of one

hundred (100) feet from any property line, or the ordinary high water mark of any lake, river or stream.

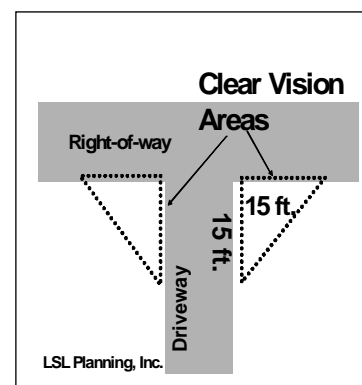
- D. Predatory or wild animals shall not be kept as household pets in any district in the Township.

ACCESSORY BUILDINGS AND USES

- A. Accessory buildings are subject to the regulations of this Section.
 1. Attached accessory buildings and structures that are structurally part of the main building shall conform to the district setback requirements of the main building.
 2. Detached accessory buildings shall be a minimum of ten (10) feet from another building or structure.
 3. Detached accessory buildings of less than nine hundred (900) square feet shall be a minimum of five (5) feet from rear or side property lines.
 4. Detached accessory structures of over nine hundred (900) square feet shall be a minimum of ten (10) feet from the side or rear property line.
 5. Detached accessory buildings shall not exceed the height limits of the district.
 6. Accessory building(s) of over thirty (30) square feet shall not be erected in any required front yard.
 7. No accessory building shall be used in any part for residential dwelling or sleeping purposes.
 8. No accessory building shall occupy any portion of a required greenbelt or buffer in any district.
 9. After the construction of an accessory building upon a parcel of land, no subsequent division of that land shall be made which would cause the building located thereon to be in violation of the terms of this Ordinance.
 10. Accessory structures associated with commercial and industrial uses shall not occupy more than forty percent (40%) of the total lot area.

PRIVATE SWIMMING POOLS

- A. Every person owning land on which there is located a swimming pool, spa, hot tub, or similar device (below ground or above ground) which contains twenty-four (24) inches or more of water in depth at any point, shall ensure that such device is made inaccessible to small children by means of a fence or enclosure surrounding the device (or due to the height of the side walls) as approved by the Zoning Administrator. These side walls, fences or enclosures, including the gates, shall not be less than four (4) feet or greater than (6) feet above grade. All gates shall be self-latching with latches placed no less than four (4) feet above grade or otherwise made inaccessible from the outside to small children.
- B. Swimming pools, spas, hot tubs and similar devices shall not be located less than ten (10) feet from any rear or side lot line.
- C. Swimming pools, spas, hot tubs and similar devices shall not be located in any required front yard.



FENCES AND WALLS

A. Fences: Residential Districts

1. Fencing which is essentially open (e.g., wrought iron, chain link, split rail, or picket fence) may be up to forty-eight (48) inches in height in the required front yard.
2. The yard abutting the water on a waterfront lot shall be treated as the front yard. Fences shall not be erected within fifty (50) feet of the ordinary high water mark.
3. Stockade fence and masonry walls shall be limited to three (3) feet in height in the required front yard.
4. Fences may be up to six (6) feet high outside of the required front, and waterfront yards.
5. Fences protecting gardens may be up to eight (8) feet in height provided they are a minimum of five (5) feet from any property line.

B. Fences: Generally

1. No solid fence, wall or planting screen shall inhibit clear vision at the drive entrance. Any solid fence, wall, planting or screen shall not be greater than three (3) feet in height as measured from grade, shall be located within a triangular section of land formed by two (2) fifteen (15) foot perpendicular lines intersecting at the driveway and road pavement point and a connecting line.
2. All fences erected by individual property owners must be located on his/her property.
3. The finished side of the fence must face outward toward the neighboring property.
4. Electrically charged or barbed wire fences are only permitted in association with agricultural operations, including gardening.
5. Razor wire is prohibited in all Districts.
6. In Commercial or Industrial Districts, a wall, fence or yard enclosure may be up to eight (8) feet in height behind the required front setback line.
7. No fence or wall shall be erected which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, nor which will interfere with access by the Fire Department.
8. It is unlawful to construct or maintain any private fence or barrier within a public right-of-way.
9. Fences shall be installed in a workmanlike manner and be maintained at all times in a state of good repair.
10. All fences shall be maintained so that they do not result in an unreasonable hazard to persons who might come near them. Barbed or other wire must be clearly marked and on metal or wood posts.

