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**Brant Township  
Zoning Ordinance**  
Brant Township, Saginaw County, Michigan

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# **Brant Township Zoning Ordinance**

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courts and other open spaces; and the maximum number of families to be housed in buildings and structures.

#### **104. Interpretation**

This Ordinance does not repeal other laws and ordinances except as may be noted in the provisions that follow this section. This Ordinance has no effect on the applicability of private deed restrictions or restrictive covenants.

In cases where this Ordinance imposes greater restrictions on the use of land, buildings, structures, or on the commencement of land development projects, or requires larger lots, setbacks, or parking areas than provided by other laws, ordinances, or private deed restrictions or restrictive covenants, the provisions of this Ordinance shall prevail.

In cases where this Ordinance establishes lesser restrictions on the use of land, buildings, structure, or on the commencement of land development projects, or requires smaller lots, setbacks or parking areas than provided by other laws, ordinances, or private deed restrictions or protective covenants, the provisions of those other laws, ordinances, restrictions or covenants shall prevail.

#### **105. Repeal**

This Ordinance repeals and replaces the previous Brant Township Zoning Ordinance in its entirety.

#### **106. Validity**

This Ordinance and the various sections, subsections, clauses, sentences, and provisions are severable. If any section, subsection, clause, sentence or provision is declared to be unconstitutional or invalid, the balance of the Ordinance shall not be affected by the declaration.

#### **107 Effective Date**

This Ordinance shall become effective upon publication of a notice of adoption as provided by the Township Rural Zoning Act (P.A. 184 of 1943, as amended).

## **Chapter 1**

### **Miscellaneous Provisions**

#### **101. Short Title**

This Ordinance shall be known and may be cited as the Brant Township Zoning Ordinance.

#### **102. Legal Basis**

This Ordinance has been prepared and adopted under the authority of the Township Rural Zoning Act (P.A. 184 of 1943, as amended).

#### **103. Purpose**

This Ordinance has been prepared and adopted for the purpose of providing standards and regulations for land development, for the use of land and buildings, and for all other purposes described in Section 1 of the Township Rural Zoning Act. Also, this Ordinance is based on the Brant Township Master Plan, and is intended to carry out the objectives of that Plan. It is also the general purpose of this Ordinance to accomplish the following objectives:

- (1) Guide the use and development of the community's lands and natural resources in accordance with their character, adaptability, and suitability for particular uses.
- (2) Protect the character of the community and enhance the social and economic stability of the Township and the individual zoning districts as set forth in this Ordinance.
- (3) Lessen congestion on the public streets and highways, and facilitate safe and convenient access to the various uses of land and buildings throughout the community.
- (4) Facilitate adequate provisions for sewage disposal, drainage, water supply, education, recreation, and other public services.
- (5) Conserve life, property, natural resources, and the expenditure of public funds for public facilities and services by establishing standards for the physical development of the community and providing for the enforcement of those standards.
- (6) Adopt provisions for each zoning district designated in this Ordinance that shall control the use of land; the use, size and location of buildings; the minimum yards,

## **Chapter 2**

### **Definitions**

#### **201. Rules of Use and Construction**

This chapter defines the words used in this Ordinance. The rules of construction applicable to the words used in this Ordinance are as follows:

- a. Words and phrases that are not defined in this chapter shall be defined in terms of their common or customary usage.
- b. Technical words and phrases that may have peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.
- c. The particular shall control the general.
- d. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- e. When it is consistent with the context, words used in the present tense shall include the future. Words used in the singular form shall include the plural, and the plural form shall include the singular.
- f. The word "person" includes any individual, partnership, association, trust, corporation, or any other legal entity or combination of legal entities.
- g. The word "lot" includes the word "parcel."
- h. Where a standard or regulation involves two or more conditions, provisions, or items that are connected by the conjunction "and" or "or," then the conjunction shall be interpreted as follows:
  1. **"And"** means that all the connected conditions, provisions or items shall apply.
  2. **"Or"** means that the connected conditions, provisions or items may apply singly or in combination.

#### **202. Definitions**

##### **(1) Abutting (lot or parcel)**

A lot or parcel that shares a common border with the subject lot or parcel.

**(2) Access management (access control)**

A technique to improve traffic operations along a major roadway and decrease the potential for accidents through the control of driveway locations and design; consideration of the relationship of traffic activity for properties adjacent to, and across from one another; and the promotion of alternatives to direct access.

**(3) Access to property, reasonable**

A property owner's legal right, incident to property ownership, to access a public road right-of-way. Reasonable access to property may be indirect or certain turning movements prohibited for improved safety and traffic operations.

**(4) Accessory building**

A freestanding building that is located on the same lot on which a principal use or principal building is located, and that is devoted to and occupied by a use that is incidental and subordinate to the principal use. Examples of accessory buildings include, but are not limited to, detached residential garages and sheds, boat houses, snowmobile sheds, greenhouses, guard or gate houses, and barns.

**(5) Accessory Structure**

A freestanding structure that is located on the same lot on which a principal use or principal building is located, and that is devoted to a use that is incidental and subordinate to the principal use. Examples of accessory structures include, but are not limited to, dish and other types of antennae, fences and walls, freestanding lighting fixtures, silos and other agricultural structures, and residential swimming pools.

**(6) Accessory Use**

A use of land that is customarily incidental and subordinate to the principal use of a lot, and that is located on the same lot on which that principal use is located.

**(7) Adjacent (lot or parcel)**

A lot or parcel which abuts or is directly across a street right-of-way or alley from any lot or parcel line of the subject lot or parcel.

**(8) Adult Entertainment Business**

Any business, club, or other organization where one or more persons display "specified anatomical areas" or engage in "specified sexual activities" as defined elsewhere by this Ordinance, either in person or by photograph, motion picture, television, or other type of image.

**(9) Adult Foster Care**

A private home licensed by the State of Michigan for the care of sick, elderly, or handicapped adults. A "family" home is further defined as having 1 to 6 adults and a "group" home as having from 7 to 20 adults. This definition does not include the care of persons released from or assigned to adult correctional institutions.

**(10) Agriculture**

Farms and general farming, including horticulture, floriculture, dairying, livestock, and poultry raising, farm forestry, and other similar enterprises or uses.

**(11) Alteration**

Any change, addition or modification in construction or type of occupancy, any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed".

**(12) Animal, wild**

Any animal not domesticated by humans or any animal which a person is prohibited from possessing by law. Wild animals shall include, but shall not be limited to, the following: alligator (family), deer (family), opossum (family), badger, dog (wild family), primate excluding humans (family), bear, dog-wolf, raccoon, ferret, skunk, cat (wild family), lemur, spider (poisonous), coyote, lizard (poisonous), weasel (family), and marten.

**(13) Basement**

That portion of a building that is part or wholly below grade but so located that the vertical distance from the mean grade to the floor is greater than the vertical distance from the mean grade to the ceiling (See Figure 1).

**(14) Bed and Breakfast Establishment**

A use which is subordinate to the principal use of a dwelling as a single-family dwelling unit and in which transient guests are provided a sleeping room and board in return for payment.

**(15) Berm**

A mound of earth graded, shaped and improved with landscaping in such a fashion as to be used for visual and/or audible screening purposes.

**(16) Billboard**

An outdoor sign, structure or symbol advertising services or products which are not made, produced, assembled, stored, or sold upon or from the lot or premises upon which the same is located.

**(17) Board of Appeals**

The Brant Township Zoning Board of Appeals.

**(18) Buffer zone**

A strip of land often required between certain zoning districts reserved for plant material, berms, walls, or fencing to serve as a visual barrier.

**(19) Building**

Any structure which is erected having a roof supported by columns or walls, which is used or erected for the shelter or enclosure of persons, animals or personal property or for

carrying on business activities or other similar uses. This shall include tents or vehicles situated on private property and used for purposes of a building.

**(20) Building height**

The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean elevation level between eaves and ridge of a gable, hip or gambrel roof (See Figure 2).

**(21) Building line**

A horizontal line generally parallel to a front, rear, or side lot line which is located at the point of the foundation of a principal building nearest to the front, rear, or side lot line.

**(22) Building, Main, (also Building, Principal)** A building in which the principal or main use of the lot on which it is situated occurs.

**(23) Building Setback Line**

A line indicating the minimum distance required to be maintained between a street right-of-way and the nearest supporting member of any structure on the lot.

**(24) Certificate of Occupancy**

A document issued by the Building Inspector certifying that the described property has complied with the provisions of the Building Code and may be legally occupied.

**(25) Child Care Center (Day Care Center)**

A facility, other than a single-family dwelling, receiving more than six (6) preschool or school age children for group care for periods of less than twenty-four (24) hours per day, and where the parents or guardians are not immediately available to the children. These facilities are also known as day nurseries, nursery schools, parent cooperatives, or preschools.

**(26) Church**

A building used principally for religious worship, but the word "church" shall not include or mean an undertaker's chapel or funeral building.

**(27) Clinic**

An establishment housing facilities for medical, dental or psychiatric diagnosis and treatment, exclusive of major surgical procedures, for sick, ailing and injured persons who are not kept overnight on the premises.

**(28) Club**

A nonprofit association of persons who are bona fide members, paying regular dues and are organized for some common purpose, but not a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

**(38) Construction**

The building, erection, alteration, repair, renovation, demolition or removal of any building, structure or structural foundation; or the physical excavation, filling and grading of any lot other than normal maintenance.

**(39) Convenience store with gasoline sales**

An establishment that retails convenience food items which occupy fifty (50) square feet or greater of the sales area in conjunction with gasoline sales.

**(40) Cul-de-sac**

A dead end public or private street, generally short in distance, which terminates in a circular or semi-circular section of street that allows for vehicle turnaround.

**(41) Deceleration lane**

An added roadway lane that permits vehicles to slow down and leave the main vehicle stream before turning.

**(42) Density**

The number of dwelling units situated on or to be developed per net or gross acre of land. For the residential component of Planned Unit Developments, the overall maximum unit density calculations shall include wetland areas regulated by the State of Michigan and wetland areas not regulated by the State, but shall not include floodplains or surface water bodies such as rivers, streams, lakes or ponds over five acres in size which are permanently or typically covered with water.

**(43) Detention facility**

A facility designed for holding stormwater runoff for a short period of time and then releasing it to the natural watercourse where it returns to the hydrologic cycle.

**(44) Development**

Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

**(45) Division**

See "Land Division"

**(46) Drainageways and streams**

Existing permanent or intermittent water courses.

**(47) Drive through business**

A business establishment so developed that its retail or service character is wholly or partially dependent on providing a driveway approach and service windows or facilities for vehicles in order to serve patrons while in the vehicle.

**(29) Common land**

A parcel or parcels of land with the improvements thereon, the use, maintenance and enjoyment of which are intended to be shared by the owners and or occupants of individual building units in a subdivision or a planned unit development.

**(30) Common open space**

An unoccupied area within a planned unit development which is reserved primarily for the leisure and recreational use of all the planned unit development residents, owners and occupants, and generally owned and maintained in common by them, often through a homeowners association.

**(31) Condominium Act**

Michigan Public Act 59 of 1978, as amended.

**(32) Condominium project**

Equivalent to "Subdivision" as used in this Ordinance.

**(33) Condominium project, mobile home**

A condominium project in which mobile homes are intended to be located upon separate sites which constitute individual condominium units.

**(34) Condominium setbacks** shall be measured as follows:

*Front Yard Setback:* The distance between the street centerline and the unit site.

*Side Yard Setback:* The distance between the limits of the development and the side of a unit, or the distance between the sides of any adjacent units.

*Rear Yard Setback:* The distance between the limit of the development and the rear of the unit, or the distance between the rears of any two adjacent units.

**(35) Condominium subdivision plan**

The site, survey and utility plans, and sections showing the existing and proposed structures and improvements including the location thereof on the land. The plan shall follow and show all aspects as required under the Condominium Act.

**(36) Condominium unit**

That portion of the condominium project designed and intended for separate ownership as described in the Master Deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.

**(37) Condominium unit site**

The area designating the perimeter within which the condominium unit must be built. After construction of the condominium unit, the balance of the condominium unit site shall become a limited common element. The term "condominium unit site" shall be equivalent to the term "lot", for purposes of determining compliance of a site condominium subdivision with provisions of the Ordinance pertaining to minimum lot size, minimum lot width, maximum lot coverage and maximum floor area ratio.



**(48) Driveway** means an improved or unimproved path or road extending from a public or private road or right-of-way to a single building, dwelling or structure, and intended to provide ingress and egress primarily for the occupants.

**(49) Dwelling, multiple family**

A building containing three (3) or more dwelling units designed for exclusive use and occupancy by three (3) or more families.

**(50) Dwelling, single family**

A building designed for exclusive use and occupancy as a dwelling unit by one (1) family.

**(51) Dwelling, two family**

A building containing two separate dwelling units designed for residential use and connected by either a common wall or an attached garage area.

**(52) Dwelling unit**

A building, or part thereof, providing complete living facilities, including provisions for sleeping, cooking, eating and sanitation, for exclusive use by one family, with no ingress or egress through any other dwelling unit.

**(53) Dwelling unit, attached**

A dwelling unit attached to one or more dwelling units by common major structural elements.

**(54) Dwelling unit, detached**

A dwelling unit which is not attached to any other dwelling unit by any means.

**(55) Easement**

A grant of one or more of the property rights by a property owner to the public, or another person or entity.

**(56) Endangered species habitat**

An area where a plant or animal listed as an endangered species by state or federal agencies naturally grows or lives, or identified habitat sites designated on the Michigan Natural Features Inventory.

**(57) Erected**

Means built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for the construction. Excavation, fill drainage and the like shall be considered a part of erection.

**(58) Essential public services**

The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal

systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith, (but not including buildings or substations) reasonably necessary for the furnishing of adequate service by each public utilities, or township departments or commissions for the public health, safety or general welfare.

**(59) Essential public service building**

A building or structure principal to an essential public service, such as a drop-off station for residential recyclables, vehicle garages, telephone exchange buildings, electricity transformer stations or substations, gas regulator stations, radio and television towers, and cellular phone antennas.

**(60) Essential public service building storage yard**

An outdoor storage area principal or accessory to an essential public service.

**(61) Excavation**

Any breaking of ground, except common household gardening and ground care.

**(62) Family**

- a. An individual or group of two (2) or more persons related by blood, marriage or adoption, including those related as foster children, who are domiciled together as a single, domestic, non-profit housekeeping unit in a dwelling unit, or
- b. A collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing, non-transient, distinct domestic character and who are cooking and living as a single, non-profit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms of other similar determinable period.

**(63) Farm**

The land, plants, animals, buildings, structures, including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products on a parcel that is ten (10) acres or larger in area.

**(64) Farm Operation**

The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, including those activities specified in the Michigan Right to Farm Act (P.A. 93 of 1981, as amended).

**(65) Fence**

An accessory structure intended for use as a barrier to property ingress or egress, a screen from an objectionable vista or noise, and/or for decorative use.

**(66) Filling**

The depositing or dumping of any matter onto, or into, the ground, except common household gardening and ground care.

**(67) Financial services**

Establishments such as banks, savings and loan institutions, credit unions, brokerage houses, and similar establishments.

**(68) Flood or flooding**

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. the overflow of inland waters
- b. the unusual and rapid accumulation or runoff of surface waters from any source

**(69) Flood hazard area**

Land which on the basis of available floodplain information is subject to a one percent (1%) or greater chance of flooding in any given year.

**(70) Flood Insurance Rate Map (FIRM)**

An official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**(71) Flood Insurance Study**

The official report provided by the Federal Insurance Administration. The report contains flood profiles, the water surface elevation of the base flood, and may include a Flood Hazard Boundary - Floodway Map.

**(72) Floodplain**

Any land area susceptible to being inundated by water from any source (see definition of flood).

**(73) Floodway**

The channel of a river or other watercourse and the adjacent land areas which must be reserved in order to discharge the base flood.

**(74) Floor area, usable**

That area to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, stairways, and elevator shafts, or for utilities for sanitary facilities, shall be excluded from the computation of usable floor area. Usable floor area shall be measured from the interior faces of the exterior walls, and total usable floor area for a building shall include the sum of the usable floor area for all floors.

**(75) Floor area, gross**

The sum of the horizontal areas of each story of a building, measured from the interior faces of the exterior walls, and the centerlines of interior walls, exclusive of mechanical areas, elevator shafts, stairwells and vent shafts for more than one floor, and uninhabitable attics or basements having headroom of seven (7) feet or less.

**(76) Floor area, residential**

The sum of the horizontal areas of each story of a dwelling unit, measured from the interior faces of the exterior walls, exclusive of areas of basements, unfinished attics, attached garages, carports, breezeways and enclosed or unenclosed porches.

**(77) Foster care home, family**

A single-family dwelling occupied as such in which one (1) but not more than four (4) minor children, who are not related to an adult member of the family occupying the single-family dwelling by blood, marriage or adoption, are given care and supervision for twenty four (24) hours per day, unattended by a parent or legal guardian.

**(78) Foster care home, group**

A single-family dwelling occupied as such in which more than four (4) but less than seven (7) minor children, who are not related to an adult member of the family occupying the single-family dwelling by blood, marriage or adoption, are given care and supervision for twenty four (24) hours per day, unattended by a parent or legal guardian.

**(79) Freeway Interchange**

An area designed to provide for the ingress and egress of vehicular traffic to and from a freeway or other limited access highway.

**(80) Frontage**

The total length along which a parcel of land fronts on a street, measured along the line where the property abuts the street right-of-way.

**(81) Frontage road**

A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. Frontage roads can be one-way or bi-directional in design. The frontage road provides specific access points to private properties while maintaining separation between the street and adjacent land uses. A road which allows parking or is used as a maneuvering aisle within a parking area is generally not considered a frontage road.

**(82) Garage**

The part of a main building or an accessory building used primarily for the parking or storage of vehicles necessary in connection with the permitted use of the main building, where there is no vehicle servicing for compensation.

*Garbage*

**(83) Garden center**

An establishment with retail sales of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.

