SOLON TOWNSHIP
ZONING ORDINANCE

TOWNSHIP OF SOLON
COUNTY OF LEELANAU
STATE OF MICHIGAN

EFFECTIVE DATE: 1971
AMENDED THROUGH: June 12th, 2014
<table>
<thead>
<tr>
<th>DESCRIPTION OF CHANGE</th>
<th>EFFECTIVE DATE</th>
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<tbody>
<tr>
<td>Create Zoning Ordinance</td>
<td>1971</td>
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<tr>
<td>Update entire Ordinance</td>
<td>1998</td>
</tr>
<tr>
<td>Updated Definitions added</td>
<td>2011</td>
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<tr>
<td>Reduced Land Use Districts from twelve to nine, Sec. 3.01.</td>
<td>January 2014</td>
</tr>
<tr>
<td>Removed Sec. 4.08 Easement to Water</td>
<td>January 2014</td>
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<tr>
<td>Moved Home Occupation from Sec. 6.01 “Permitted Principal Uses” to Sec. 6.02 “Permitted Accessory Uses”</td>
<td>January 2014</td>
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<tr>
<td>Renamed all Sections using the term &quot;Conditional Uses&quot; to “Special Land Uses”</td>
<td>January 2014</td>
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<tr>
<td>Moved Public utility transformer stations and switchboards, gas regulator stations</td>
<td>January 2014</td>
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<tr>
<td>and telephone exchange from Sec. 6.01 “Permitted Principal Uses to Sec. 6.03 “Special Land Uses”</td>
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<tr>
<td>Change Sec. 6.04 R/A 5 &quot;Lot and Building Requirements&quot;; front, side and rear</td>
<td>January 2014</td>
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<tr>
<td>setbacks were reduced</td>
<td></td>
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<tr>
<td>Moved nine uses from Resort Recreation Sec. 10.01 “Permitted Principal</td>
<td>January 2014</td>
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<td>Uses” to Sec. 10.03 “Special Land Uses”</td>
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<tr>
<td>Removed family dwellings from Business District Sec. 11.01</td>
<td>January 2014</td>
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<tr>
<td>Added additional clarifications of Scope, Vacated Areas, Filled Lands Categories</td>
<td>January 2014</td>
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<tr>
<td>and Schedule of Regulations in Article III, Sec. 3.04 – 3.09 Modified uses between</td>
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<tr>
<td>B-1 &amp; B-2 and updated districts to reflect new definitions</td>
<td></td>
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<tr>
<td>Rewording and grammatical corrections of general sentences</td>
<td>April-June 2014</td>
</tr>
<tr>
<td>Township Board approved revisions</td>
<td>June 2014</td>
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<tr>
<td>Synopsis published in the Leelanau Enterprise</td>
<td>July 2014</td>
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Section 12.03 Special Land Uses
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RECONFIGURE WHEN BALANCE OF ZONING ORDINANCE COMPLETED
TOWNSHIP OF SOLON
COUNTY OF LEELANAU
STATE OF MICHIGAN

ZONING ORDINANCE

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATION FOR THE TOWNSHIP OF SOLON AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE RURAL ZONING ACT, ACT 184, OF THE PUBLIC ACTS OF 1943, AS AMENDED, FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH AND TO PROVIDE PENALTIES FOR VIOLATION HEREOF.

WHEREAS, Act 184 P.A. 1943, as amended, empowers the Township to enact a zoning ordinance and to provide for its administration, enforcement, and amendment, and

WHEREAS, the Township Board of Solon deems it necessary, for the purpose of promoting the health, safety, and general welfare of the Township of Solon to amend such existing zoning ordinance, and

WHEREAS, the Township Board, pursuant to the provisions of Act 168, P.A. 1959, as amended, has appointed a Planning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, and

WHEREAS, the Planning Commission has divided the Township into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, and

WHEREAS, the Planning Commission has given reasonable consideration to the character of the districts and the peculiar suitability for the particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Township, and