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SITE CONDOMINIUMS

- A. A site condominium unit shall be a unit created by the division of land on the basis of condominium ownership that is not subject to the provisions of the Land Division Act, Public Act 288 of 1967, as amended, being MCL 560.101 et seq.
- B. A site condominium unit shall be treated as a separate lot or parcel and may have buildings constructed and uses conducted thereon provided the unit meets the use and District Regulations for the zoning district in which it is located.
- C. A site plan, including all the condominium documents required for the establishment of a condominium, shall be reviewed and approved by the Planning Commission in accordance with the site plan review process.
- D. Monuments shall be set at all boundary corners and deflection points and at all road right-of-way intersection corner and deflection points. Lot irons shall be set at all condominium site corners and deflection points of condominium site lines.
 - 1. The Zoning Administrator or Township Engineer may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one (1) year from the date of approval by the Township Board, on condition that the developer provide a performance guarantee equal to the cost of providing the monuments.
 - 2. The performance guarantee shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required, within the time specified.
 - 3. If the developer defaults, the Township shall promptly exercise the performance guarantee and set the monuments and irons in the ground as shown on the condominium site plan, at the developer's expense.
- E. All rights-of-way and utility easements shall be described separately from individual condominium sites and shall be accurately delineated by bearings and distances on the condominium subdivision plan and the final site plan.
 - 1. The rights-of-way and utility easements shall be separately designed for their individual purpose, such as access, roadway, location, installation, maintenance and replacing of public utilities.
 - 2. The developer shall dedicate to the Township all easements for utilities. Water, sewer and electrical easements may be placed within public rights-of-way or the private road easement, subject to the approval of the Township Engineer and the Township standards.
 - 3. All roads and roads proposed for any site condominium shall be developed within the minimum design, construction, inspection, approval, and maintenance requirements of this Ordinance and other Ordinances or standards of the Township.

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TEMPORARY BUILDINGS AND USES

Temporary uses, buildings and structures, not used for dwelling purposes, may be placed on a lot or parcel and occupied only under the following conditions as authorized by a permit issued by the Zoning Administrator.

- A. Construction buildings and structures, including trailers, incidental to construction work on a lot, provided:

1. Construction buildings and structures may only be used for the storage of construction materials, tools, supplies and equipment, for construction management and supervision offices, and for temporary on-site sanitation facilities, related to construction activity on the same lot. An enclosed structure for temporary sanitation facilities shall be required on all major construction sites.
 2. Construction buildings and structures shall be removed from the lot within fifteen (15) days after an occupancy permit is issued for the permanent structure on such lot, or within fifteen (15) days after the expiration of a building permit issued for construction on the lot.
- B. Sales offices or model homes may be placed on a lot provided:
1. The location of the office shall be specified in the permit.
 2. The permit shall be valid for a period of up to one (1) year. A temporary permit may be renewed by the Zoning Administrator for up to two (2) successive one (1) year periods or less, at the same location if the office is still incidental and necessary.
 3. Only transactions related to the development in which the structure is located shall be conducted within the structure. General offices for real estate, construction, development or other related businesses associated with the project shall not be permitted.
- C. Fireworks Sales
1. The outdoor display and sale of fireworks is permitted in the Commercial and Industrial Districts.
 2. The display and sale of fireworks on an open lot shall be allowed for a period not to exceed forty-five (45) days.
 3. All unsold fireworks on an open lot must be removed from the property by July 10th.
 4. Outdoor fireworks sales will be conducted pursuant to the Fire Code.
- D. Short Term, Outdoor Sales
1. Outdoor sales shall only be permitted in the Commercial Zoning District.
- E. Special Events
1. Temporary uses associated with special events may be allowed during the tenure of the special event only, and must be restricted to the property(ies) where the event is taking place.
 2. Temporary uses may include food vendors, event offices, dressing rooms, carnival-type games, midways, t-shirt or souvenir sales, art/craft fairs, Christmas tree sales or other similar uses.
- F. Standards for all Temporary Uses
1. All temporary uses shall meet the following standards:
 - a. The nature of the temporary use and the size and placement of any temporary structure shall be planned so that the temporary use or structure will be compatible with existing development.