**(84) Glare**

The effect produced at the lot line by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**(85) Grade, average (mean)**

The arithmetic average of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a building or structure (See Figure 3).

**(86) Grade, finished**

The lowest point of elevation between the exterior wall of the structure and a line five (5) feet from the exterior wall of the structure.

**(87) Grade, natural**

The elevation of the ground surface in its natural state, before construction begins.

**(88) Greenbelt**

A strip of land that contains a sufficient width and density of planting materials to screen adjacent properties from view.

**(89) Health Care Institution**

A state licensed medical establishment whose facilities provide in-patient accommodation, a wide range of medical and surgical care, and other in-patient health services for sick, ailing or injured persons; and including such related facilities as laboratories, outpatient departments, training facilities, central services and staff offices and residences which are integral with and accessory to the principal use of the establishment.

**(90) Home occupation**

An occupation or profession carried on by an occupant of a dwelling unit as a secondary use that is clearly subservient to the use of the dwelling for residential purposes. Home occupations must meet the standards specified in this Ordinance.

**(91) Home Sale**

A sale of personal property conducted at a residential dwelling on a temporary basis. Home sales include garage sales, yard sales, porch sales, basement sales, and the like.

**(92) Hospital**

See "Health Care Institution."

**(93) Hotel or Motel**

Any establishment in which individual cabins, courts, rooms, suites or similar structures or units are rented to transients for temporary periods of time. A "hotel" shall include tourist cabins and homes and motels, but shall not include bed and breakfast establishments. A hotel shall not be considered or construed to be a multiple family dwelling.

**(94) Improved area** (for a private road) means a road surface that meets or exceeds the standards of the Saginaw County Road Commission for an aggregate base course road.

**(95) Indoor recreation establishment**

A privately owned facility designed and equipped for the conduct of sports, amusement or leisure time activities and other customary recreational activities indoors (within an enclosed building) and operated as a business and open for use by the public for a fee, such as fitness centers, bowling alleys, indoor softball, and racquetball and tennis clubs.

*Inoperable Vehicle*

**(96) Institutional uses**

Churches, schools, hospitals, and other similar public or semi-public uses. This excludes nursing homes, convalescent homes, and adult foster care facilities.

*Junk*

**(97) Junkyard or recycling yard**

Any land or building used for commercial storage and/or sorting, recycling, or sale of paper, rags, scrap metals, salvaged building materials, other scrap or discarded materials, or for the dismantling, storage or salvaging of automobiles or other vehicles not in running condition, or of machinery or parts thereof, but not including a dump.

**(98) Kennel**

Any land, building or structure where four (4) or more cats and/or dogs over six (6) months of age are either permanently or temporarily boarded, housed, bred or sold for specified compensation.

**(99) Land Division** (also "Division")

Land division means the partitioning or splitting of a parcel or tract of land that results in one or more parcels of less than 40 acres, and that meets the requirements of the Land Division Act, Act 591 PA 1996, as amended.

**(100) Livestock Production Facility**

Any facility where farm animals as defined in the Right to Farm Act (P.A. 93 of 1981, as amended) are confined with a capacity of 50 animal units or greater, and the associated manure storage facilities.

**(101) Loading space**

An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or material.

**(102) Lot**

A parcel of land separated from other parcels of land by description on a recorded plat or by metes and bounds description, including a condominium unit site in a site condominium subdivision; having frontage upon a public or private street and having sufficient size to comply with the requirements of the Ordinance for: minimum area, setbacks, coverage, and open space. A lot may or may not be specifically designated as part of the public record.

**(103) Lot area**

The total horizontal area included within lot lines. Where the front lot line is the centerline of a public street, the lot area shall not include that part which is in the public right-of-way.

**(104) Lot area, net buildable**

The net lot area less areas devoted to floodplains or surface water bodies; water bodies being defined as areas greater than five (5) acres in size (either before or after project implementation) which are periodically or permanently covered with water.

For Planned Unit Developments, net buildable lot area is the net lot area less area devoted to water bodies; water bodies being defined as areas greater than five (5) acres in size (either before or after project implementation) which are periodically or permanently covered with water. However, in determining the overall density for the residential component of a Planned Unit Development, State regulated wetlands and non-State regulated wetlands may be included — see definition for density.

**(105) Lot, corner**

A lot where the interior angle of two adjacent sides at the intersection of two streets is less than one hundred and thirty five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the curve is of less radius than one hundred and fifty (150) feet, and tangents to the curve, at the two points where the side lot lines meet the curve, form an interior angle of less than one hundred and thirty five (135) degrees (See Figure 4).

**(106) Lot coverage**

A part or percentage of a lot occupied by buildings or structures.

**(107) Lot depth**

The arithmetic mean of the shortest and longest distances from the front lot line to the rear lot line (See Figure 5).

**(108) Lot frontage**

The length of the front lot line.

**(109) Lot, interior**

A lot other than a corner lot which, with the exception of a "through lot," has only one lot line fronting on a street.

**(110) Lot line**

The line bounding a lot, parcel, or general common element if there is no limited common element, which separates the lot, parcel, or general common element if there is no limited common element, from another lot, parcel, general common element if there is no limited common element, existing street right-of-way, approved private road easement, or ordinary high water mark.

**(111) Lot lines**

- 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 right-of-way (See Figure 6).
- b. **Rear lot line:** That lot line which is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, a line at least ten (10) feet in length, entirely within the lot, and generally parallel to and most distant from the front lot line (See Figure 6).
- c. **Side lot line:** Any lot line not a front or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line (See Figure 6)
- d. In the case of a lot fronting on right-of-way on two or more sides, or other case in which the above definitions do not apply, the Zoning Administrator shall designate front, rear and side lot lines, based on the following considerations:
  1. location and orientation of existing or proposed buildings on the lot in question, in relation to existing buildings on properties in the same general neighborhood.
  2. location and effect of vegetation, water, or other natural features affecting location of buildings or structures on the lot in question.

**(112) Lot, nonconforming**

A lot of record which does not meet the dimensional requirements of this Ordinance.

**(113) Lot of record**

A lot which actually 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 description of which has been so recorded.

**(114) Lot, through** (also "double frontage lot")

An interior lot having frontage on two (2) more or less parallel streets.

**(115) Lot width**

The horizontal distance between side lot lines measured parallel to the front lot line at the front setback line (See Figure 6).



**(116) Manufactured home**

A mobile home, residential building, dwelling unit, dwelling room or rooms, or a building component which is designed for long term residential use and is wholly or substantially constructed at an off-site location, transported to a site and erected.

**(117) Medical clinic**

An establishment where human patients are admitted for examination and treatment by a group of physicians, dentists or similar professionals on an out-patient basis. A clinic may incorporate customary laboratories and pharmacies incidental or necessary to its operation.

**(118) Mini-warehouse (also "self-storage warehouse")**

A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers strictly for the storage of a customer's non-hazardous goods or wares.

**(119) Mobile home**

A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained in the structure. "Mobile home" does not include a recreational vehicle or motor home.

**(120) Mobile home park**

A parcel or tract of land under the control of a person upon which three or more mobile homes are located on a continual non-recreational basis, and which is offered to the public for that purpose regardless of whether a charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

**(121) Mobile home site or space**

A portion of the mobile home park set aside and clearly designated for use by a specific mobile home.

**(122) Mobile home subdivision**

A platted residential development consisting of mobile homes or single and two family dwellings located on individual, separately-owned lots.

**(123) Motel (See "hotel")**

**(124) Motor home**

A self-propelled, licensed vehicle prefabricated on its own chassis, intended for recreational activities and temporary occupancy.

**(125) Non-Conforming use**

The use of a building or of land lawfully existing at the time this Ordinance or amendments became effective but which does not conform with the use regulations of the district in which it is located.

**(126) Non-Conforming lot of record ("Substandard lot")**

A lot lawfully existing at the time this Ordinance or amendments became effective, and which fails to meet the minimum area requirements of the zoning district in which it is located.

**(127) Non-Conforming structure**

A structure, or portion thereof, lawfully existing at the time this Ordinance or amendments became effective and which fails to meet the minimum requirements of the zoning district in which it is located.

**(128) Nursery, plant**

A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for wholesale or retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

**(129) Obscuring screen**

A visual barrier between adjacent areas or uses. The screen may consist of structures such as a wall, fence, or earthen berm, as specified in this Ordinance.

**(130) Offset**

The distance between the centerlines of driveways or streets across the street from one another.

**(131) Off-street parking lot**

A facility providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, so as to provide access for entrance and exit for the parking of more than two (2) vehicles.

**(132) Open air business**

A retail sales establishment operated substantially in the open air and outside of any enclosed building.

**(133) Ordinary high water mark**

The line, as determined by a Registered Land Surveyor, between upland and bottomland which persists through successive changes in water levels below which the presence and action of the water is so common or recurrent that the character of the land is marked

distinctly from the upland and is apparent in the soil itself, the configuration of the surface soil, and the vegetation.

**(134) Outdoor recreation establishment**

A privately owned facility designed and equipped for the conduct of sports, amusement or leisure time activities and other customary recreational activities outdoors (outside of an enclosed building) and operated as a business and open for use by the public for a fee such as tennis courts, archery ranges, golf courses, miniature golf courses, golf driving ranges, and children's amusement parks.

**(135) Parapet wall**

An extension of a building wall above the roof which may serve to screen roof-mounted mechanical equipment.

**(136) Parcel**

A lot described by metes and bounds or described in a recorded plat.

**(137) Parking space (stall)**

A designated area of definite length and width for parking of motor vehicles.

**(138) Planned unit development**

A form of land development comprehensively planned as an entity via a unitary site plan which permits flexibility in building, siting, usable open spaces, and the preservation of significant natural features. Such a development may contain a mix of housing types and non-residential uses.

**(139) Planning Commission**

The Brant Township Planning Commission as duly created under Act 184 of the Public Acts of 1943, as amended.

**(140) Plat**

A map of a subdivision of land.

**(141) Ponds and lakes**

Natural or artificial impoundments that retain water year round.

**(142) Practical Difficulty**

Circumstances that prevent carrying out the strict letter of this Ordinance in physically locating a permitted use on a parcel due to the lay of the land or the location of structures that existed prior to the effective date of this Ordinance. The circumstances that are claimed to be a practical difficulty must not have resulted from any act of a property owner or other applicant. The Zoning Board of Appeals must determine that a practical difficulty exists prior to granting a request for a variance.

**(143) Principal building or structure**

A building or structure in which is conducted the principal use of the lot upon which it is situated.

**(144) Principal use**

The main use to which the premises are devoted and the principal purpose for which the premises exist.

**(145) Principal use, permitted**

A use permitted in each zoning district by right.

**(146) Private club**

An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.

**(147) Private Road** means any undedicated path, trail, or road that provides or is intended to provide the primary means of ingress and egress to two (2) or more parcels, principal buildings, dwelling units, structures, or combination thereof.

**(148) Public and semi-public institutional buildings, structures and uses**

Buildings, structures, and uses of governmental agencies and non-profit organizations including but not limited to office buildings, municipal parking lots, post offices, libraries, and community centers.

**(149) Public park**

Any developed park, playground, beach, outdoor swimming pool, intended for active recreational pursuits, within the jurisdiction and control of a governmental agency.

**(150) Public open space**

Any primarily undeveloped land, intended for passive recreational pursuits, within the jurisdiction and control of a governmental agency.

**(151) Public street**

A public thoroughfare which affords the principal means of access to abutting property.

**(152) Public utility**

Any person, municipal department, board or commission duly authorized to furnish and furnishing under state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

**(153) Radioactive materials**

Materials defined as radioactive under Michigan Department of Environmental Quality regulations for transportation of radioactive materials or under Saginaw County Health Department regulations, whichever is determined to be applicable.

**(154) Recreational vehicle**

A vehicle intended and designed primarily for recreational use, such as motor homes, camper trailers, boats, snowmobiles, off-road and all terrain vehicles, and similar vehicles or trailers. The term "recreational vehicle" shall not include motorcycles or motorbikes or other similar means of transportation intended primarily for daily on-street use.

**(155) Retail store**

Any building or structure in which goods, wares, or merchandise are sold to the consumer for direct consumption and not for resale.

**(156) Right-of-way**

A street, alley or other thoroughfare or easement permanently established for passage of persons or vehicles and under the legal authority of the agency having jurisdiction over the right-of-way.

**(157) Salvage**

Material to be used for further use, recycling, or sale.

**(158) Salvage yard**

Any principal or accessory use where salvage or its component parts are bought and sold, exchanged, stored, baled, packed, disassembled, separated, or handled, including but not limited to: scrap iron and other metals, paper, rags, rubber tires and bottles. A "salvage yard" includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings. The term "salvage yard" does not include drop-off stations for residential recyclable materials.

**(159) Satellite dish antenna**

A device incorporating a reflective surface that is solid, open mesh, or bar configured; is in the shape of a shallow dish, parabola, cone or horn. Such a device shall be used to transmit and/or receive television, radio, or other electromagnetic communication signals between terrestrial and/or extraterrestrial-based sources. This definition includes, but is not limited to, what are commonly referred to as satellite earth stations, TVRO's (Television Reception Only satellite antennas), and satellite microwave antennas.

**(160) Screen**

A structure such as a fence or wall, providing enclosure and a visual barrier between the area enclosed and the adjacent property.

**(161) Service drive**

A drive which generally parallels the public right-of-way but runs along the back of a land use which fronts on the public street. A service drive may provide access to properties on both sides, and vary in width and design.

**(162) Setback, required**

The required minimum horizontal distance between a front, rear, or side lot line and a building line. Separate definitions for condominium projects are listed under "condominium setbacks."

**(163) Setback, parking lot**

The minimum horizontal distance between the street right-of-way or property line and the near edge of a parking lot, excluding necessary and/or approved driveways, frontage roads and landscaping areas.

**(164) Shopping center**

A commercial enterprise that is planned and developed as a unit, and which includes a group of retail businesses. Off-street parking is provided for the shopping center as a whole, as opposed to providing separate areas for individual businesses.

**(165) Shoreline**

The edge of a body of water measured at the ordinary high water mark.

**(166) Sight distance**

The length of roadway visible to the driver. Generally related to the distance or time (perception/reaction time) sufficient for the driver to execute a maneuver (turn from driveway or side street, stop or pass) without striking another vehicle or object in the roadway.

**(167) Sign**

A sign is the use of any words, numerals, figures, devices, designs, or trademarks which constitute a name, identification, description, display, or illustration which is affixed or applied to or represented directly or indirectly upon a building structure, or zoning lot, and which directs attention to an object, product, service, activity, person, institution, organization, or business. Various types of signs and their components are further defined as follows:

- a. **Billboard:** A billboard is an outdoor sign, structure, or symbol advertising services or products which are not made, produced, assembled, stored, or sold upon or from the lot or premises upon which the billboard is located. Billboards are also known as "off-premise signs" and "outdoor advertising."
- b. **Sign Area:** The area of a sign shall be computed as the entire area circumscribed by a parallelogram, triangle, circle, or semi-circle, or any combination of these figures, which includes all of the display area of the sign including frames surrounding display areas. For signs that consist of individual letters attached or painted on the wall of a building, with only the wall as background and no added decoration or border, the sign area shall be the geometrical shape formed by an imaginary line along the exterior perimeter of the work, or words as a whole. For purposes of computing sign area, only one side of a sign shall be used.

- c. **Canopy Sign:** A sign that is incorporated into the fabric or material of a canopy with the canopy being attached to an exterior wall or surface of a building. A canopy sign shall be considered a wall sign for purposes of determining sign area. In determining said area, only that portion of the canopy containing lettering or message shall be used as a basis for computation.
- d. **Directional Sign:** A sign directing and guiding vehicular or pedestrian traffic or parking, but bearing no advertising matter except for the "logo" of the business for which the directional signs are associated.
- e. **Flashing Sign:** Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times while in use.
- f. **Illuminated Sign:** Any sign designed to give forth artificial light, or designed to reflect any such light given from any source which is intended to cause such light or reflection.
- g. **Political Sign:** Any sign displaying a message and/or image associated with an election, referendum, election campaign, or similar event.
- h. **Portable Sign:** Any sign constructed so as to be readily movable from one location to another and not permanently affixed to a building or the ground. Portable signs include "trailer" signs.
- i. **Real Estate Sign:** A sign advertising that the premises on which the sign is located is for sale, lease, or rent.
- j. **Wall Sign:** A sign attached to or placed flat against the exterior wall or surface of any building, no portion of which projects more than twelve (12) inches from the wall. (See also "canopy sign.")

**(168) Site plan**

A scaled drawing(s) illustrating existing conditions and containing the elements required herein as applicable to the proposed development to ensure compliance with zoning provisions.

**(169) Special land use**

A use of land which is permitted within a particular zoning district only if the applicable standards have been met. A special land use requires that a special use permit be obtained.

**(170) Stable, private**

An accessory building in which horses are kept for private use and not for remuneration, hire, or sale.

**(171) Stable, commercial**

An accessory building where horses are kept for remuneration, hire, or sale, including any stable that is incidental to the operation of a club, association, ranch, or similar establishment.

**(172) Story**

That portion of a building between a floor and the floor or roof next above it. A basement shall be counted as a story if its ceiling is over four (4) feet above the average adjoining ground surface.

**(173) Street**

A public thoroughfare that affords the principal means of access to abutting property.

**(174) Structure**

Anything constructed, assembled or erected, the use of which requires location on the ground or attachment to something having location on or in the ground; this term shall include fences which are more than 50% solid, tanks, towers, dish antennae, advertising devices, tents, wagons, trailers, dining cars, or similar structures on wheels or other support used for business or living purposes. The word "structure" shall not apply to wires and their supporting poles or frames or electrical or telephone utilities or to service utilities below the ground.

**(175) Structural Alterations**

Any changes in the supporting members of a building such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls or any expansion or addition to the floor space of a building by the addition of bearing walls, columns, beams or girders.

**(176) Substantial improvement**

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

**(177) Temporary building, structure or use**

A building, structure or use permitted to exist during periods of construction of the principal building, structure, or use.