WHEREAS, the Planning Commission has submitted its report to the Township Board, and

WHEREAS, the Township Board and Planning Commission have given due public notice of hearings related to zoning districts, regulations, and restrictions, and has held such public hearings, and

WHEREAS, all requirements of Act 184, P.A. 1943 as amended, and Act 168, P.A. 1959, as amended, with regard to the preparation of this Ordinance and subsequent action of the Township Board have been met;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP OF SOLON, LEELANAU COUNTY, STATE OF MICHIGAN, AS FOLLOWS:
ARTICLE I

SECTION 1.01   SHORT TITLES

For the purpose of clarity and brevity, the following titles shall hereafter be referred to as follows:
1. "THE SOLON TOWNSHIP ZONING ORDINANCE" as this Ordinance;
2. The Solon Township Zoning and Planning Commission as the Commission;
3. The Solon Township Board as the Board;
4. The Solon Township Zoning Board of Appeals as the Board of Appeals;
5. The Solon Township Zoning Administrator as the Administrator;
6. The Solon Township Clerk as the Clerk;
7. "THE OFFICIAL ZONING MAP OF SOLON TOWNSHIP" as the Zoning Map;
8. Solon Township as the Township;
9. Leelanau County as the County;
10. A Land Use Permit as a permit.

SECTION 1.02   INTERPRETATION OF LANGUAGE

For the purpose of this Ordinance, unless the context requires otherwise the following definition shall be used in the interpretation of this Ordinance. The following also applies:
1. The word "SHALL" is mandatory, not discretionary.
2. The word "MAY" is permissive.
3. Words used in present tense include the future tense.
4. The singular number includes the plural, and the plural, the singular.
5. The word "PERSON" includes a firm, association, organization, trust, partnership, company, or corporation, as well as an individual.
6. The word "OCCUPIED" and the word "USED" shall be considered as though followed by the words "OR INTENDED, ARRANGED, OR DESIGNED TO BE OCCUPIED OR USED".
7. TERMS not defined herein shall have the meanings customarily assigned to them.

Any use of land listed as a Special Land Use as referred in this Zoning Ordinance, herein, requires approval by the Planning Commission according to the standards as provided in Article 24A of this ordinance after a public hearing is held in accordance with the Michigan Zoning Enabling Act of 2006 as amended.
ARTICLE II DEFINITIONS

Section 2.01 CONSTRUCTION OF LANGUAGE

For the purpose of this Ordinance, certain rules of construction apply to the text as follows:

A. Words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.

B. The word "person" includes a corporation, association, partnership, trust, firm, or similar activity as well as an individual.

C. The word "building" includes the word "structure," and either includes any part thereof.

D. The word "lot" includes the word "plot," "tract," or "parcel."

E. The term "shall" is always mandatory and not discretionary; the word "may" is permissive.

F. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended to be used or occupied," "arranged to be used or occupied," "maintained to be used or occupied," or "designed to be used or occupied."

G. “This Ordinance” means the text of this Ordinance as well as all maps, tables, graphics, and schedules, as included or attached as enacted or subsequently amended.

H. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows:
   1. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
   2. "Or" indicates the connected items, conditions, provisions or events may apply singly or in any combination.
   3. "Either...or" indicates that the connected items, conditions, provisions, or events shall apply singly, but not in combination.

I. The "Township" is the Township of Solon in the County of Leelanau, State of Michigan; the "Township Board", "Board of Appeals" and "Planning Commission" are, respectively, the Township Board of Trustees, Zoning Board of Appeals, and Planning Commission of the Township.

J. Any word or term not interpreted or defined by this Ordinance shall be used with a meaning of common or standard utilization. A dictionary shall be consulted.

K. “Days” means calendar days unless otherwise stated.
Section 2.02 DEFINITIONS

Abutting (lot or parcel): A lot or parcel which shares a common border with the subject lot or parcel.

Accessory Building: A building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.