- b. The parcel shall be of sufficient size to adequately accommodate the temporary use or structure.
- c. The location of the temporary use or structure shall be such that adverse effects on surrounding properties will be minimal, particularly regarding the traffic generated by the temporary use or structure.
- d. Off-street parking areas are of adequate size for the particular temporary use or structure and properly located and the entrance and exit drives are laid out so as to prevent traffic hazards and nuisances.
- e. Signs shall conform to the provisions of this Ordinance.
- f. Any lighting shall be directed and controlled so as to not create a nuisance to neighboring property owners.

PRIVATE ROADS

A. Purpose

The Township determines that it is in the best interest of the public health, safety, and welfare to regulate the construction, extension, and relocation, of private roads. These provisions have been enacted to assure that private roads (which includes a private driveway, a shared driveway and a private street):

- 1. Will not be detrimental to the public health, safety, or general welfare.
- 2. Will not adversely affect the long term development policies of the Township.
- 3. Will be designed and constructed with width, surface, and grade to assure safe passage and maneuverability of private vehicles, police, fire, ambulance, and other safety vehicles.
- 4. Will be constructed so as to protect against or minimize soil erosion and prevent damage to the lakes, streams, wetlands, and natural features of the Township.

B. Private Road Review and Development Process

- 1. Shared driveways shall be approved by the Zoning Administrator.
- 2. Private roads shall be approved by the Planning Commission through the site plan review process. In addition to the applicable information required by Chapter 16, Site Plan Review, private road applications shall include:
 - a. A detailed written description of the development to be served by the private road.
 - b. Private road construction specifications with cross sections that show, at a minimum, precise location, grade, route, elevation, dimensions, and design of the private road.
 - c. Proposed future extensions of the private road within the development and to adjacent lands.
 - d. Location and distance to any public roads which the private road is to intersect.
 - e. A survey of the right-of-way by a registered land surveyor, together with surveys for each parcel to be served by the private road.

- f. The location of all public and private utilities located within or twenty (20) feet from the proposed easement.
 3. The Planning Commission will accept Board of County Road Commissioners of the County of Iron plat road specifications without bituminous surface requirements. Plans not meeting plat road specifications may require that the applicant comply with reasonable conditions relative to the design and construction of the private road including but not limited to:
 - a. Requiring an easement for future road extensions or connections to public roads.
 - b. Requiring an easement for nonmotorized trails to adjacent developments or public land.
 - c. Requiring a turnout for bus service or mail delivery near the public road.
 - d. Requiring turn out for fire apparatus if road length exceeds eight hundred (800) feet.
 - e. Approval of the chief of the Crystal Falls Fire Authority for ingress and egress of firefighting equipment.
 4. Upon completion of construction of the private road, the Township's consulting engineer shall inspect the completed construction to determine whether it complies with the approved plans, specifications, permit, and this Ordinance.
 5. The applicant(s), at the applicant(s)'s expense, shall provide the Township with a set of "as built" drawings bearing a certificate and statement from a registered engineer certifying that the private road entrance has been completed in accordance with the requirements of the Board of County Road Commissioners of the County of Iron road standards or a private road entrance permit issued by the Board County Road Commissioners of the County of Iron.
 6. The Zoning Administrator shall not issue a zoning compliance permit for any residential unit or other structure on lots served by a private road until a safe and unimpeded route of travel is approved by the Township's consulting engineer.
 7. Should an existing driveway or private road add a sufficient number of lots or parcels to change its status, it shall be treated as a new private road and shall be upgraded for its entire length to comply with all applicable requirements for private roads.
- C. Design Requirements
1. Design Standards for roads shall meet the following standards:
 - a. All easements shall be a minimum of sixty-six (66) feet wide.
 - b. A shared driveway for two (2) lots shall provide a minimum cleared area of sixteen (16) feet in width.
 - c. All private roads for three (3) or more parcels shall have a cleared area of twenty-two (22) feet wide.
 - d. All private roads for seven (7) or more parcels shall have a cleared area of twenty-two feet wide with a gravel base which meets the depth and compaction rating of the Iron County Road Commission.

2. The minimum distance between intersections of public and/or private road rights-of-way shall not be less than two-hundred (200) feet, as measured along the right-of-way line.

3. Any lot created with frontage on both a public road and private road shall take driveway access off the private road.

4. A series of dead-ends or cul-de-sacs are discouraged. Eyebrow, court, or stub roads are preferred. Reasonable accommodation shall be made for future road extensions and possible interconnections with adjacent properties.