**(178) Use**

The purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

**(179) Variance**

A relaxation or modification of the requirements of this Ordinance as authorized by the Board of Zoning Appeals under the provisions of this Ordinance and Act 184 of the Public Acts of 1943, as amended.

**(180) Vehicle**

Any device in, upon, or by which any person or property is or may be transported or drawn upon any street, highway, excepting devices exclusively moved by human power or used exclusively upon stationary rails or tracks.

**(181) Veterinary Clinic**

A building, or any portion thereof, used for the medical treatment of domesticated animals by a Doctor of Veterinary Medicine and his or her employees, and including exterior or interior kennels or overnight lodging facilities for animals.

**(182) Wetland**

Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.

**(183) Wetland, regulated**

Certain wetlands regulated by the Michigan Department of Environmental Quality under the provisions of Act 203 of the Public Acts of 1979, as amended, and generally defined as land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh and which is any of the following:

- a. Contiguous to an inland lake or pond, or a river or stream;
- b. Not contiguous to an inland lake, pond, river or stream, and more than five (5) acres in size;
- c. Not contiguous to an inland lake or pond, or a river or stream; and five (5) acres or less in size if the Michigan Department of Environmental Quality determines that protection of the area is essential to the preservation of the natural resources of the state from pollution, impairment, or destruction and the department has so notified the property owner.

**(184) Yard**

- a. A space open to the sky and unoccupied or unobstructed, except by encroachments specifically permitted by this Ordinance, on the same lot with a building or structure.

A required yard is measured between the applicable lot line and the nearest foundation line of a building or structure.

- b. **Front yard:** A yard extending across the full width of the lot, the depth of which is the distance between the frontlot line and foundation line of the building or structure. In the case of a waterfront lot, the yard on the water side shall be the front yard (See Figure 6).
- c. **Rear yard:** A yard extending across the full width of the lot, the depth of which is the distance between the rear lot line and rear foundation line of the main building (See Figure 6).
- d. **Side yard:** A yard between the foundation line of the main building and the side lot line extending from the front yard to the rear yard (See Figure 6).

**(185) Zoning Act**

The Township Rural Zoning Act, Public Act 184 of 1943, as amended.

**(186) Zoning Administrator**

An individual appointed by the Brant Township Board delegated to administer the Brant Township Zoning Ordinance.

**(187) Zoning Board of Appeals**

The Brant Township Zoning Board of Appeals created under Act 184 of the Public Acts of 1943, as amended.

**(188) Zoning District**

A portion of the incorporated area of the township within which certain regulations and requirements or various combinations thereof apply under the provisions of the Zoning Ordinance.

## **Chapter 2: Definitions**

Following #82 Page 2-10

### **(83) Garbage**

Animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking and serving of food.

Following #95 Page 2-12

### **(96) Inoperable Vehicle**

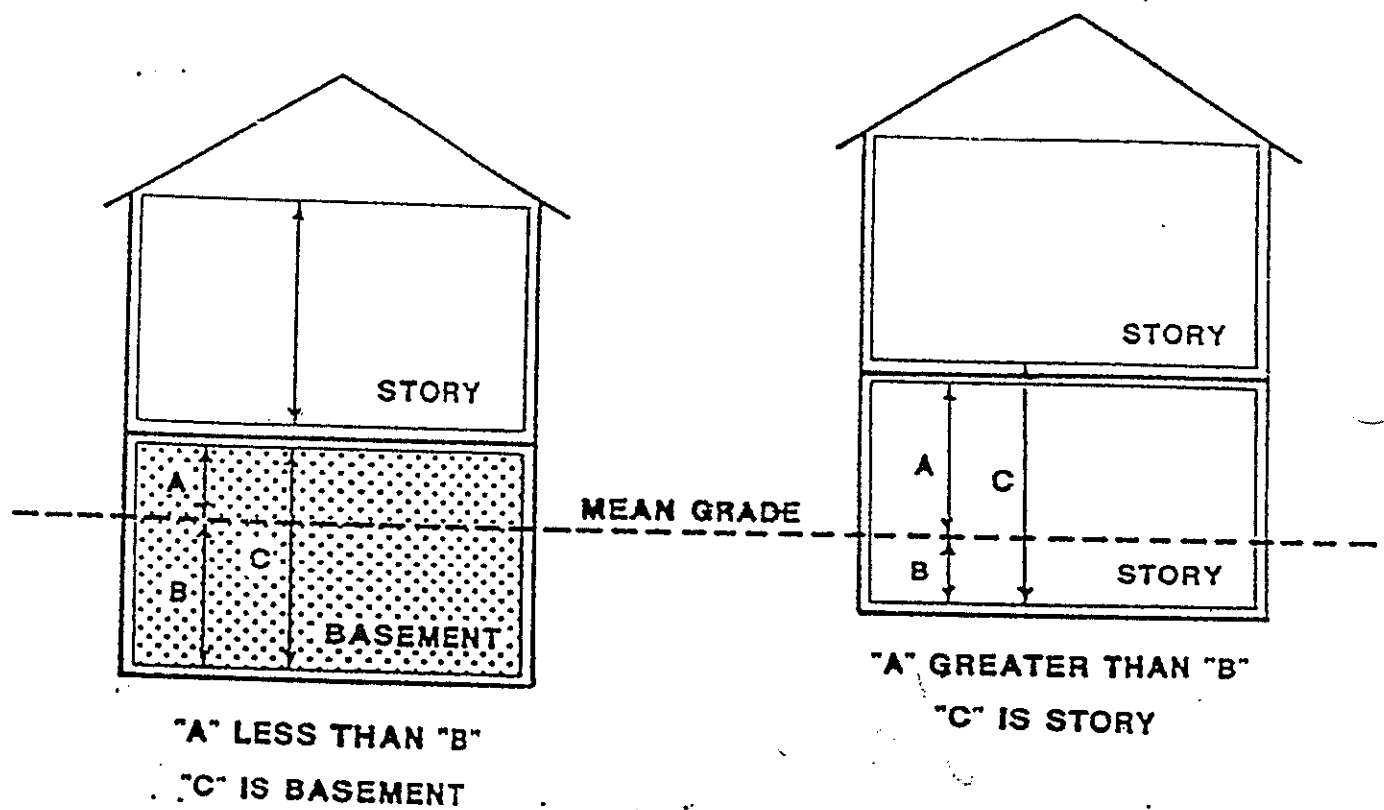
Any vehicle which is unlicensed, not insured or which cannot be demonstrated to function in the manner for which it was built.

Following #96 Page 2-12

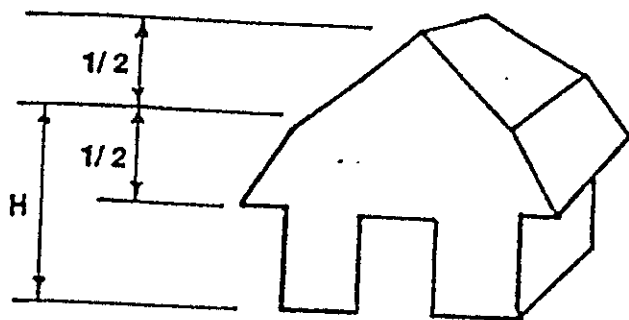
### **(97) Junk**

All motor and recreational vehicular parts, unusable recreational equipment or parts, unused stoves or other similar appliances, remnants of metal or any other material whether or not the same could be put to any reasonable use.

FIGURE 1  
BASEMENT AND STORY



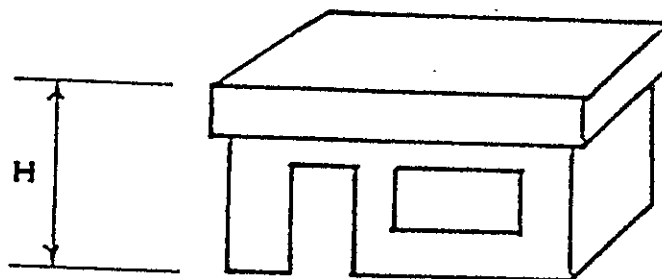
**FIGURE 2**  
**BUILDING HEIGHTS**



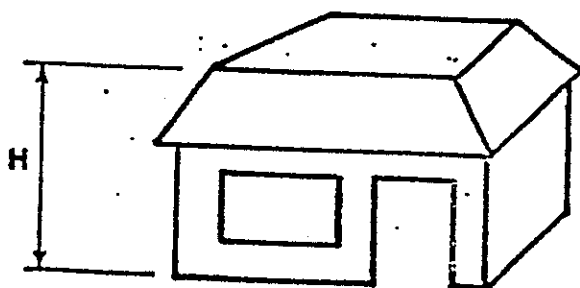
**GAMBREL ROOF**



**HIP ROOF**



**FLAT ROOF**



**MANSARD ROOF**



**GABLE ROOF**

FIGURE 3  
MEAN GRADE

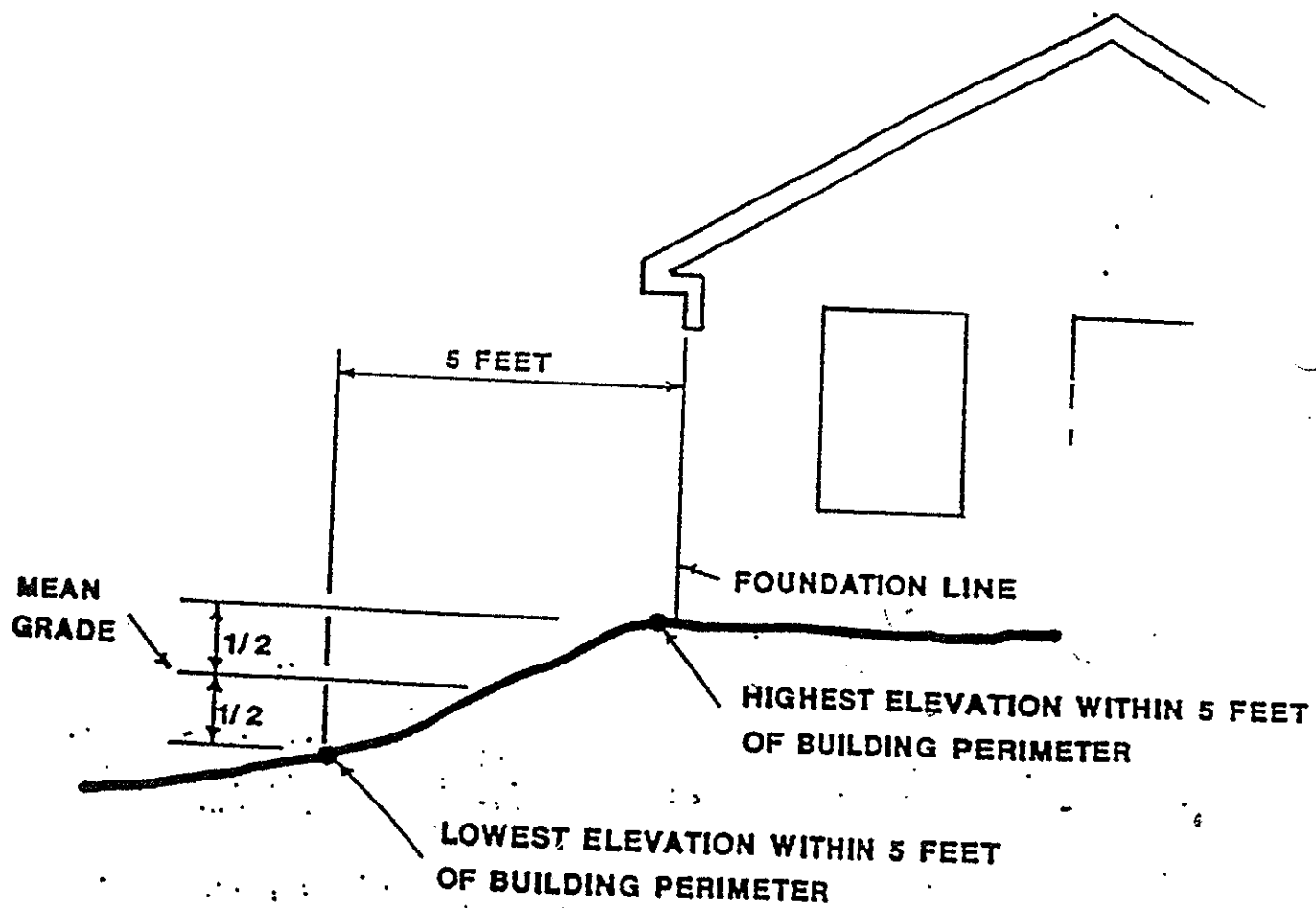


FIGURE 4  
CORNER LOT

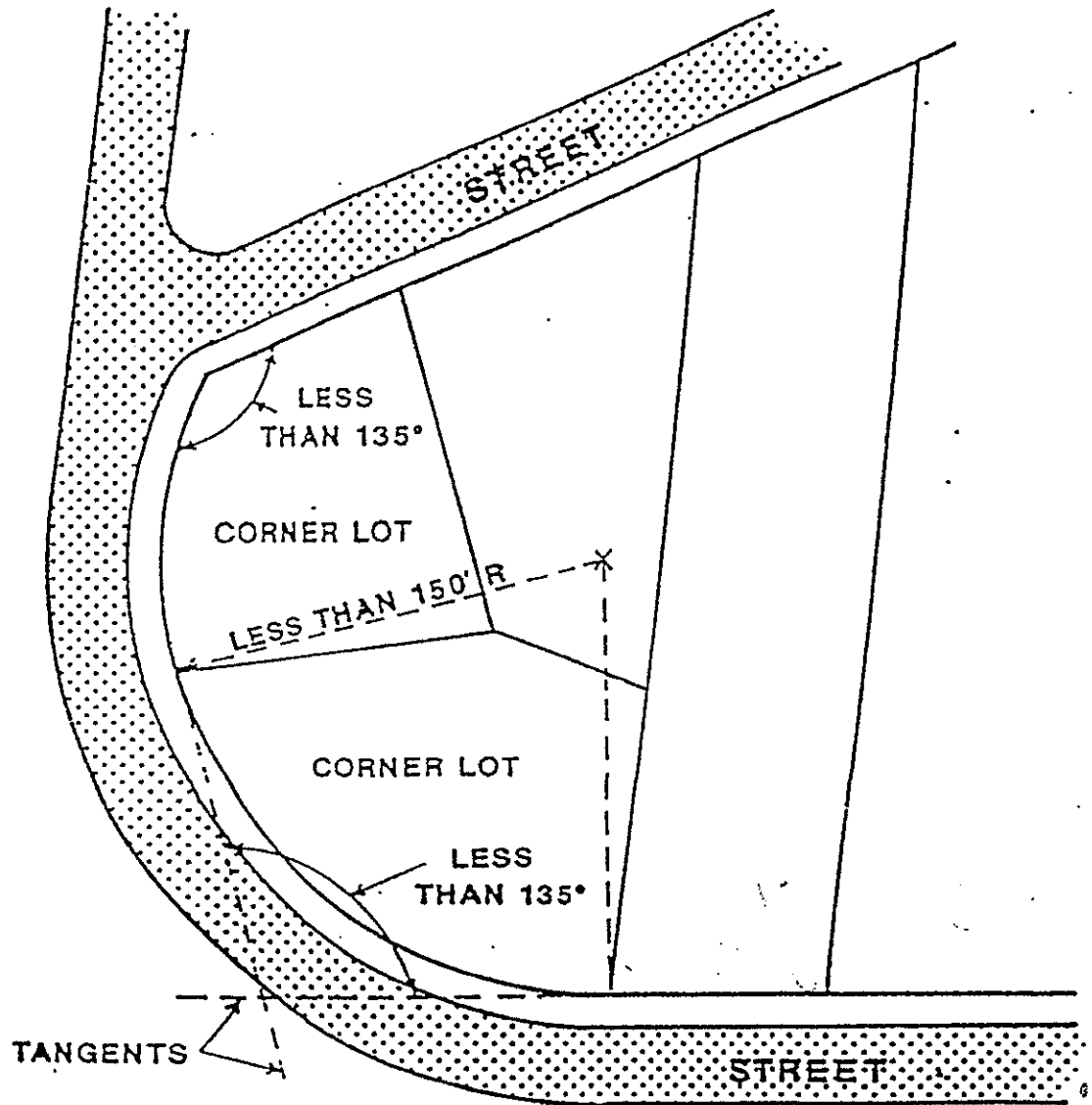
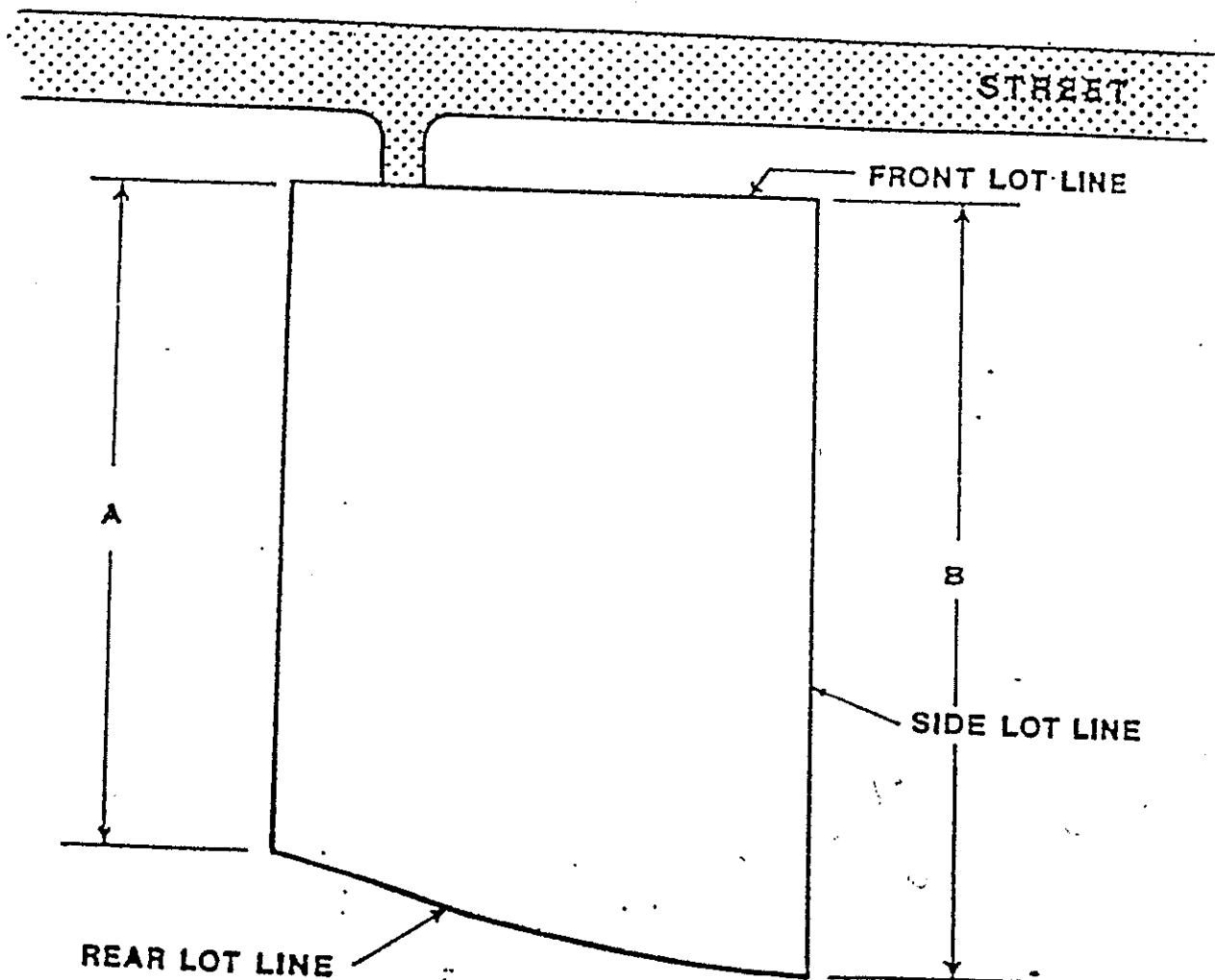


FIGURE 5

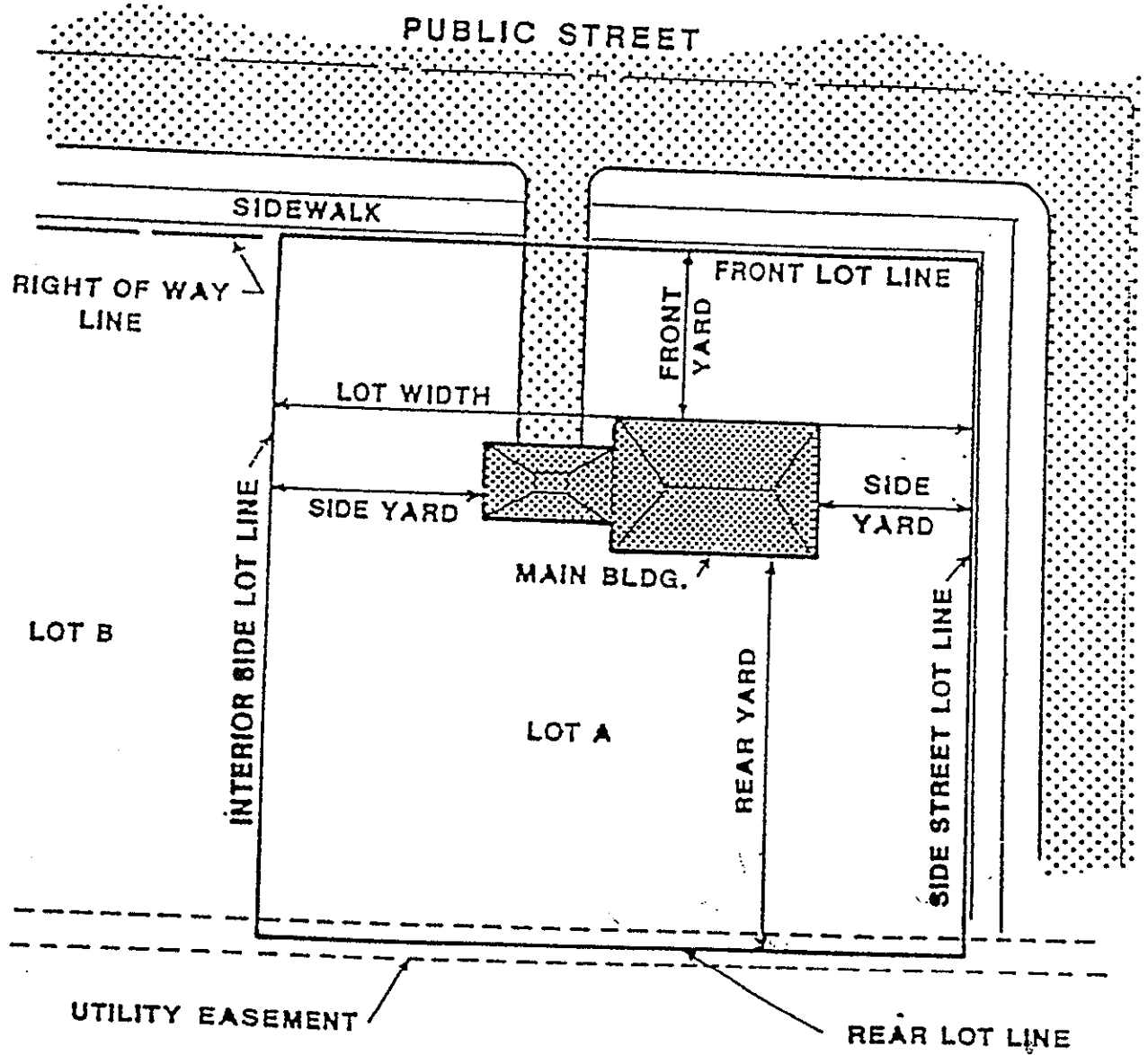
LOT DEPTH



LOT DEPTH=DISTANCE A + DISTANCE B



FIGURE 6  
LOT LINES AND YARDS





## Chapter 3

### General Requirements

#### Section 301. Scope of Regulations

The standards and regulations contained in this Ordinance shall apply to all land, buildings, structures, land uses, and land development projects that are established or commenced after the effective date of this Ordinance. Accordingly, no lots or parcels may be created or altered, nor any land use be established or commenced, nor any building or structure constructed, altered, or extended, except in a manner that complies with the provisions of this Ordinance.

#### Section 302. Supplementary Use Regulations

- (1) **Building Permits Required.** Any construction related to any type of zoning approval shall be commenced only after a building permit has been issued.
- (2) **Prior Building Permits.** Any building permit issued prior to the effective date of this Ordinance shall be valid, even though not conforming to the provisions of this Ordinance, *provided* that construction is commenced within ninety (90) days after the date the permit was issued and that the building is completed according to the plans filed with the permit application within one (1) year of the date of issuance.
- (3) **Buildings to be Moved.** No building shall be moved into or within the Township until a permit has been secured for the building to be moved.
- (4) **Temporary Occupancy Permit.** A temporary occupancy permit may be issued for a period of up to six (6) months, and may be renewed once for the same period.
- (5) **Health Department Approval Required.** Permits shall not be issued for the construction or establishment of buildings or uses requiring water or wastewater systems unless and until an applicant provides copies of the appropriate well and septic permits issued by the Saginaw County Health Department.
- (6) **Accessory Uses.** Nothing in this Ordinance shall be construed to prohibit the following accessory uses:
  - (a) Customary refreshment and service uses and buildings that are incidental to the recreational use of any park or recreation area.
  - (b) Buildings or structures necessary for provision of essential services.

- (c) Gardens, garden ornaments, and usual landscape features within a required yard space.
- (d) Fences, Walls and Screens.
  - (I.) No fence, wall or structural screen, other than plant materials, shall exceed six (6) feet in height on any residential property.
  - (II.) No fence, wall or hedge plantings shall exceed a height of three (3) feet within twenty (20) feet of any street right-of-way line.
  - (III.) If fencing is located less than two (2) feet from a lot line, it shall be installed with the finished ("good") side facing toward adjacent properties.
- (e) Retaining walls.
- (f) Public playgrounds.
- (g) Off-street parking for licensed motor vehicles as specified in Chapter x.
- (h) Accessory Occupations, permitted by Special Use Permit.
- (i) Home Occupations.
- (j) Use of premises as a voting place.
- (k) The renting of rooms to not more than two (2) non-transient persons in a dwelling unit that is otherwise occupied in a manner permitted in the district in which it is located.
- (7) **Inoperative or Dismantled Vehicles.** The storage of dismantled, wrecked and/or unlicensed vehicles, including recreational equipment, within any Zoning District is expressly prohibited *unless*:
  - (a) The vehicles are contained within a licensed junkyard or an enclosed structure; or
  - (b) Provided that the storage period does not exceed one (1) week. The storage period may be extended with written permission of the Zoning Administrator.
- (8) **Garbage, Rubbish and Junk.** All parcels must be kept free of all garbage, rubbish and junk/salvage, as defined in Chapter 2 of this Ordinance. Garbage, rubbish and junk/salvage in containers specifically designed for storage of these materials may be stored on a parcel until the next available collection date.
- (9) **Parking of Recreational Vehicles and Equipment.** The parking of recreational vehicles and equipment, including travel trailers, campers, snowmobiles, boats, and similar recreational equipment is prohibited within the required yard areas of any R District.

- (10) **Heavy Vehicles.** Storage of trucks in excess of one (1) ton capacity is prohibited within an R District.

### **Section 303. Supplementary Dwelling Regulations**

- (1) **Must Comply With Code Requirements.** Every dwelling must comply with all pertinent housing, fire, and construction codes in addition to the requirements of this Ordinance. This includes meeting or exceeding all applicable roof snow loads and strength requirements. If a dwelling is a mobile home, all construction, insulation, plumbing, and electrical apparatus shall conform to the "Mobile Home Construction and Safety Standards" of the U.S. Department of Housing and Urban Development.
- (2) **Mobile Home Installation.** In the event that a dwelling is a mobile home located in a mobile home park, it must be installed pursuant to the manufacturer's setup instructions with the wheels removed. It also must be secured to the ground by an anchoring system or device that complies with the Universal Building Code and the rules and regulations of the Michigan Mobile Home Commission. Each mobile home must have a perimeter wall or skirting that has the same dimensions as the dwelling. No mobile home shall have any towing mechanism, undercarriage, or chassis exposed.
- (3) **One Single Family Dwelling Per Parcel.** No building in the rear of or on the same lot with a principal building shall be used for residential purposes, except for elderly or handicapped family members, or farm laborers as permitted by special use permit in Chapter 6 of this Ordinance.
- (4) **Structures to be of Uniform Quality.** Any additions, rooms, or other areas of a dwelling must be constructed using workmanship and materials similar in quality to the original structure. Such additions, rooms, or other areas must be permanently attached to the principal structure, and they must be supported by a foundation as required herein.
- (5) **Roof Overhang and Steps.** All dwellings must have a roof overhang of not less than six (6) inches on all sides. All dwellings must contain steps that are connected to exterior door areas where a difference in elevation requires them.
- (6) **Maintenance.** All dwellings must be properly maintained and protected against deterioration and damage from the elements or the passage of time by prompt and appropriate repairs, resurfacing, coating, and any other necessary protective measures.
- (7) **Use of Mobile Home for Temporary Dwelling.** A temporary use may be authorized to house family members as provided in Section 303 (3), to house the

owner and immediate family during construction of a single family home, and to house the owner and immediate family during the repair of a single family home that has been damaged to an extent that it cannot be occupied.

Any mobile home intended for use as a temporary dwelling must meet the standards of this Ordinance and the Michigan Building Code. No structure, fixed or portable, shall be erected or moved onto a parcel and used for dwelling purposes unless a temporary permit is authorized by the Planning Commission and issued in accordance with Section 302. A temporary dwelling may not be occupied by more than one family.

- (8) **Storage Area.** Every dwelling unit must contain a storage area equal to ten percent (10%) of the square footage of the dwelling or one hundred (100) square feet, whichever is less. The storage area shall be located in a basement under the dwelling, an attic area, closet areas, or in a separate structure that meets all requirements of the Michigan Building Code.
- (9) **Foundation.** All single family dwellings, except mobile homes located in licensed mobile home parks, must be firmly attached to a permanent foundation that meets the Michigan Building Code requirements for such dwellings. The foundation walls shall have the same perimeter dimensions as the dwelling.
- (10) **Dimensions.** All single family dwellings must have a minimum width across all front, side, and rear elevations of twenty (20) feet and must comply in all respects with the Michigan Building Code, including minimum heights for habitable rooms.
- (11) **Exterior Doors.** Every single family dwelling must have exterior doors on not less than two sides with steps and porches connected to the doors where required due to a difference in elevation.
- (12) **Garage and Yard Sales.** Sales of used material from a single-family dwelling may occur twice a year for a period not to exceed two weeks for each occurrence.
- (13) **Accessory Building Not for Dwelling Use.** Nor portion of an accessory building in any Zoning District may be used as a dwelling.
- (14) **State Licensed Residential Facility.** No State Licensed Residential Facility for six (6) persons or less shall be located within fifteen hundred (1500) feet of another State Licensed Residential Facility.
- (15) **Home Occupations.** Home occupations are permitted, subject to the following standards:
  - a. The home occupation must be conducted within the principal dwelling or within a normally associated accessory building.

- b. The home occupation must be clearly incidental and subordinate to the use of the dwelling for dwelling purposes.
- c. The dwelling containing the home occupation shall have no exterior evidence that it is being used for any purpose other than as a dwelling, except for signs as permitted by this Ordinance.
- e. Home occupations shall not involve any activity or process that would constitute a nuisance or annoyance to adjoining properties by reason of noise, smoke, odor, electrical disturbance, exterior lighting, or the creation of vehicular traffic not normally associated with a residential use.
- f. There may be not more than one (1) employee not living at the dwelling.

#### **Section 304. Supplementary Parcel Regulations**

- (1) **Minimum Lot Frontage.** The front lot lines of all parcels, except flag lots, shall abut a public street and shall have a continuous permanent frontage at the front lot line for the required lot width. "Flag lots" are permitted only as specified under the zoning district requirements in Chapter 5 of this Ordinance.
- (2) **Access to a Street.** Any parcel created after the effective date of this ordinance shall have access to a public street.
- (3) **Space Used Once.** Any yard or other open space that is provided with any building or structure for the purpose of complying with the provisions of this Ordinance shall not again be used as a yard or other required open space for another building or structure, except where one is to be demolished upon completion of the other.
- (4) **Additional Front Setback.** Where the current right-of-way width of an arterial or collector street is less than its future right-of-way width as determined by the Saginaw County Road Commission, an additional front yard setback from the street is required. The front yard setback for properties fronting on such a street shall be measured from a line that lies a distance of one-half of the future right-of-way width from the centerline of the current right-of-way. This line shall be used for computing the front yard setback only. The current parcel dimensions shall be used for all other purposes under this Ordinance.
- (5) **Approval of Land Divisions.** All land divisions created after the effective date of this Ordinance shall comply with all requirements of the Michigan Land Division Act (Act 591 P.A. 1996, as amended). All land divisions created after the effective date of this Ordinance shall also comply with the lot area, width,

setback, and all other dimensional requirements of the zoning district in which such land divisions are located.

(6) **Floodplain Regulations**

- (a) Brant Township participates in the National Flood Insurance Program that is administered by the Federal Emergency Management Agency (FEMA). Portions of the Township that are within the 100-year floodplain are identified on the Flood Insurance Rate Map (FIRM) that has been developed for the community by FEMA.
- (b) Within the 100-year floodplain, no construction, fill, or alteration may occur except in accordance with Michigan Department of Environmental Quality (DEQ) requirements, as provided under Part 31 of Act 451 P.A. 1994, the Natural Resources and Environmental Protection Act.
- (c) An applicant for a State Floodplain Permit shall provide the Township with a copy of the application and the state's approval of the application for improvements that require a permit.

**Section 305. Supplementary Structure Regulations**

- (1) **Permitted Yard Encroachments.** The following items shall be considered to be accessory structures, even though they may be attached to a principal building, and may project into *side* and *rear* yards that are required for the principal building. Setbacks for accessory structures, as defined in Chapter 3, District Regulations, must be adhered to, as well as any requirements listed in this section.
  - (a) Open porches, paved terraces, and patios, with the following restrictions. Enclosed porches are considered to be part of the principal building and subject to all yard, setback, and area requirements.
    - (i) The highest finished elevation of the paved area or porch is not over three (3) feet above the average surrounding finished grade.
    - (ii) If a porch is roofed, the porch must be unenclosed and the roof shall be no higher than one (1) story.
    - (iii) If paved areas or porches are unroofed, they may have non-continuous windbreaks or walls that are not over six (6) feet high and that do not enclose more than one-half (1/2) the perimeter of the paved area or porch.
  - (b) Structural elements such as cornices, sills, chimneys, gutters, and similar features that project a maximum of two and one-half (2.5) feet.
  - (c) Fire escapes, outside stairways and balconies that are of open construction and that project a maximum of five (5) feet.
  - (d) Signs, subject to the provisions of Chapter 5.