5. Driveways shall be constructed of materials suitable to accommodate emergency vehicles.

6. Applicable Board of County Road Commissioners of the County of Iron permit requirements shall be met for driveway and private road entrances to a public road.

7. Road base materials, volume and compaction requirements for private roads shall meet the plat road standards adopted by the Board of County Road Commissioners of the County of Iron.

8. The Planning Commission may reduce the traveled surface of private roads at points where significant topographic, wetland, or other natural features exist.

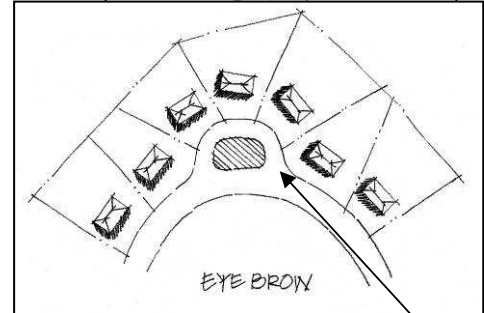
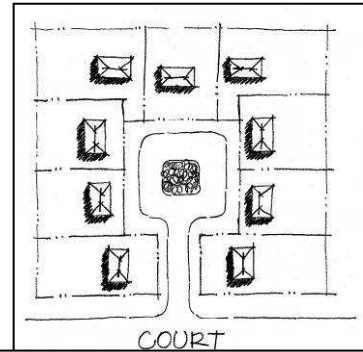
9. Private road construction will preserve, as much as practical, significant natural features such as mature trees, fence rows, natural wind breaks, natural slopes, wetlands, and bodies of water.

10. Regulation Michigan State Highway stops signs shall be positioned and installed in accordance with the Michigan State Manual of Uniform Traffic Control Devices on all private roads where they intersect public roads.

11. All private roads shall have names approved by the "911" emergency services coordinating agency and identification signs shall be provided for private roads. Signs shall be marked as private.

12. All private roads servicing or intended to serve more than two (2) or more lots, parcels or condominium units shall be under the control of an approved and recorded road maintenance agreement and deed restrictions which provide for the perpetual maintenance of such roads and/or easements to a necessary and reasonable standard to serve the several interests involved. These documents shall be reviewed and approved by the Township attorney and shall contain the following provisions:

a. Method of initiating and financing of such road and/or easements in order to keep the road in a reasonably good and usable condition.



Eyebrow with stub street

- b. A workable method of apportioning the costs of maintenance and improvements.
- c. That the owners of any and all of the property using the easement shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress and egress and use by any of the other owners. Normal ingress and egress and use shall include use by family, guests, invitees, tradesmen and others bound to or returning from any of the properties having a right to use the road. Provisions shall be included to allow ingress and egress of emergency and other public vehicles for whatever public services are necessary.
- d. That the owners will permit planned future road tie-ins or extensions with appropriate cross-access agreements.
- e. A notice that no public funds of the County of Iron or Township are to be used to build, repair or maintain the private road.

NONCONFORMITIES

A. General Provisions

- 1. Any lot, use of land, or structure which has been established in violation of the provisions of a previous Zoning Ordinance having jurisdiction at the time the use of land or structure was established, and any lot, use of land, or structure which has been lawfully established under a previous Zoning Ordinance and subsequently violates the terms of the permit under which it was established, shall continue to be in violation of this Ordinance.
- 2. An existing lot, use of land, or structure which does not fully comply with the provisions of this Ordinance, as amended, and either was lawfully established under a previous Zoning Ordinance, created, or commenced during a period of time when no valid Zoning Ordinance was in effect, or was lawfully established under the jurisdiction of this Ordinance (before an amendment), and remains in compliance with the terms of a permit issued at that time, shall be permitted to continue provided there is compliance with this Section.
- 3. Nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been diligently conducted.

B. Nonconforming Uses

- 1. No part of any nonconforming use shall be moved unless the movement eliminates the nonconformity.
- 2. If a nonconforming use is abandoned for any reason for a period of more than eighteen (18) months, any subsequent use shall conform to the requirements of this Ordinance. A nonconforming use shall be determined to be abandoned if one (1) or more of the following conditions exists, and shall be deemed to constitute an intent on the part of the property owner to abandon the nonconforming use:
 - a. Utilities, such as water, gas and electricity to the property, have been disconnected.

- b. The property, buildings, and grounds, have fallen into disrepair.
 - c. Signs or other indications of the existence of the nonconforming use have been removed.
 - d. Removal of equipment or fixtures that are necessary for the operation of the nonconforming use.
 - e. Other actions, which in the reasonable opinion of the Zoning Administrator constitute an intention of the part of the property owner or lessee to abandon the nonconforming use.
3. A nonconforming use shall not be changed in use to another use that is also nonconforming unless it is more conforming than the previous use as determined by the Zoning Board of Appeals. Once a conforming use is established the prior nonconforming use may not be reestablished.
 4. A nonconforming use shall not be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of the adoption or amendment of this Ordinance.

C. Nonconforming Buildings and Structures

1. In the event any nonconforming building or structure shall be damaged by fire, wind or an act of God or the public enemy, it may be rebuilt or restored provided the cost of restoration shall not exceed fifty (50%) of the replacement value as determined by the assessor for the Township and the building or structure does not exceed both the prior building footprint and prior building height of the nonconforming building or structure.
2. A nonconforming building or structure shall not be moved in whole or in part except when the moving results in full compliance with the provisions of this Ordinance.
3. A nonconforming structure not subject to Section 3.25(C)(1) may not be rebuilt or enlarged except as may be permitted by the Zoning Board of Appeals upon reaching a determination that the proposed enlargement or increase:
 - a. Does not have a substantial detrimental effect on the use and enjoyment of adjacent uses or lots.
 - b. Complies with all parking, sign, accessory use or other applicable regulations for the area affected by the proposed enlargement or increase.
 - c. Complies with any reasonable conditions imposed by the Zoning Board of Appeals that are necessary to ensure that the proposed enlargement increase, or greater area will not prove detrimental to adjacent properties, the neighborhood, or the community.
 - d. Is not larger than twenty five percent (25%) from the original Gross Floor Area of the building or structure.

D. Nonconforming Lots of Record

1. Where a lot of record in existence at the time of the adoption or amendment of this Ordinance does not meet the minimum requirements for lot width or lot area, the lot of record may be used for any purposes permitted by the district in which the lot is located, provided that any building or structure meets at least eighty

percent (80%) of the applicable required setbacks for that District, or obtains a variance from the Zoning Board of Appeals for the setbacks.

2. Combination of Nonconforming Lots

a. For any two (2) or more nonconforming lots of record or combination of lots and portions of lots of record, in existence at the time of the passage of this Ordinance, or an amendment to it, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance if they:

- (1) Are in common ownership,
- (2) Are adjacent to each other or have continuous frontage, and
- (3) Individually do not meet the lot width or lot area requirements of this Ordinance.

CHAPTER 3 Parcels meeting the provisions of subsection 2, a, above, shall be combined into a lot or lots complying as nearly as possible with the lot width and lot size requirements of this Ordinance. No portion of the parcel shall be used or divided in a manner that diminishes compliance with lot width and area require

DISTRICTS

DISTRICTS ESTABLISHED

To carry out the purpose of this Ordinance, the Township of Crystal Falls is hereby divided into the following districts:

"CF"	Commercial Forestry
"AR"	Agriculture Residential
"WR"	Waterfront Residential
"R-1"	Rural Residential
"R-2"	Medium Density Residential
"MHC"	Manufactured Home Community
"C"	Commercial
"L-I"	Light Industrial
"PUD"	Planned Unit Development
"AM"	Access Management U.S. Highway 2 Overlay
"W-S"	Waterfront-Shore land Overlay

OFFICIAL ZONING MAP

- A. The Township is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.
- B. The Official Zoning Map shall be identified by the signature of the Township Planning Commission Chair, attested by the signature of the Township Planning Commission Secretary.
- C. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map. The Official Zoning Map is to be kept up to date, accessible to the general public, and shall be the final authority as to the current Zoning District status of all land and buildings in the Township of Crystal Falls which are subject to the provisions of this Ordinance.
- D. No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance and in accordance with state law.
- E. Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map shall be located in the custody of the Zoning Administrator and shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Township.

RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

- A. In order to more effectively protect and promote the general welfare and accomplish the aims and objectives of the Master Plan, the Township is divided into Zoning Districts of such number, boundaries, shape and area. The Zoning Ordinance also provides such common unity of purpose, adaptability, or use deemed most suitable to provide for the best development of the Township, while protecting the common rights and interests of all through associated regulations and restrictions. Where uncertainty exists as to the

boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of roads, highways, or alleys shall be construed as following such center lines;
2. Boundaries indicated as approximately following the property, parcel, or lot lines shall be construed as following such lines;
3. Boundaries indicated as approximately following Township, Village or County boundaries shall be construed as following such Township, Village or County boundaries;
4. Boundaries indicated as following section lines shall be construed as following such section lines;
5. Boundaries indicated as approximately following railroad lines shall be construed to be midway between the railroad right-of-way;
6. Boundaries indicated as following shorelines shall be construed to follow such shorelines and, in the event of change in the shoreline, shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
7. Where the application of these rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the Board of Appeals, after recommendation from the Zoning Administrator. An appeal of the Zoning Administrator's decision may be taken to the Zoning Board of Appeals.

ZONING OF VACATED AREAS

Whenever any road, alley or other public way within the Township shall have been vacated by official governmental action, and when the lands within the boundaries thereof attach to and become a part of lands adjoining such road, alley or public way, such lands shall automatically and without further governmental action be subjected to the same zoning regulations as are applicable to the adjoining lands.

CF – COMMERCIAL FORESTLAND DISTRICT

DESCRIPTION AND PURPOSE

This district is established to maintain lands that are valuable for commercial timber production. These lands are protected from land divisions and development levels that would render them unsuitable for timber production. Some limited, very low density rural development will be permitted without further dividing and jeopardizing the viability of timber lands.

PERMITTED USES

Land and/or buildings in the CF District may be used for the following purposes as Permitted Uses.

- A. Forestry operations.
- B. Public recreational facilities.
- C. Private parks, winter sports facilities, and trails.
- D. Single-family dwellings, including home occupations as regulated by Section 3.17.
- E. Accessory buildings, structures and uses customarily incidental to a Permitted Use meeting the requirements of Section 3.19.

SPECIAL LAND USES

Land and/or buildings in the CF District may be used for the following subject to approval by the Planning Commission as a Special Land Use in accordance with procedures of Chapter 19.

- A. Boat and canoe liveries and yards.
- B. Boat launches, public or private.
- C. Campgrounds, public or private.
- D. Communication towers.
- E. Home based business.
- F. Marinas.
- G. Open Space Development.
- H. Raising of fur-bearing animals or game birds.
- I. Shooting, rifle and handgun ranges.
- J. Wind energy conversion systems.

SCHEDULE OF DISTRICT REGULATIONS

- A. No main building, structure, or principal use of land, nor the enlargement of any building, structure, or use of land, shall hereafter occur unless the following requirements are met and maintained in connection with such building, structure, use, or enlargement.

CF- DISTRICT REGULATIONS	
Minimum Lot Area	40 acres “quarter-quarter”
Minimum Lot Width at the road frontage and at the water frontage	660 feet “one-half of quarter-quarter”
Minimum Front Yard Setback	100 feet
Minimum Side Yard Setback	100 feet
Minimum Rear Yard Setback	100 feet
Maximum Lot Coverage	15 percent
Maximum Building Height	2 ½ stories; or 35 feet, whichever is higher
Lot Width to Depth Ratio	1:4

B. Permitted Lot Splits

- For existing parcels less than two (2) quarter-quarter (under eighty (80) acres) in size, no additional land divisions are permitted. For existing parcels 80 acres or more, the following maximum number of lots that may be created or split.

Sliding Scale – CF District	
Area of Lot of Record	Maximum Additional Lots Permitted
80 to 100 acres	1
> 100 to 180 acres	2
> 180 to 240 acres	3
> 240 to 320 acres	4
> 320 to 400 acres	5
> 400 to 500 acres	6
> 500 acres	8

- The above regulations shall not cause the lot of record to be split in a manner which would violate the requirements for access and other applicable provisions contained in the Land Division Act, Public Act 288 of 1967, as amended, being MCL 560.101 *et seq.* Any provision of this Ordinance notwithstanding, the Township is not responsible for any violations of this Ordinance or the Land Division Act.