- (2) **Permitted Height Exceptions.** The following exceptions shall be permitted to the height limitations specified in Chapter 3, District Regulations. These permitted exceptions shall not be used for human occupancy or dwelling purposes. **For each one (1) foot that a structure exceeds the zoning district height limit, the front, side, and rear setbacks shall each be increased by one (1) foot.** No exceptions are permitted to exceed the height limitations imposed by the Tri-City Area Joint Airport Zoning Ordinance.
- (a) Appurtenances to mechanical or structural elements such as elevator and stairway penthouses, ventilators, heating or air conditioning equipment, water storage tanks, and safety equipment shall be permitted to a maximum height of fifty-five (55) feet in any Business Zoning District.
  - (a) Special structures such as chimneys, smoke stacks, water towers, and standpipes shall be permitted to a maximum height of one hundred seventy-five (175) feet in any Zoning District.
  - (c) Tower structures such as radio or transmitting towers, microwave relay towers, or cellular phone towers are subject to the Special Use Permit requirements specified in Chapter 6.
  - (d) Residential television antennas or flagpoles shall be permitted to a maximum height of forty-five (45) feet in any Agricultural or Residential Zoning District. However, in no case shall the height of such an antenna or flagpole exceed the height of the roof peak by more than fifteen (15) feet.
  - (e) Structures for agricultural operations are permitted up to eighty-five (85) feet.
  - (f) Flagpoles in any Business Zoning District are permitted to a maximum height of sixty (60) feet.
- (3) **Screening Requirements.** Screening shall be constructed and maintained whenever a non-residential use is established on land sharing a boundary with any residential zoning district, and whenever multi-family housing is established adjacent to a single family or two-family residential use. Screening shall be provided by one of the following:
- (a) **Wall or Fence.** A solid wall or fence at least six (6) feet in height with a finished surface fronting on the residential district or use. Open spaces within such walls or fences shall not exceed a one (1) foot square in area.

- (b) **Berm.** A mound of earth at least six (6) feet in height and graded to a slope no greater than one (1) foot of rise in three (3) feet of horizontal distance. The berm shall be landscaped by planting with grasses and/or shrubs and trees.

### **Section 306. Accessory Structure Regulations**

#### **(1) Required Yards**

- (a) In a front yard, no accessory building, attached or detached, shall project into any required front yard.
- (b) In a rear yard, no accessory building, including attached and detached garages, shall be closer than five (5) feet from the rear lot line.
- (c) In a side yard, no attached accessory building shall be erected closer to any side lot line than the minimum side yard setback that is required for the principal building.
- (d) On a corner lot, no accessory building shall be closer to the side street right-of-way line than the side yard setback that is required for the principal building. In a case where the rear lot line of a corner lot coincides with the side lot line of an adjoining lot in a residential district, an accessory building shall not be closer than eight (8) feet to the common lot line.

#### **(2) Garage Entrance**

- (a) In no case shall the entrance to a garage be less than twenty-five (25) feet from a road right-of-way line.

#### **(3) Detached Buildings**

- (a) Detached accessory buildings shall be located no closer than ten (10) feet to any principal building.
- (b) They shall not occupy more than thirty (30) percent of the required side and rear yard area.

### **Section 307. Open Space Preservation Provisions**

#### **(1) Purpose.** The purpose of these provisions is as follows:

- (a) To provide optional open space preservation provisions for residential development, as required by Act 177 (P.A. 2001).

- (b) To encourage greater flexibility and efficiency in the design of single-family residential developments.
  - (c) To conserve open space and other important elements of the Township's rural character. Examples of these elements include important farmlands, woodlots, wildlife areas, historic sites and structures, unique landforms, and scenic areas.
- (2) **Applicability.** These provisions shall apply to the following situations:
  - (a) All lots created after the effective date of this ordinance in the following zoning districts where residences are permitted by right at a density of two (2) dwellings units per acre or less: A-1 Primary Agricultural and A-2 General Farming and Woodlot, and R-1A Residential.
- (3) **Submission Requirements.** An applicant who wishes to utilize the open space development option shall submit two (2) concept plans for review by the Zoning Administrator and the Planning Commission. These concept plans shall be prepared in accordance with the site plan requirements in Chapter 9, Section 907, and the following additional requirements:
  - (a) **Density Concept.** One concept plan shall portray the development of the dwelling units on the site according to the requirements for the zoning district in which the site is located with respect to lot area, width, setbacks, and all other dimensional requirements. The proposed density must be realistic in terms of the project area that would actually be buildable. Wetlands, floodplains, areas that are reserved for roads or utility easements, and other areas that are unbuildable shall be excluded from the project density calculations.
  - (b) **Open Space Concept.** The other concept plan shall portray the development of the dwelling units in a manner so that at least fifty percent (50%) of the land area of the site will perpetually remain in an undeveloped state. The Open Space Concept Plan shall contain the same number of dwelling units as the Density Concept Plan. "Undeveloped state" shall have the same meaning as specified in Act 177 (PA 2001); that is, a natural state preserving natural resources, natural features, or scenic or wooded conditions; agricultural use; open space; or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park. Land in an undeveloped state may be, but is not required to be, dedicated to the use of the public.
  - (c) **Project Narrative.** The applicant shall provide a written narrative that explains the project and its benefits. The narrative should specifically address all elements of the project that would not comply with the zoning district

regulations that would apply to the Density Concept Plan. The narrative shall clearly indicate the proposed project densities and how they were calculated.

- (4) **Approval Standards.** Prior to approving an Open Space Development, the Zoning Administrator must find, with the concurrence of a majority of the Planning Commission, that the proposed development complies with the following requirements:
- (a) The proposed development will comply with all requirements of the Saginaw County Department of Public Health for residential water supply and wastewater disposal.
  - (b) The proposed development will comply with all requirements of the Land Division Act.
  - (c) At least fifty percent (50%) of the project land area will remain perpetually in an undeveloped state, as previously defined in this section, by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land and that is acceptable to the Township.

## **Chapter 4**

### **Non-Conforming Uses**

#### **401. Purpose**

Non-conforming uses are incompatible with permitted uses in the zoning districts in which they are located. Accordingly, non-conforming uses of land, structures and buildings, either singly or in combination, shall not be extended or enlarged after the effective date of this Ordinance, except in compliance with the provisions of this Article.

#### **402. Non-Conforming Buildings and Structures**

Existing buildings and structures that could not be built under the provisions of this Ordinance due to their noncompliance with floor area, height, setback, or other regulations may be added to, extended, reconstructed, or altered subject to the following provisions:

- a. A non-conforming structure may be enlarged or altered so long as the alteration does not increase its non-conformity.
- b. Should any such non-conforming structure or non-conforming portion of such structure be destroyed by any means, it may not be reconstructed except as a conforming structure..
- c. Should any such structure be moved for any reason, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.

#### **403. Non-Conforming Uses of Land**

Where at the time of passage of this Ordinance the lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, the use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.
- b. No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel other than that occupied by the use at the effective date of this Ordinance or its subsequent amendment.
- c. If any such non-conforming use of land ceases for any reason for a period of twelve (12) consecutive months or more, or if it is discontinued for a period of eighteen (18)

months or more in any three (3) year period, the land shall be made to conform to the regulations specified by this Ordinance for the district in which the land is located.

- d. No additional structure that does not conform to the requirements of this Ordinance shall be erected in connection with a non-conforming use of land.

#### **404. Non-Conforming Uses of Structures**

The non-conforming use of a building or structure, and the land on which it is located, which would not be permitted by the regulations imposed by this Ordinance may be continued as long as it remains otherwise lawful, subject to the following provisions:

- a. A lawful non-conforming use of a structure devoted to a use not permitted by this Ordinance in the zoning district in which it is located shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except to change the use of the structure to a use permitted in the district in which it is located.
- b. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for the use at the time of adoption or amendment of this Ordinance, but no such non-conforming use shall be extended to occupy any land outside such a building.
- c. If no structural alterations are made, any non-conforming use of a structure, or structures, and land may be changed to another non-conforming use provided that the proposed use is equally or more appropriate to the zoning district than the existing non-conforming use.
- d. Whenever a non-conforming use is changed to a conforming use, it shall not thereafter be changed to any non-conforming use.
- e. Any non-conforming single family residential structure may be expanded or increased in floor area up to fifty (50) percent of the size of the structure at the effective date of this Ordinance.
- f. When a non-conforming use of a structure, or a structure and land in combination, is discontinued or abandoned for twelve (12) consecutive months or more, or if it is discontinued or abandoned for eighteen (18) months or more in any three (3) year period, the structure, or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the zoning district in which it is located.
- g. Where non-conforming use status applies to a structure and land in combination, the removal or destruction of the structure shall eliminate the non-conforming status of the land. For the purpose of this Ordinance, "destruction" is defined as damage to an extent greater than one hundred (100) percent of the State Equalized Value at the time of destruction.

#### **405. Repairs and Maintenance**

For any non-conforming structure or portion of a structure containing a non-conforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing to an extent not greater than fifty (50) percent of the current State Equalized Valuation of the non-conforming structure or non-conforming portion of the structure as the case may be, provided that the total space in cubic feet that existed within the structure when it became non-conforming shall not be increased.

If a non-conforming structure or portion of a structure containing a non-conforming use becomes physically unsafe or unlawful by reason of its physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the zoning district in which it is located.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part of a building declared to be unsafe by the Zoning Administrator or Building Official.

#### **406. Damage of Non-Conforming Use or Building**

Any non-conforming use or non-conforming building which has been destroyed or damaged by fire, explosion, act of God, or public enemy to an extent more than sixty (60) percent of its replacement cost shall not be reconstructed except in conformity with the provisions of this Ordinance. The restoration shall be commenced within six (6) months of the date of the destruction and shall be diligently carried on to completion.

#### **407. Change in Tenancy or Ownership**

There may be a change in tenancy, ownership, or management of an existing non-conforming use, provided that there is no change in the nature or character of the non-conforming use.

#### **408. Non-Conforming Lots of Record (Substandard Lots)**

Lots of record that existed before the effective date of this Ordinance that do not comply with the lot area, width, or, other dimensional requirements established by the applicable zoning district regulations may be used, provided that:

- a. The minimum lot width shall be one hundred (100) feet.
- b. The front yard setback requirements shall not be reduced.

- c. No side yard setback shall be less than ten (10) feet.

#### **409. Elimination of Non-Conforming Uses**

The Township may acquire private property by purchase, condemnation, or other means for the removal of non-conforming uses. The cost of acquiring the private property may be paid from general funds or assessed to a special district, as provided in the Township Rural Zoning Act (Act 184 of 1943, as amended). The elimination of non-conforming uses and structures in a zoning district is declared to be for a public purpose and for a public use. The Township Board may institute proceedings for condemnation of non-conforming uses and structures under the power of eminent domain in accordance with the applicable Michigan statutes.



## **Chapter 5**

### **Zoning Districts**

#### **501. Division of the Township**

For the purposes of this Ordinance, Brant Township, Saginaw County, Michigan, is divided into the following zoning districts:

- CR Conservation and Recreation
- A-1 Primary Agricultural (Food and Fiber Production)
- A-2 General Farming and Woodlot (Dispersed Residential)
- R-1A Residential
- B-1 Community Commercial

#### **502. Official Zoning Map**

The boundaries of these zoning districts are hereby defined and established on a map entitled, "Zoning District Map of Brant Township," which accompanies this Ordinance. This map, with all explanatory matter thereon, is hereby made a part of this Ordinance. The official Zoning District Map shall be kept and maintained by the Township Clerk.

#### **503. Interpretation of Zoning District Boundaries**

The following rules shall be used in interpreting the boundaries shown on the Official Zoning Map:

- a. Boundaries that appear to follow the centerline of a street or highway shall be interpreted to follow that centerline.
- b. Boundaries that appear to follow a Township boundary line shall be interpreted to follow that boundary line.
- c. Boundaries that appear to follow the exterior property lines of a platted subdivision shall be interpreted to follow those property lines.
- d. Boundaries that appear to follow platted property lines shall be interpreted to follow those property lines.
- e. Boundaries that appear to follow the exterior property lines of a Planned Unit Development shall be interpreted to follow those exterior property lines.

- f. Boundaries that appear to follow the centerline of a stream or the ordinary high water mark of a lake shall be interpreted to follow that centerline or ordinary high water mark.
- g. Boundaries that appear to follow property lines, or interior or exterior section lines, shall be interpreted as following those property or section lines.

If the Zoning Administrator finds these standards to be inadequate for the purpose of interpreting the location of a zoning district boundary in any case, or if a property owner wishes to dispute the Zoning Administrator's interpretation of the location of a district boundary, the Zoning Board of Appeals may interpret the Zoning Map under the provisions of Chapter 9.

#### **504. District Regulations**

The following charts identify the intent and purpose, uses permitted by right, uses permitted by special use permit, and the dimensional requirements for each zoning district of Brant Township as described in Section 501.

Section 504.1

<b>CR Conservation and Recreation Zoning District Regulations</b>	
<b>Intent and Purpose:</b> 1. To preserve public lands and other open land areas for recreation, special open space uses, natural features, wildlife areas, and scenic areas.	
<b>Permitted Uses</b> 1. Forestry 2. Farming, including field crops, fruit orchards, truck farming, horticulture, aviaries, hatcheries, apiaries, and similar agricultural enterprises. 3. Plant nurseries & greenhouses without retail sales 4. Raising & keeping small animals and livestock. 5. Public & private conservation areas & structures for the conservation of water, soil, open space, forest, and wildlife resources. 6. Public (government) buildings related to conservation or recreational use. 7. Home occupations (for dwelling permitted as special use). 8. Accessory uses and structures.	<b>Special Uses Subject to Review and Approval as Specified in Article 6</b> 1. Public parks & recreation areas 2. Production of fur-bearing animals 3. Religious, social, and educational institutions 4. Golf courses, country clubs, and shooting clubs or ranges. 5. Golf driving ranges, miniature golf, and other commercial outdoor recreation. 6. Single family dwellings 7. Two-family dwellings 8. Aircraft landing strips 9. Ponds
<b>Minimum Lot Size</b> Area: Five (5) acres.  Width: (1) Continuous permanent frontage of 330 feet at the front lot line; or (2) Minimum of 66 feet of continuous frontage to provide sole access to a lot no less than 5 acres in area and a minimum of 330 feet in width.  <b>Maximum Parcel Coverage:</b> No maximum	<b>Minimum Setbacks</b> Front: 40 feet Side: 20 feet on each side. Rear: 40 feet  <b>Maximum building height (see note below):</b> Principal building: 3 stories, 40 feet Agricultural operations: 85 feet  <i>Also see Sec. 305 for permitted height exceptions.</i>
<b>Minimum Floor Area:</b> 850 square feet for dwelling units	<b>Off-Street Parking Requirements:</b> See Chapter 7
<b>Screening/Buffering Requirement:</b> See Chapter 3, Sec. 305(3).	<b>Sign Regulations:</b> See Chapter 8
<b>Other District Requirements:</b> Also see Floodplain Regulations, Chapter 3, Sec. 304(6).	

Section 504.2

*should be A-1*

**A-1 Primary Agricultural Zoning District Regulations (Food and Fiber Production)**

**Intent and Purpose:**

1. To preserve, enhance, and stabilize the areas within the Township that are used for food and fiber production.
2. To preserve the essential character and economic value of these areas as agricultural & open lands.

Permitted Uses	Special Uses Subject to Review and Approval as Specified in Chapter 6
<ol style="list-style-type: none"> <li>1. Forestry</li> <li>2. Farming, including field crops, fruit orchards, truck farming, horticulture, aviaries, hatcheries, apiaries, and similar agricultural enterprises</li> <li>3. Plant nurseries &amp; greenhouses without retail sales</li> <li>4. Raising &amp; keeping small animals and livestock</li> <li>5. Single family dwellings</li> <li>6. Roadside stands for sale of produce grown by owner</li> <li>7. Public utility transformer stations and substations, including gas regulator stations</li> <li>8. Public &amp; private conservation areas &amp; structures for the conservation of water, soil, open space, forest, and wildlife resources</li> <li>9. Cemeteries</li> <li>10. Home occupations</li> <li>11. State licensed residential facilities</li> <li>12. Family child care</li> <li>13. Accessory uses and structures</li> </ol>	<ol style="list-style-type: none"> <li>1. Public parks &amp; recreation areas</li> <li>2. Production of fur-bearing animals</li> <li>3. Grain &amp; seed elevators</li> <li>4. Wholesale &amp; cooperative agricultural product storage</li> <li>5. Multiple family housing</li> <li>6. Veterinary clinics</li> <li>7. Kennels</li> <li>8. Commercial stables</li> <li>9. Livestock auction yards</li> <li>10. Housing for seasonal labor</li> <li>11. Religious, social, and educational institutions</li> <li>12. Institutions for handicapped persons &amp; substance abuse treatment</li> <li>13. Aircraft landing strips</li> <li>14. Public (government) buildings</li> <li>15. Natural resources extraction: sand, gravel, clay and topsoil removal</li> <li>16. Ponds</li> <li>17. Communications towers</li> <li>18. Plant nurseries and greenhouses with retail sale</li> <li>19. Funeral Homes and Mortuaries</li> <li>20. Motorized race tracks for motorcycles, off-road vehicles and similar uses</li> </ol>
<p><b>Minimum Lot Size</b> Area: 60,000 square feet. <i>1.6 Acres</i></p> <p>Width: (1) Continuous permanent frontage of 200 feet at the front lot line; or (2) Minimum of 66 feet of continuous frontage to provide sole access to a lot at least 200 by 300 feet in size.</p> <p><b>Maximum Parcel Coverage:</b> None</p>	<p><b>Minimum Setbacks</b> Front: 40 feet Side: 35 feet total; minimum of 15 feet on one side. Rear: 40 feet <i>(5)</i></p> <p><b>Maximum building height (see note below):</b> Principal building: 2.5 stories, 35 feet Agricultural operations: 85 feet <i>Also see Sec. 305 for permitted height exceptions.</i></p>
<p><b>Minimum Floor Area:</b> 850 square feet for dwelling units (See Special Use Chapter for multi-family housing requirements)</p>	<p><b>Off-Street Parking Requirements:</b> See Chapter 7</p>
<p><b>Screening/Buffering Requirement:</b> See Chapter 3, Sec. 305(3).</p>	<p><b>Sign Regulations:</b> See Chapter 8</p>
<p><b>Other District Requirements:</b> Also see Floodplain Regulations, Chapter 3, Sec. 304(6).</p>	

*Added  
SPC re motor 54  
21*

*Pole  
Barn*

Section 504.3

**A-2 General Farming and Woodlot Zoning District Regulations (Dispersed Residential)**

**Intent and Purpose:**

1. To permit a controlled mixture of residential and agricultural uses that are compatible with a rural environment.
2. To provide for special uses of a non-farm nature that will not be contrary to the basic objectives of this Ordinance.

Permitted Uses	Special Uses Subject to Review and Approval as Specified in Chapter 6
<ol style="list-style-type: none"> <li>1. Forestry</li> <li>2. Farming, including field crops, fruit orchards, truck farming, horticulture, aviaries, hatcheries, apiaries, and similar agricultural enterprises.</li> <li>3. Plant nurseries &amp; greenhouses without retail sales</li> <li>4. Raising &amp; keeping small animals and livestock.</li> <li>5. Single family dwellings.</li> <li>6. Roadside stands for sale of produce grown by owner.</li> <li>7. Public utility transformer stations and substations, including gas regulator stations</li> <li>8. Public &amp; private conservation areas &amp; structures for the conservation of water, soil, open space, forest, and wildlife resources.</li> <li>9. Cemeteries.</li> <li>10. Home occupations.</li> <li>11. State licensed residential facilities.</li> <li>12. Family child care</li> <li>13. Accessory uses and structures.</li> </ol>	<ol style="list-style-type: none"> <li>1. All uses permitted by Special Use Permit in the A-1 District.</li> <li>4. Two-family homes</li> <li>5. Mobile home parks</li> <li>6. Multiple family housing</li> <li>7. Commercial recreation uses</li> <li>8. Golf courses</li> <li>9. Driving ranges</li> <li>10. Shooting ranges</li> <li>11. Race tracks for motorized vehicles</li> <li>12. Miniature golf</li> <li>13. Sewage treatment &amp; disposal facilities</li> <li>14. Ponds</li> <li>15. Temporary outdoor uses, including fairs and carnivals, Christmas tree sales, and revival tents.</li> <li>16. Funeral Homes and Mortuaries</li> <li>17. Motorized race tracks for motorcycles, off-road vehicles and similar uses</li> </ol>
<p><b>Minimum Lot Size</b> Area: One acre (43,560 square feet) <i>1 acre</i></p> <p>Width: Continuous, permanent frontage of 110 feet at the front lot line.</p> <p><b>Maximum Parcel Coverage:</b> None</p>	<p><b>Minimum Setbacks</b> Front: 40 feet Side: 35 feet total; minimum of 15 feet on one side. Rear: 40 feet for principal building</p> <p><b>Maximum building height (see note below):</b> Principal building: 2.5 stories, 35 feet Accessory building: One story, 15 feet Agricultural operations: 85 feet <i>Also see Sec. 305 for permitted height exceptions</i></p>
<p><b>Minimum Floor Area:</b> 850 square feet for single family dwellings <i>(See Special Use Chapter for multi-family housing requirements)</i></p>	<p><b>Off-Street Parking Requirements:</b> See Chapter 7</p>
<p><b>Screening/Buffering Requirement:</b> See Chapter 3, Sec. 305(3).</p>	<p><b>Sign Regulations:</b> See Chapter 8</p>

**Section 504.4**

**R-1A Residential District Regulations (Dispersed Residential)**

**Intent and Purpose:**

1. To permit low density residential and related uses that are compatible with a rural environment.
2. To provide appropriate development controls for areas that are in transition between agricultural and non-farm uses.

<p style="text-align: center;"><b>Permitted Uses</b></p> <ol style="list-style-type: none"> <li>1. Single family dwellings.</li> <li>2. Farms and farming operations, subject to regulations listed below.</li> <li>3. Cemeteries.</li> <li>4. Family child care</li> <li>5. Home occupations.</li> <li>6. Public parks &amp; recreation areas</li> <li>7. State licensed residential facilities.</li> <li>8. Accessory uses and structures.</li> </ol>	<p style="text-align: center;"><b>Special Uses Subject to Review and Approval as Specified in Chapter 6</b></p> <ol style="list-style-type: none"> <li>1. Religious, social, and educational institutions (</li> <li>2. Public (government) buildings</li> <li>3. Multiple family housing</li> <li>4. Golf courses, not including driving ranges &amp; miniature golf courses.</li> <li>5. Country clubs</li> </ol>
<p><b>Minimum Lot Size</b> Area: One acre (43,560 square feet).</p> <p>Width: Continuous, permanent frontage of 110 feet at the front lot line.</p> <p><b>Maximum Parcel Coverage:</b> A maximum of 25% of a lot may be covered by buildings.</p>	<p><b>Minimum Setbacks</b> Front: 30 feet Side: 25 feet total; minimum of 10 feet on one side. Rear: 40 feet</p> <p><b>Maximum building height (see note below):</b> Principal building: 2.5 stories, 35 feet Agricultural operations: 85 feet <i>Also see Sec. 305 for permitted height exceptions</i></p>
<p><b>Minimum Floor Area:</b> 850 square feet for single family dwellings (<i>See Special Use Chapter for multi-family housing requirements</i>)</p>	<p><b>Off-Street Parking Requirements:</b> See Chapter 7</p>
<p><b>Screening/Buffering Requirement:</b> See Chapter 3, Sec. 305(3)</p>	<p><b>Sign Regulations:</b> See Chapter 8</p>
<p><b>Other District Requirements:</b></p> <ol style="list-style-type: none"> <li>1. Also see Floodplain Regulations, Chapter 3, Sec. 304(6).</li> <li>2. Farming operations in this district are subject to the following regulations: <ol style="list-style-type: none"> <li>a. No manure or other odor or dust-producing materials may be stored within 150 feet of any adjoining property line.</li> <li>b. Buildings that house farm animals, including stables, shall not be closer than 150 feet from an adjoining lot line.</li> <li>c. No farm building shall be closer than fifty (50) feet to any lot line.</li> <li>d. Customary farm animals except swine, poultry, rabbits, and dogs other than household pets may be kept on a non-commercial basis when adequately housed and fenced on a parcel not less than one (1) acre.</li> </ol> </li> </ol>	

<b>B-1 Commercial Zoning District Regulations (Community Commercial)</b> <b>Intent and Purpose:</b> <ol style="list-style-type: none"> <li>1. To provide suitable areas for general retail &amp; wholesale uses, and business &amp; personal services.</li> <li>2. To provide areas in the Township for light manufacturing &amp; processing uses with few nuisance characteristics.</li> <li>3. To permit medium-density residential development with appropriate controls.</li> </ol>	
<b>Permitted Uses</b> <ol style="list-style-type: none"> <li>1. General retail businesses, including merchandise sales within an enclosed building and retail food sales.</li> <li>2. Offices and professional services, including medical, design, financial services, and other administrative offices.</li> <li>3. Personal service establishments</li> <li>4. Institutions for human care, including hospitals and clinics.</li> <li>5. Commercial schools</li> <li>6. Wholesale businesses</li> <li>7. Building supply &amp; equipment establishments with retail sales.</li> <li>8. Public utility installations &amp; buildings.</li> <li>9. Pet shops with animals kept entirely within enclosed building.</li> <li>10. Assembly buildings including auditoriums, private clubs &amp; fraternal organizations, and churches.</li> <li>11. Funeral homes &amp; mortuaries.</li> <li>12. Service businesses, including printing, publishing, photographic reproduction, and related uses.</li> <li>13. Radio &amp; television stations.</li> <li>14. Vehicle sales establishments with showroom facilities for automobiles, boats, and similar uses.</li> <li>15. Commercial recreation facilities conducted entirely within an enclosed building,</li> <li>16. Accessory uses and structures.</li> <li>17. Funeral Homes and Mortuaries</li> <li>18. Crematory <i>added</i></li> </ol>	<b>Special Uses Subject to Review and Approval as Specified in Article 6</b> <ol style="list-style-type: none"> <li>1. Manufacturing &amp; processing establishments that sell their entire output at retail or wholesale on or from the premises.</li> <li>2. Drive-in &amp; drive-thru businesses</li> <li>3. Junkyards</li> <li>4. Temporary outdoor uses, including fairs &amp; carnivals, Christmas tree sales, and revival tents.</li> <li>5. Hotels &amp; motels</li> <li>6. Golf driving ranges &amp; miniature golf.</li> <li>7. Race tracks</li> <li>8. Veterinary clinics &amp; kennels.</li> <li>9. Mobile home parks</li> <li>10. Auto service stations, including car washes.</li> <li>11. Temporary outdoor uses</li> <li>12. Child care centers</li> <li>13. Religious, social &amp; educational institutions</li> <li>14. Restaurants, including clubs &amp; drinking establishments that have dancing &amp; entertainment, but excluding drive-in and drive-thru restaurants</li> </ol>
<b>Minimum Lot Size</b> Area: One acre (43,560 square feet). Width: Continuous, permanent frontage of 110 feet at the front lot line.  <b>Maximum Parcel Coverage:</b> None	<b>Minimum Setbacks</b> Front: 25 feet (May not be used for parking, loading, or accessory structures). Side: 10 feet each side; 20 feet if abutting a residential district. Rear: 20 feet <b>Maximum building height (see note below):</b> Principal building: 3.0 stories, 40 feet <i>Also see Sec. 305 for permitted height exceptions</i>
<b>Minimum Floor Area:</b> No minimum	<b>Off-Street Parking Requirements:</b> See Chapter 7
<b>Screening/Buffering Requirement:</b> See Chapter 3, Sec. 305(3).	<b>Sign Regulations:</b> See Chapter 8



**Other District Requirements:**

1. Commercial recreation uses may not be within 100 feet of a residential district.
2. Also see Floodplain Regulations, Chapter 3, Sec. 304(6).



## **Chapter 6**

### **Special Uses**

#### **601. Purpose**

In addition to the uses permitted by right in each zoning district, this Ordinance allows the establishment of special land uses subject to the procedures, standards, and regulations described in this Chapter. An application for a special use permit may be filed by any person who owns or has an interest in the property subject to the application.

#### **602. Application Procedures**

An application for a special use permit shall be submitted to the Zoning Administrator no less than thirty (30) days prior to the meeting at which the Planning Commission will consider the application. The review of applications submitted less than thirty (30) days prior to such meetings will be delayed until the next scheduled meeting.

Applications must be accompanied by the materials and information described below:

- a. A completed Special Use Permit application form and application fee.
- b. Three (3) copies of a site plan prepared as specified in *Chapter 9, Administration and Enforcement*.
- c. A written statement (preferably typewritten) describing how the proposed special use will comply with the general standards for special use approval listed under Section 606.

When a complete application is submitted, the Zoning Administrator shall confer with the Chairperson of the Planning Commission to schedule a public hearing on the application.

#### **603. Notice of Public Hearing**

Notice of the public hearing on the special use application must be published in a newspaper not more than fifteen (15) days and not less than five (5) days before the date of the meeting at which the public hearing will be held.

Notice of the hearing must also be delivered, either by mail or by personal delivery, to the applicant and all owners and occupants of property located within three hundred (300) feet of the property subject to the application for the special use permit. These notices must describe:

- a. The special use being requested;
- b. The property subject to the request (address, tax number, and/or legal description);

- c. The date, time, and place of the public hearing;
- d. Where and when the application, site plan, and other materials may be inspected by the public; and
- e. Where and when written comments on the application will be received.

**604. Public Hearing and Review Procedures**

The Planning Commission shall hold the public hearing on the proposed special use, and shall review the site plan and other materials submitted with the application.

Following the public hearing, the Planning Commission shall make a decision based on whether or not the proposed special use is consistent with the specific standards applicable to the special use described in Section 611, as well as the general standards described in Section 606. If it is found that the proposed special use is consistent with these standards, the Planning Commission must approve the proposed special use.

If the Planning Commission finds that the proposed special use is not consistent with the standards in Sections 606 and 611, then it may approve the use with conditions, or it may deny the proposed use altogether. In any event, the decision to approve, approve with conditions, or deny the application must be made within sixty (60) days of the date of the public hearing.

At any point during its review of an application, the Planning Commission may request that the applicant modify the site plan, or present additional information deemed necessary before making a decision on the proposed special use. In such cases, the Planning Commission shall table consideration of the application until the applicant provides the amended site plan or additional information.

**605. Appeal of Decision**

The Township Planning Commission's decision on applications for proposed special uses may be appealed to the State Court System, beginning with Circuit Court.

**606. General Standards for Approval of Special Uses**

Prior to approving, approving with conditions, or denying an application under the provisions of this Chapter, the Planning Commission must find that a proposed special use complies with the standards listed in this section:

- a. The property subject to the application is located in a zoning district in which the proposed special use may be established.

- b. The special use, as proposed, complies with the specific standards applicable to that special use as listed under the regulations for that zoning district.
- c. The proposed special use will be consistent with the intent and purpose of the Township Master Plan, as well as the intent and purpose of the zoning district in which the proposed use will be located.
- d. The proposed special use will not result in a material burden on police and fire services, nor on other public services and facilities.
- e. The proposed special use will not diminish the opportunity for adjacent property owners to use and develop their properties as zoned.
- f. The proposed special use will be designed, constructed, operated, and maintained so as not to negatively impact the character of land uses in the surrounding area.
- g. The proposed special use will not involve uses, activities, processes, materials, or equipment that will create a nuisance for other properties in the vicinity by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap or waste materials.

**607. Basis for Determination**

In rendering its decision on a proposed special use, the Planning Commission shall make specific reference to the standards in Section 606, Section 611, and the basis in fact for any conditions attached to the approval of a special use.

**608. Performance Guarantee**

The Planning Commission may require a performance guarantee **in accordance with Chapter 9, Section 902(4).**

**609. Compliance With Conditions of Special Use Permit Required**

An approved special use shall be developed, constructed, operated, and maintained in strict compliance with the terms of the special use permit, including the approved site plan and any attached conditions of approval. All improvements and other functional elements shall be constructed as proposed by the applicant and approved by the Planning Commission.

If the functional elements or improvements associated with a special use were designed by an architect or engineer, the applicant shall, following completion of construction, provide a statement prepared by the architect or engineer certifying that all improvements have been constructed in compliance with the special use permit as granted.

**610. Terms of Permit**

If a use established under a Special Use Permit is discontinued for one (1) year, the Special Use Permit shall expire. To re-establish the use after such expiration, a new Special Use Permit is required, beginning with a new application to the Township.

**611. Specific Standards, Requirements, and Conditions for Special Land Use Permits**

The following charts in *Section 612* specify the standards, requirements, and conditions for the various special land uses permitted by this Ordinance. The following items should also be noted:

- a. The granting of a Special Use Permit requires Site Plan Review and a public hearing.
- b. A Special Use Permit is a privilege granted by the Township when certain conditions are met. A Special Use is not allowed “by right.”
- c. The Township will revoke a Special Use Permit for failure to maintain compliance with the terms of the permit.
- d. Each special use must meet the minimum requirements for the Zoning District in which it is located, except as specifically noted in this section.
- e. This section lists the standards and additional requirements for uses that may be authorized by Special Use Permit. These standards take precedence over the District Regulations.
- f. The Planning Commission may, at its discretion, attach additional conditions to the approval of a special use. These conditions shall be reasonably related to the general standards specified in Section 606.

Section 612(a) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Institutional Uses: Hospitals & nursing homes; churches & religious institutions; public & private schools.	County primary road or State highway	1. Hospitals: 10 acres  2. All others: One (1) acre	Same as Zoning District where the proposed Special Use is located.	1. 35 feet from all property lines and road right-of-way lines.	25 %	1. Ambulance and delivery areas shall be screened from adjacent residential properties by a six (6) foot high solid masonry wall.
Golf courses, country clubs & shooting clubs	Paved road	Fifty (50) acres in area	Same as Zoning District where the proposed Special Use is located.	1. 50 feet from road right-of-way 2. 50 feet from adjacent property lines. 3. Shooting clubs shall provide a 200 foot wide wooded buffer between the perimeter of the site and all shooting areas.	10%	1. For golf course or country club, six (6) foot high visual screen required on any side abutting residential property.
Mobile Home Park	County primary road or State highway	Twenty (20) acres in area	750 feet	1. 60 feet from street right-of-way. 2. 60 feet from adjacent property lines.	30%	1. Mobile home park must be licensed by the State of Michigan. 2. Park must comply with all requirements of the Michigan Mobile Home Commission and its Administrative Rules.