C. Monitoring Lot Splits – The Township recognizes that proper administration of this subsection must be established along with an official register containing the following information:

1. Concurrent with the adoption of this Ordinance, an official map indicating existing lots, parcel numbers, and land ownership shall be established along with an official register containing this information.
 2. An allotment of dwelling units possible under this Ordinance shall be made for each parcel in the CF District.
 3. As allotments are used up, the official map and register shall be updated to reflect these changes.
- D. The official map and register shall be maintained by the Zoning Administrator and copies made available for inspection by the public.

AR – AGRICULTURE RESIDENTIAL

DESCRIPTION AND PURPOSE

This District is intended to primarily conserve and protect lands determined suitable for agricultural and forestry resource use, and recreational activities which are dependent on large parcels of land. The District shall also accommodate very low density residential development and other uses generally associated with resource-based recreational uses. This district will also permit agricultural uses to help foster the rural economy and rural character of the Township.

PERMITTED USES

Land and/or buildings in the AR District may be used for the following purposes as Permitted Uses.

- A. Farms, together with farm dwellings and buildings and other installations useful to such farms, including roadside stands with less than two-hundred (200) square feet of sales area for produce grown on the premises.
- B. Single-family dwellings, including home occupations as regulated by Section 3.17.
- C. State licensed residential family care facilities caring for six (6) or fewer individuals.
- D. Accessory buildings, structures and uses customarily incidental to a permitted use meeting the requirements of Sections 3.19.

SPECIAL LAND USES

Land and/or buildings in the AR District may be used for the following subject to approval by the Planning Commission as a Special Land Use in accordance with the procedures of Chapter 19.

- A. Agricultural service establishments.
- B. Airports (public and private).
- C. Boat and canoe liveries and yards.
- D. Boat launches, public or private.
- E. Commercial greenhouses and nurseries, when operated primarily as wholesaling operations and limited retail sales.
- F. Commercial kennels.
- G. Commercial extraction and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources.
- H. Confined feedlots and livestock holding facilities.
- I. Communication towers.
- J. Country clubs and golf courses.
- K. Farm markets.
- L. Home based business
- M. Marina
- N. Migrant agricultural labor housing.

- O. Open space developments.
- P. Raising of fur-bearing animals or game birds.
- Q. Equine stables for commercial purposes.
- R. Shooting, rifle and handgun ranges.
- S. Wind energy conversion systems.

SCHEDULE OF AR DISTRICT REGULATIONS

- A. No main building, structure, or principal use of land, nor the enlargement of any building, structure, or use of land, shall hereafter occur unless the following requirements are met and maintained in connection with such building, structure, use, or enlargement.

AR - DISTRICT REGULATIONS	
Minimum Lot Area	5 acres
Minimum Frontage at the road frontage and at the water frontage	330 feet
Minimum Front Yard Setback	30 feet
Minimum Side Yard Setback	30 feet
Minimum Rear Yard Setback	30 feet
Maximum Lot Coverage	15 percent
Maximum Building Height	2 ½ stories
Lot Width to Depth Ratio	1:4

- B. Permitted Lot Splits
 - 1. The maximum number of lots that may be created based on the gross area of the lot of record which is to be divided, as listed in the following Sliding Scale table.

Sliding Scale – AR District	
Area of Lot of Record	Maximum Additional Lots Permitted
1 to 10 acres	1
> 10 to 20 acres	2
> 20 to 30 acres	3
> 30 to 40 acres	4
> 40 to 60 acres	6
> 60 to 80 acres	8
> 80 acres	10

- 2. In addition to the divisions allowed under the above table, every farm which contains a single family dwelling existing before the date of this Ordinance shall

be allowed to split a lot from the main farm acreage and create a new lot for the existing dwelling.

3. The above regulations shall not cause the lot of record to be split in a manner which would violate the requirements for access and other applicable provisions contained in the Land Division Act, Public Act 288 of 1967, as amended; being MCL 560.101 et seq. Any provision of this Ordinance notwithstanding, the Township is not responsible for any violations of this Ordinance or the Land Division Act.
- C. Monitoring Lot Splits - The Township recognizes that proper administration of this subsection must be established along with an official register containing the following information:
1. Concurrent with the adoption of this Ordinance, an official map indicating existing lots, parcel numbers, and land ownership shall be established along with an official register containing this information.
 2. An allotment of dwelling units possible under this Ordinance shall be made for each parcel in the AR District.
 3. As allotments are used, the official map and register shall be updated to reflect these changes.
- D. The official map and register shall be maintained by the Zoning Administrator and copies made available for inspection by the public.