Section 612(b) Special Land Use Requirements

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Group Day Care & Child Care Centers	Paved road	Same as Zoning District where the proposed Special Use is located.	Same as Zoning District	Same as Zoning District	Same as Zoning District	<ol style="list-style-type: none"><li>Must be licensed by Michigan Family Independence Agency.</li><li>Must provide adequate off-street parking for all employees.</li><li>All outdoor play areas shall be enclosed by a fence at least 6 feet in height.</li></ol>
Funeral Homes & Mortuaries	County primary road or State highway	One acre in area	Same as Zoning District	<ol style="list-style-type: none"><li>Front, side &amp; rear yards shall be at least 40 feet on all sides adjacent to residential districts or uses; at least 20 feet on all sides adjacent to non-residential districts.</li></ol>	Same as Zoning District	<ol style="list-style-type: none"><li>All yard areas shall be landscaped with trees, shrubs and grass.</li><li>No parking areas shall be permitted within required front and side yards.</li></ol>
Veterinary Clinics & Kennels	Paved road	Two (2) acres in area	Same as Zoning District	<ol style="list-style-type: none"><li>All buildings and structures shall be set back at least 100 feet from all property and street lines.</li></ol>	25%	<ol style="list-style-type: none"><li>If site abuts property in residential district, the required 100 foot setback described above shall include a landscape buffer consisting of trees, shrubs, grass &amp; structural screens of a type to be approved by the Planning Commission.</li></ol>



Section 612(c) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Automobile service facility, including repair, car wash & oil change facilities.	County primary road or State highway	Same as Zoning District	150 feet	Buildings, canopies, fuel pump islands & service drives shall conform to requirements for the district in which the site is located, but shall be no closer than 50 feet to any property line of a residential district or use, unless separated by a public street.	Same as Zoning District	<ol style="list-style-type: none"><li>1. Driveways shall be at least 60 feet from the right-of-way line of the nearest intersecting road.</li><li>2. The maximum width of each driveway shall not exceed 35 feet at the property line.</li><li>3. If there is more than one driveway, they shall be at least 60 feet from one another at the nearest edges.</li><li>4. There shall be no more than two (2) driveway openings per road frontage.</li><li>5. No driveway or curb cut for a driveway shall be located within 10 feet of an adjoining property line and shall be no less than 25 feet from any adjacent lot within a residential district or use.</li><li>6. If drive-through washing or oil change facilities are included, the site must provide a holding area for at least 4 vehicles to wait off the public right-of-way.</li></ol>

Section 612(d) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Restaurants, including clubs & drinking establishments (not drive-in or drive-thru businesses)	Site should have at least one property line on a paved road & provide its main access point from that road.	Same as Zoning District	150 feet	<ol style="list-style-type: none"> <li>50 feet from all road right-of-way lines</li> <li>50 feet from adjacent property lines of a residential district or use, unless separated by a public street.</li> </ol>	Same as Zoning District	<ol style="list-style-type: none"> <li>Driveways shall be at least 60 feet from the right-of-way line of the nearest intersecting road.</li> <li>The maximum width of each driveway shall not exceed 35 feet at the property line.</li> <li>If there is more than one driveway, they shall be at least 60 feet from one another at the nearest edges.</li> <li>There shall be no more than two (2) driveway openings per road frontage.</li> <li>No driveway or curb cut for a driveway shall be located within 10 feet of an adjoining property line and shall be no less than 25 feet from any adjacent lot within a residential district or use.</li> <li>Dancing and/or entertainment shall be addressed through separate Township permit.</li> </ol>
Golf driving ranges, miniature golf, and other commercial outdoor recreation uses.	Site should have at least one property line on a paved road & provide its main access point from that road.	Two (2) acres	Same as Zoning District	<ol style="list-style-type: none"> <li>All uses, structures and operations shall be set back at least 100 feet from any public road used for access purposes.</li> <li>All uses, structures and operations shall be set back at least 50 feet from all adjacent property lines.</li> </ol>	Same as Zoning District	<ol style="list-style-type: none"> <li>If the site abuts a residential or agricultural district, a buffer area at least 200 feet wide must be established between all structures and operations and the property within the residential or agricultural district. The buffer shall consist of trees, shrubs, grass &amp; structural screens of a type to be approved by the Planning Commission</li> </ol>

Section 612(e) Special Land Use Requirements

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Riding Stables	Same as Zoning District	Ten (10) acres	Same as Zoning District	1. All buildings and structures shall be set back at least 200 feet from all property and street lines.	25%	1. If site abuts property in residential district, the required 200 foot setback shall include a landscape buffer consisting of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas.
Livestock Auction Yards	County primary road or State highway	Two (2) acres	Same as Zoning District	1. All buildings and structures shall be set back at least 200 feet from all property and street lines.	25%	1. If site abuts property in residential district, the required 200 foot setback shall include a landscape buffer consisting of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas.
Junk Yards and Salvage Yards	County primary road or State highway	Five (5) acres	Same as Zoning District	1. All salvage, storage & any other active work areas shall be set back at least 100 feet from all adjacent property lines and road right-of-way lines.	Same as Zoning District	1. All salvage, storage & any other active work areas shall be enclosed by a solid wall or fence at least eight (8) feet in height. 2. All activities shall be confined to the fenced-in area. No material may be stored above the height of the wall or fence, except that mobile equipment may exceed the wall or fence height. No equipment or material shall be used or stored outside the fenced area. 3. If the site abuts a residential or agricultural district, a buffer area at least 200 feet wide must be established between the fenced area and the property within the residential or agricultural district. The buffer shall consist of trees, shrubs, grass & structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas.

Section 612(f) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Manufacturing or Processing Establishment	County primary road or State highway	Same as Zoning District	Same as Zoning District	<div>1. All buildings and structures shall be set back at least 50 feet from all property and road right-of-way lines. This setback shall be increased to 100 feet if the use abuts a residential district or use.</div> <div>2. No side yard setback required if the use is attached to another business or manufacturing use with an approved firewall in between.</div>	Same as Zoning District	<div>1. If site abuts property in residential district or use, the required 100 foot setback shall include a landscape buffer consisting of trees, shrubs, grass &amp; structural screens of a type to be approved by the Planning Commission in order to effectively screen the site from adjacent areas.</div>

Section 612(g) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Sewage Treatment and Disposal Facility	County primary road or access by construction of one-half mile or less of new road.	Same as Zoning District	Same as Zoning District	1. All buildings and structures shall be set back at least 200 feet from all property and street lines.	Same as Zoning District	1. Site should be selected where operation will not cause detrimental levels of air or noise pollution impacts, or create other nuisance factors that would be detrimental to adjacent uses or property.  2. All operations shall be completely enclosed by a chain link fence not less than six (6) feet high.  3. The required 200 foot setback shall be designed as a buffer to minimize the appearance of the facility and any odors. The buffer strip shall contain grass, plant materials, and structural screens that are placed in a manner that is subject to the approval of the Planning Commission.
Private Aircraft Landing Strips	Site should have at least one property line abutting a public road.	1. Site dimensions shall be at least 2,640 feet by 500 feet. 2. All landing strips shall have a minimum length of 1,500 feet with a 500 foot clearance at each end.	See parcel size requirements.	Same as Zoning District	Same as Zoning District	1. Facility shall comply with all applicable Federal and State requirements. 2. Landing strip shall be for the exclusive use of the property owner and shall be situated entirely within the confines of his or her property. 3. No commercial aviation or other commercial activity shall be situated with the landing strip.

Section 612(h) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Motorized Race Tracks for Motorcycles, Off-Road Vehicles, and Similar Uses	<ol style="list-style-type: none"><li>Access should be from an improved county road, with all vehicle entry and exit from that road.</li><li>All vehicle entrance and exit points should be no closer than 200 feet from the intersection of any two roads.</li><li>Acceleration and deceleration lanes should be provided at points of entry and exit to the site.</li><li>Entrances and exits should be designed so that all vehicles within 100 feet of a public road have clear vertical and horizontal sight distances of 500 feet in either direction along the public road.</li></ol>	40 acres	Same as Zoning District	All structures, including fences, shall be set back at least 100 feet from any public road. This yard shall be landscaped in accordance with plans approved by the Planning Commission.	Same as Zoning District	<ol style="list-style-type: none"><li>Entire periphery of site shall be enclosed with a solid fence at least eight (8) feet in height. Fences shall be painted or otherwise finished attractively and inconspicuously.</li><li>If the site abuts property within a residential or agricultural zoning district, a buffer strip at least 200 feet wide shall be provide between all operations and structures and the residential or agricultural property. Trees, shrubs, grass and similar plant materials, and structural screens shall be placed with the buffer strip according to plans approved by the Planning Commission.</li></ol>
Temporary Outdoor Use, including carnival, flea market, Christmas tree sales, and revival tents.	<ol style="list-style-type: none"><li>Access should be from an improved county road, with all vehicle entry and exit from that road.</li></ol>	Same as Zoning District	Same as Zoning District	All activity areas, including parking areas, shall be set back a minimum of 50 feet from all road and adjacent property lines.	Same as Zoning District	<ol style="list-style-type: none"><li>Zoning Administrator shall determine parking needs for the proposed use.</li><li>Planning Commission may impose other reasonable conditions that are designed to minimize adverse impacts on surrounding areas.</li></ol>

Section 612(f) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Two-Family Homes (Duplexes)	Same as Zoning District	Same as Zoning District	Same as Zoning District	Same as Zoning District	25 %	None. Site plan review and a public hearing are required, in addition to the basic district requirements.
Model Homes	Same as Zoning District	Same as Zoning District	Same as Zoning District	Same as Zoning District	25 %	1. Site plan review and a public hearing are required, in addition to the basic district requirements. 2. Permit shall be for one (1) year and may be renewed annually. 3. Mobile home sales are excluded from this provision.
Housing for Seasonal Labor	Same as Zoning District	Same as Zoning District: Seasonal housing may be located on same parcel as main dwelling.	Same as Zoning District	1. Seasonal housing must meet all district requirements for setbacks from roads and adjoining properties.	Same as Zoning District	None
Second Living Quarters for Family Member	Same as Zoning District	Same as Zoning District: second living quarters may be located on same lot as main dwelling.	Same as Zoning District.	1. Second living quarters must meet all district requirements for setbacks from roads and adjoining properties.	35%	

Section 612(j) Special Land Use Requirements

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Ponds and Soil Resource Extraction	<div>1. Sites of ecological significance such as wetlands should be avoided.</div> <div>2. An excavation that results in a pond should be located to minimize the potential for pollution from sources such as feedlots, farmsteads, corrals, and septic systems</div>	<div>1. Minimum size of pond is 80 feet across, measured from shortest side to side.</div> <div>2. Average designed water depth of pond shall be at least 10 feet for proper aeration &amp; circulation.</div>	Same as Zoning District	6. Distances of excavated areas from power lines and lot lines may be determined by Planning Commission, but shall be no less than 50 feet.	Same as Zoning District	<div>1. <i>See below</i></div>
<div>Other Requirements:</div> <div>1. Excavation shall not change surface or subsurface aquifers in a manner that adversely affects neighboring uses.</div> <div>2. Pond banks shall have a slope of one (1) foot vertical rise to three (3) foot horizontal run, extending to a depth at least eight (8) feet.</div> <div>3. Excavated material not removed from the site shall be spread to a depth that does not exceed three (3) feet above the original surface with the top of the fill graded to a continuous slope that does not exceed one (1) foot vertical to three (3) feet horizontal, and slopes away from any water body.</div> <div>4. As an alternative to # 3, the material may be shaped into berms that assume a natural angle of repose and that blend visually with the landscape. The toe of the slope of such berms shall be no closer than twelve (12) feet to the edge of the water of any pond formed by the excavation.</div> <div>5. At the end of each construction season, the completed portion of any excavated areas shall be landscaped and seeded with appropriate grass types. The landscaping shall not interfere with natural waterways or have an adverse effect on drainage of surrounding properties.</div> <div>6. No machinery or equipment should operate, and no trucks, trailers or other conveyances should arrive at any excavation site before 7:00 a.m. or after 8:00 p.m.</div> <div>7. Appropriate measures shall be taken to minimize levels of noise, dust, and flying rock while excavation takes place.</div> <div>8. Applicant shall obtain all necessary state permits, or provide written verification that permits are not required. Conditions of any required environmental permits shall also be noted on Special Use Permit.</div>						



Section 612(k) Special Land Use Requirements

Special Use	Site Access & Location Requirements	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Communication Towers	Same as Zoning District	<div>1. A minimum lot area of three (3) acres is required.</div> <div>2. Any tower structure must be centrally located on a parcel having dimensions not less than the height of the tower, as measured from the base of the tower to all points on each property line.</div>	Same as Zoning District	<div>1. No portion of any tower, including any guy wires and support structures, shall be located closer than fifty (50) feet to any property line.</div> <div>2. All structures shall be located at least two hundred (200) feet from any dwelling.</div>	<div>1. Same as Zoning District</div> <div>2. Accessory structures associated with a tower shall not exceed six hundred (600) square feet in area.</div>	See below

Other Requirements:

0. It is the policy of the Township to encourage the use of existing structures for communication facilities. Therefore, a permit for a new tower structure shall not be issued unless the applicant clearly demonstrates that co-location on an existing structure is not feasible.
0. If a permit for a new tower is granted, the applicant shall submit a notarized statement that the proposed tower is specifically designed to accommodate additional antennas, and that the applicant shall permit co-location under reasonable conditions. Failure to permit reasonable co-location shall be grounds for revocation of the special use permit and removal of the tower at the owner's expense.
0. All towers shall meet the standards of the Federal Aviation Administration and the Federal Communication Commission.
0. Tower height must comply with any Airport Zoning Regulations that are in effect. In no case may the tower height exceed two hundred (200) feet.
0. All towers shall be constructed in compliance with all applicable local statutes, regulations, and standards, including design requirements for withstanding wind loading and grounding for lightning strike protection. Compliance with these items shall be verified by a licensed professional structural engineer.
1. Towers shall not be artificially lighted unless required by the Federal Aviation Administration.
2. Towers shall not display advertising or identification of any kind, except as required for emergency purposes.
3. The Township may require a performance bond to ensure the proper construction and maintenance of a tower.

**Section 612(k) Special Land Use Requirements, Continued**

**Other Requirements for Communication Towers, continued from previous page:**

4. The applicant or owner must provide written statements that certify the following to the Township:
  - That the owner will notify the Township of any change in ownership or control of the tower.
  - That the owner will notify the Township of any change in operation of the tower, including the cessation of operations.
  - That if the tower is not operated for a continuous period of 12 months, it shall be considered abandoned, and the owner shall remove the tower within 90 days of notification of such abandonment by the Township. If the owner fails to remove the tower within 90 days, the Township may remove the tower at the owner's expense.
1. Construction of a tower that is authorized under a Special Use Permit shall be completed within one year of the date of the permit, or the permit shall become void.

Brant Township Zoning Ordinance

Section 612 (I) Special Land Use Requirements, Continued

Special Use	Site Access & Location Recommendations	Minimum Parcel Size (Lot Area)	Minimum Parcel Width	Minimum Building Setbacks	Maximum Lot Coverage by Buildings	Other Requirements
Crematory	No special Restrictions	80,000 square feet in A-1 district; 43,560 square feet (one acre) in A-2	250 feet	100 feet from adjacent property lines and road right-of-way lines	35%	Must obtain and verify compliance with all required state permits, including those pertaining to air quality and emissions.
Wind Turbine Generators (WTG's)	No special restrictions	Same as zoning district	Same as zoning district	Each WTG tower must be set back from all adjacent property lines and road right-of-way lines a minimum distance equal to 150% height of tower including the top of the blade in its vertical position.		See below.

## **Brant Township Zoning Ordinance**

### **Section 612 (l) Special Land Use Requirements, Continued**

#### **Other Requirements for Wind Turbine Generators, continued from previous page:**

1. Towers should be secured to prohibit access by unauthorized persons. Planning Commission may require security fence.
2. Maximum noise level generated by any WTG shall not exceed 60 decibels, measured at the property line, including downwind from the installation. Applicant shall provide certification that noise level is not exceeded, both before and after construction.
3. WTG shall not cause human detectable vibrations at the property line.
4. The lowest point of the arc created by rotating blades on any WTG tower shall be at least twenty (20) feet above ground level.
5. If towers are to be lighted, applicant must apply to Federal Aviation Administration (FAA) for lighting that meets the following standards:
  - (a) Lighting used shall be the lowest intensity allowable.
  - (b) Shall avoid strobe lighting or other intermittent white lighting fixtures.
  - (c) May utilize a green or red top light that does not pulsate or blink.
  - (d) All light shall comply with the minimum FAA requirements. A written FAA report shall be submitted to verify lighting requirements.

## **Chapter 7**

# **Off-Street Parking and Loading Space Requirements**

### **701. Purpose**

Before any building or use is occupied, or is enlarged or increased in capacity, off-street parking spaces for motor vehicles must be provided and maintained as described in this Chapter.

### **702. General Requirements**

- a. If the use of a building or premises changes, the parking requirements applicable to the new use shall apply. If a building or use is enlarged, the parking requirements shall apply to the total area of the structure or premises. A structure or premises shall not be used or enlarged unless the required parking is provided.
- b. In the Rural Residential (R-1A) Zoning District, no parking area shall be used for storing of any commercial vehicle exceeding one ton in capacity. The storage of merchandise, motor vehicles for sale (other than a resident's private vehicles), or the repair of vehicles exceeding one ton capacity is prohibited in any required parking area.

### **703. Parking Surface Requirements**

- a. **Gravel Surface.** As a minimum requirement, parking areas shall be surfaced with a material that provides a durable, smooth and dustless surface that shall be graded to drain and dispose of all collected surface water within a reasonable time.
- b. **Paved Surface (Optional).** Parking areas that are to be paved shall be paved with concrete, plant mixed asphalt or similar materials. All parking areas shall be graded and provided with adequate drainage to dispose of all collected surface water within a reasonable period time. Paving shall conform to either of the following:
  - (1) Six (6") inches of cement concrete; or
  - (2) Two (2") inches of asphalt surface laid over a base of crushed stone with a compacted thickness of six (6") inches.

### **704. Parking for Uses Not Specifically Mentioned**

In the case of uses that are not specifically mentioned in this Chapter, the requirements for a use that is mentioned and to which the proposed use is similar in character in terms of parking demand shall apply. The Zoning Administrator is authorized to determine the parking requirements for a use that is not specifically mentioned.

**705. Mixed Uses in the Same Building**

In the case of mixed uses in the same building which each occupy at least twenty (20) percent of the floor area, the total required number of parking spaces for the building shall be reduced to ninety (90) percent of the sum of parking spaces required for the individual uses when computed separately.

**706. Reduction in Required Parking for Public Benefits**

**a. *Joint Provision of Parking***

Where two or more abutting parcels in the B-1 Zoning District provide vehicular access between parking areas in a manner which allows travel from one parcel to another without the use of a public street, the total number of off-street parking spaces required for each parcel may be reduced by ten percent (10%), in addition to reductions allowed by other provisions of this Chapter.

**b. *Further Reductions for Public Benefits***

In the B-1 Zoning District, uses on parcels fronting on county primary roads or state highways, except limited access freeways, may reduce the required number of off-street parking spaces by ten percent (10%) if at least three (3) of the following conditions are met. This shall be in addition to reductions allowed by other provisions of this Chapter.

- (1) The parcel has no driveway openings onto the major road.
- (2) No freestanding signs are located in the required front yard setback area for the building.
- (3) The principal building is set back at least one hundred (100) feet from the major road right-of-way.
- (4) A portion of the parcel equal to at least thirty-five (35) percent of the total area devoted to parking, including driveways and aisles, is left unpaved and undeveloped except for landscape plantings.
- (5) Sidewalks are provided along the full length of the parcel's frontage on the major road, with curb cuts to provide barrier-free non-motorized travel.

**707. Additions or Expansions to Buildings and Uses**

Additional parking shall be provided in proportion to any increase in floor area, change in use, or expansion of a building's use capacity.

**708. Driveway Spacing Requirements**

Each parcel in the B-1 Zoning District shall have no more than one driveway entrance and exit opening to a public road for each three hundred (300) feet of frontage or fraction thereof. Where more than one driveway is allowed, the driveways shall be located at least one hundred fifty (150) feet apart. No driveway shall be located within thirty (30) feet of a neighboring property line, or within fifty (50) feet of a street intersection.

**709. Parking Space Dimensions**

Each parking space (also known as a “parking stall”) shall be a minimum of ten (10) feet wide and twenty (20) feet long. Barrier free parking spaces shall be a minimum of twelve (12) feet wide and twenty (20) feet long. Barrier free spaces shall also comply with all requirements of the State of Michigan Barrier Free Code.

**710. Driveway and Aisle Configurations**

Driveways and aisles for any off-street parking area built to accommodate more than twenty (20) vehicles shall comply with the following requirements:

- a. **Aisle Width.** Aisles in off-street parking areas shall be at least twenty (20) feet wide.
- b. **Driveway Configuration.** Each driveway shall be a minimum of fifteen (15) and a maximum of twenty (20) feet in width per direction. Lanes for entering and exiting traffic shall be clearly marked on the pavement. The driveway shall include an on-site stacking area equivalent to five (5) percent of the total number of spaces in the parking area. The stacking area shall not function as an access aisle for parking spaces. The driveway shall intersect the abutting street at a ninety (90) degree angle.
- c. **Deceleration Lane.** Where the posted speed limit for a public thoroughfare is greater than thirty (30) miles per hour, a driveway opening onto the thoroughfare shall be served by a right turn deceleration lane that is at least two hundred (200) feet long in advance of the driveway.

**711. Setbacks Required**

Parking and loading areas shall conform to a twenty (20) foot front yard setback from any street right-of-way line and to the side yard setback requirements for accessory buildings. Off-street parking areas shall be no closer than five (5) feet to any principal building. Bumper guards or curbs shall be installed to prevent yard encroachment.

**712. Permit Required.**

No parking area shall be constructed unless and until a Building Permit has been issued.

**713. Table of Off-Street Parking Requirements**

The number of off-street parking spaces for specific uses is shown in Table 7-1, "Table of Off-Street Parking Requirements," which appears at the end of this Chapter. Recommended parking area surfaces are also indicated in the table.

**714. Off-Street Loading Spaces**

Off-street loading spaces shall be provided and maintained for buildings (including additions to existing buildings) that are occupied by uses that require the receipt or

distribution of goods and materials in commercial vehicles. The number of loading spaces required shall be based on the gross floor area of a building or addition as follows:

- a. **Retail Uses.** Buildings used for retail sales or eating and drinking establishments shall include one (1) off-street loading space for every six thousand (6,000) square feet of public area or fraction thereof.
- b. **Wholesale, warehouse, and industrial uses:**
  - (1) Buildings up to and including twenty thousand (20,000) square feet of gross floor area shall provide at least one (1) space.
  - (2) Buildings more than twenty thousand (20,000) square feet in area, but less than fifty thousand (50,000) square feet shall provide a minimum of two (2) spaces.
  - (3) Buildings fifty thousand (50,000) square feet and greater shall provide three (3) spaces plus one (1) space for each additional fifty thousand (50,000) square feet or fraction thereof.

**715. Other Loading Space Requirements**

- a. **Hard Surface Required.** Loading spaces must be paved with a surface providing the equivalent load strength of nine (9) inches of concrete.
- b. **Dimensions of Loading Spaces.** Each loading space must be at least ten (10) feet wide and twenty-five (25) feet long. If roofed, a loading space must have at least fifteen (15) feet of vertical clearance. Where a use involves semi-trucks making deliveries on a daily basis or requires that semi-trailers will be parked in the space for more than one hour at any time, the loading space must be at least sixty (60) feet long.
- c. **Location of Loading Spaces.** Loading spaces must be located within or immediately adjacent to the building to be served, and they must be arranged so that maneuvering of trucks using the space does not take place on a public street.



**Table 7-1. Off-Street Parking Requirements**

<b>Land Use</b>	<b>Paving Recommended?</b>	<b>Number of Parking Spaces Required</b>
1. Automobile sales facilities	Yes	One (1) customer parking space for each 500 square feet of floor area.
2. Automobile & other vehicle service facilities.	Yes	Two (2) spaces for each service stall plus two (2) spaces for each employee.
3. Barber & Beauty shops	No	Three (3) spaces for each chair or booth.
4. Bowling Alleys	No	Six (6) spaces for each lane.
5. Churches	No	One (1) space for each three (3) seats in the main area of worship.
6. Commercial outdoor recreation	No	Twenty-five (25) percent of the total lot area shall be reserved for parking, but there shall be at least ten (10) spaces.
7. Assembly hall, dance hall, or exhibition hall without fixed seats.	No	One (1) space for each one hundred (100) square feet of floor area.
8. Drive-in & drive-thru facilities (in addition to required parking for indoor facilities and employees).	Yes	Two (2) spaces for each drive-in window plus four (4) stacking spaces for each drive-in window.
9. Dwellings	No	Two (2) spaces per dwelling unit.
10. Funeral homes & mortuaries	Yes	One (1) space for each twenty-five (25) square feet of floor area in service parlors and chapels, plus one (1) space for each funeral vehicle maintained on the premises.
11. Furniture sales (retail)	Yes	One (1) space for each five hundred (500) square feet of floor area.
12. Hospitals, nursing homes, & related health care facilities.	Yes	One (1) space for each two (2) beds plus one (1) space for each employee, including doctors.
13. Hotels & Motels	Yes	One (1) space for each lodging room plus one (1) space for each full-time employee.

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Land Use	Paving Recommended?	Number of Parking Spaces Required
14. Libraries, museums & government administration buildings.	Yes	One (1) space for each one hundred (100) square feet of floor area.
15. Manufacturing & industrial uses	Yes	Two (2) spaces for each employee on the largest shift. If there is only one shift, there shall be one (1) space for each employee.
16. Medical offices & clinics, including veterinary clinics.	Yes	Six (6) spaces for each doctor plus one (1) space for each additional employee.
17. Office buildings (for business & professional offices), banks, and financial institutions.	Yes	One space for each two hundred (200) square feet of floor area.
18. Retail sales & personal services.	Yes	One (1) space for each one hundred (100) square feet of floor area.
19. Restaurants, taverns, and similar establishments (exclusive of drive-in or drive-thru facilities).	No	One (1) space for each three (3) seats provided for patrons plus one (1) space for each employee.
20. Medical offices & clinics, including veterinary clinics.	Yes	Six (6) spaces for each doctor plus one (1) space for each additional employee.
21. Office buildings (for business & professional offices), banks, and financial institutions.	Yes	One space for each two hundred (200) square feet of floor area.
22. Retail sales & personal services.	No	One (1) space for each one hundred (100) square feet of floor area.
23. Restaurants, taverns, and similar establishments (exclusive of drive-in or drive-thru facilities).	No	One (1) space for each three (3) seats provided for patrons plus one (1) space for each employee.
24. Schools: Elementary, Middle, and Junior High Schools.	Yes	Two (2) spaces for each three (3) employees plus one (1) space for each eight (8) auditorium seats.
25. Schools: Senior High Schools & colleges, including vocational & trade schools.	Yes	One (1) space for each employee plus one (1) space for each two (2) students enrolled, plus parking as required for gymnasiums and sports facilities.

Table 7-1. Off-Street Parking Requirements, Continued

Land Use	Paving Recommended?	Number of Parking Spaces Required
26. Stadiums, gymnasiums, and sports facilities.	Yes	One (1) space for each three (3) seats or six (6) feet of bench seating.
27. Theaters and auditoriums (not incidental to schools).	Yes	One (1) space for each four (4) seats plus one (1) space for each two (2) employees.
28. Warehouses, storage buildings, lumber & building supply facilities, and wholesale outlets.	Yes	One (1) space for each five hundred (500) square feet of gross floor area plus one (1) space for each employee.



## **Chapter 8**

### **Sign Regulations**

#### **801. Intent and Purpose**

The intent of this article is to regulate the type, number, physical dimensions, erection and placement of signs in Brant Township. The purpose of these regulations is to:

- a. Promote the public health, safety, and welfare of residents and visitors;
- b. Reduce hazardous distractions to motorists, pedestrians, and air traffic;
- c. Protect commercial districts from visual clutter and chaos;
- d. Protect property values;
- e. Protect the rural character and natural beauty of Brant Township.

#### **802. Billboards.**

Billboards, as defined by this Ordinance, are prohibited in Brant Township.

#### **803. Zoning Permit Required**

Unless a sign is exempt from permit requirements as specified in Section 805, a Zoning Permit must be obtained from the Township Zoning Administrator prior to the construction or placement of any sign.

#### **804. Signs and Activities Exempt From Permit**

Subject to the standards as noted and other applicable ordinance requirements, the following signs and related activities are permitted by right and are exempt from the permit requirements of this Ordinance.

##### **a. Temporary Construction Signs:**

One (1) construction sign for each street frontage at a construction project, not to exceed thirty-two (32) square feet in sign area per sign. Such signs may be erected no more than thirty (30) days prior to commencement of construction and must be removed no longer than thirty (30) days after completion of construction.

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- b. **Directional Signs:**  
On-premise directional signs, not to exceed four (4) square feet per sign, shall be permitted as a means of directing traffic to parking, loading, customer service, and related areas.
- c. **Political Signs:**  
Political signs shall not exceed thirty-two (32) square feet in area per sign. Such signs shall be placed only on private property and only with permission of the property owner. Signs must be removed within fourteen (14) days following the election or referendum.
- d. **Public Signs or Notices:**  
Public signs or notices of Brant Township, Saginaw County, the State of Michigan, or the United States of America may be erected as deemed necessary and appropriate by the unit of government.
- e. **Real Estate Signs:**
  - (1) For parcels less than two (2) acres, one (1) non-illuminated real estate sign not to exceed eight (8) square feet in area is permitted.
  - (2) For parcels two (2) acres or more, one (1) non-illuminated real estate sign not to exceed thirty-two (32) square feet in area, or one (1) non-illuminated sign per two hundred (200) feet of lot frontage provided the total area of all such signs shall not exceed thirty-two (32) square feet.
- f. **Name Plates:**  
One (1) nameplate sign per premises not to exceed four (4) square feet in sign area.
- g. **Home Occupation Signs:**  
One sign per dwelling unit not to exceed six (6) square feet in sign area.
- h. **Garage or Yard Sale Signs:**  
Two (2) signs not to exceed six (6) square feet in sign area per sign. Signs shall be removed within twenty-four (24) hours after the sale.
- i. **Retail Fuel Pricing Signs:**  
Retail fuel pricing signs typically and historically displayed by service stations and convenience stores with fuel sales which indicate the per gallon and/or per liter price of fuel.
- j. **Corporate Logo Signs:**  
Corporation logo signs of less than six (6) square feet and independent of other advertising of messages. The number of such signs shall be limited to one (1) per street frontage.
- k. **Historic Sites:**  
Signs designating sites recognized by the State Historical Commission.

l. **Miscellaneous Signs:**

Placards posted to control or prohibit hunting or trespassing on public or private property, and signs that identify crop varieties.

m. **Replacement of Copy:**

The replacement or changing of copy on an approved sign does not require a Zoning Permit. However, if the replacement creates a sign that violates the provisions of this Chapter, it shall be deemed a violation of this Ordinance and any Zoning Permit issued for the sign shall be invalidated.

n. **Maintenance:**

Painting, cleaning, light bulb replacement, and other normal maintenance or repair of a sign or its supporting structure does not require a Zoning Permit. However, any structural change or relocation of a sign or its supporting structure does require a Zoning Permit.

## **805. Prohibited Signs**

Signs listed in this section are prohibited in all zoning districts.

- a. Abandoned signs or signs in disrepair that have become safety hazards.
- b. Flashing and intermittently illuminated signs, provided however, time and temperature signs and similar signs displaying a genuine, non-commercial, public message may be permitted subject to Planning Commission approval.
- c. Signs, that by their location, cause a hazard to pedestrian or vehicular traffic by depriving the pedestrian or driver of a clear and an obstructed view of approaching, intersecting, or merging traffic.
- d. Signs advertising a commodity or service not available within Brant Township.
- e. Signs that do not comply with the Building and Safety Codes of Saginaw County or Brant Township.
- f. Signs, other than public signs or notices, placed in a designated public right of way unless permission to authorize such placement has been given, in writing, by the public agency having jurisdiction over said right of way. A copy of such written permission shall be provided to the Township prior to placement of such sign.
- g. Signs imitating or resembling official traffic or government signs or signals.
- h. Signs that by their location and character cause a hazard to air traffic.

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- i. Signs, other than billboards, that do not advertise or identify a product, service, or establishment located on the parcel to which the sign is attached.

**806. General Sign Standards**

- a. Illumination, if permitted, shall be by a non-flashing reflective light. The source of illumination shall be shielded from direct view of adjacent properties.
- b. All signs shall be subject to the Building and Safety Codes of Brant Township.
- c. All signs shall be set back a minimum of ten (10) feet from all property lines and road right-of-way lines, except where otherwise required by this Ordinance.
- d. No sign shall exceed the height limitation of the district in which it is located or as otherwise regulated by this Ordinance; provided, however, that ground mounted signs shall not exceed six (6) feet in height.
- e. Freestanding signs shall have a minimum clearance of ten (10) feet between the ground surface and lowest point of the sign.
- f. No signs shall be placed in required clear vision areas.
- g. No person shall erect or relocate or cause to be erected, any sign without first obtaining a Zoning Permit.
- h. No person shall repair or alter, or cause to be repaired or altered, any sign without obtaining a Zoning Permit if one-half (1/2) of the replacement value of the sign or billboard will be exceeded.

**807. Conservation and Agricultural Zoning Districts  
(CR, A-1 and A-2 Districts)**

Signs as specified in Section 804 are allowed without obtaining a permit. In addition, the following signs are also permitted, provided that a permit is obtained as specified in Section 803.

- a. One (1) on premise, non-illuminated, sign of not more than six (6) square feet advertising a permitted non-residential use or an authorized special use.
- b. One (1) on-premise, non-illuminated, sign displayed on a seasonal basis advertising the sale of farm produce to the general public. The sign shall not exceed thirty-two (32) square feet in sign area and shall be displayed only during the seasonal period of time which sales occur. The sign shall be removed within fourteen (14) days of the closure of the public sales.



- c. Free standing (pole mounted) signs are not permitted.

#### **808. Rural Residential Zoning District (R-1A District)**

Signs as specified in Section 804 are allowed without obtaining a permit. In addition, the following signs are also permitted, provided that a permit is obtained as specified in Section 803.

- a. One (1) on premise, non-illuminated, sign of not more than six (6) square feet advertising a permitted non-residential use or an authorized special use.
- b. Ground signs located at the entrance to platted subdivisions, residential site condominiums, multiple family housing developments, mobile home parks, or residential PUD's. No more than one sign not exceeding thirty-two (32) square feet in area, nor more than six (6) feet in height may be erected at any single entrance.
- c. Free standing (pole mounted) signs are not permitted.

#### **809. Commercial Zoning District (B-1 District)**

Signs as specified in Section 804 are allowed without obtaining a permit. In addition, the following signs are also permitted, provided that a permit is obtained as specified in Section 803.

- a. Wall signs, provided that such signs do not exceed ten (10) percent of the area of the wall face upon which the sign or signs are attached or painted, or one hundred (100) square feet, whichever is greater. Wall signs shall be attached and parallel to the face of the building wall.
- c. Signs may be attached to or painted on a marquee or canopy, provided that such signs are at least ten (10) feet above grade.
- d. No sign shall project above the roof line of the building to which it is attached.
- e. One portable sign not to exceed thirty-two (32) square feet, provided:
  - (1) The sign must meet required setbacks.
  - (2) The sign shall be properly anchored and wired and shall meet all Township Building and Safety Codes.
  - (3) The sign shall possess a nameplate or other such identification area indicating the name, address, and telephone number of the sign owner.

- (4) The length of the display period shall be limited to thirty (30) days within a twelve (12) month period.
- f. Pennants and banners may be displayed on commercial property of a retail sales nature provided that they shall be securely anchored.
  - g. Ground signs not exceeding thirty-two (32) square feet in area nor six (6) feet in height.
  - h. Free standing (pole mounted) signs are not permitted.
  - j. Illumination of signs is permitted in the B-1 district, provided that it complies with the standards specified in Section 810.

#### **810. Illumination**

- a. The light from any illuminated sign shall be shaded, shielded, and directed in such a manner so that the light intensity or brightness will not be objectionable to surrounding areas.
- b. No sign shall have blinking, flashing or fluttering lights, or other illuminating devices that have a changing light intensity, brightness, or color. Beacon lights are not permitted.
- c. No colored lights shall be used at any location or in any manner that imitates or might be confused with traffic control devices.
- d. Neither direct nor reflected light from primary light sources shall create a traffic hazard to motor vehicle operators on public roads.
- e. No exposed reflective type bulbs and no strobe light or incandescent lamp that exceeds fifteen (15) watts shall be used on the exterior surface of any sign in a manner that would expose the face of the bulb, light, or lamp to any public road or adjacent property.

#### **811. Non-Conforming Signs**

A non-conforming sign or sign structure existing and in place as of the date of the enactment of this Article may continue to have the copy or message on the sign changed and may also have normal maintenance performed. However, a non-conforming sign existing on the day of enactment of this Chapter *shall not*:

- a. Be changed to another non-conforming sign;

- b. Be structurally altered so as to prolong the life of the sign or change the shape, size, location, type, or design of the sign;
- c. Be re-established after the activity, business, or use to which it relates has been discontinued for thirty (30) days or longer; or
- d. Be re-established after damage by any means if the damage is in excess of the State Equalized Value (SEV) of the sign, as determined from its most recent assessed valuation.