Accessory Use: A use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

Administrative Building: A building that houses governmental functions whose principal operations focus on the management of governmental activities and services.

Agriculture: The act or business of cultivating or using land and soils for the production of crops for the use of animals or humans and includes, but is not limited to, purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry, but not including concentrated livestock operations as defined in this Ordinance. Flower, vegetable or other gardens maintained only for the property owner(s) use and/or enjoyment are not considered agricultural.

Agricultural Building: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products and that is clearly incidental to an agricultural activity, excluding retail trade.

Agricultural Labor Housing: A parcel and all tents, vehicles, buildings and other structures pertaining thereto which is established, occupied or used as living quarters for five (5) or more migratory workers engaged in agricultural activities including related food processing, as licensed under the Michigan Department of Agriculture.

Agricultural Support Business (ASB): A Business that provides goods and/or services primarily to the local agricultural community, not just the farm on which it operates.

Agricultural Tourism, “ag-tourism” and/or “agri-tourism” means the practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

Value-added agricultural product means the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to, marketing, agricultural processing, transforming, packaging, and educational presentation, activities and tours that relate to agriculture or agricultural products.

Agricultural products includes but is not limited to, crops (corn, wheat, hay, potatoes); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.

Agriculturally related products means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting the farm and agriculture in Michigan, and value-added agricultural products and on site production. Non-agriculturally related products means those items not connected to farming or the farm operation, such as knick-knacks imported from other states or
countries. **Agriculturally related uses** means those activities that predominantly use agricultural products, buildings or equipment, such as pony rides, corn mazes, pumpkin rolling, barn dances, sleigh/hay rides, and educational events, such as farming and food preserving classes, etc. **Non-agriculturally related uses** means activities that are part of an agricultural tourism operation’s total offerings but not tied to farming or the farm’s buildings, equipment, fields, etc. Such non-agriculturally related uses include amusement rides, concerts, etc. and are subject to special use permit.

**Alley:** A public or legally established thoroughfare, other than a street, affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

**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; or any change which may be referred to herein as altered or reconstructed.

**Alternative Tower Structure:** Any structure which, if intended to be used to locate an antenna or tower, may accommodate and conceal the presence of said antenna or tower, including, but not limited to, man-made trees, clock towers, bell steeples, water towers, light poles and silos.

**Antenna:** Any exterior transmitting or receiving device mounted on a Tower, building, structure or Alternative Tower Structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

**Animal Unit:** A unit of measure used to compare differences in the production of animal waste produced on a regular basis by a slaughter steer or heifer, with the following equivalencies applicable to other livestock:

- Slaughter steer/heifer: 1.00 animal unit (all cattle)
- Horses: 2.00 animal units
- Mature dairy cow: 1.40 animal units
- Swine: 0.40 animal units
- Sheep: 0.10 animal units
- All fowl: 0.05 animal units

**Apartment:** A room or suite of rooms, including bath and kitchen facilities, in a two-family or multiple family dwelling intended and designed for use as a residence by a single family.

**Appearance Ticket:** See Municipal Civil Infraction

**Architectural Features:** The following structural elements are exempted from height limit requirements, provided that no portion of the exempted element may be used for human occupancy:

A. Those purely ornamental in purpose such as church spires, belfries, cupolas, domes, ornamental towers, flagpoles and monuments.

B. Those necessary appurtenances to mechanical or structural functions, such as chimneys and smokestacks, water tanks, elevator and stairwell penthouses, ventilators, bulkheads, radio towers, masts and aerials, television antennas, fire and hose towers, wire transmission structures, cooling towers, or other structures where the manufacturing process requires a greater height.

**Automobile Service and Repair Stations:** Buildings and premises for the primary purpose of the retail sales of gasoline, oil, grease, batteries, tires and other operational fluids and accessories for automobiles, and the installation of such items, and for other minor automobile repair not to include auto refinishing, body work or painting, dismantling of vehicles for the purpose of reuse or resale of parts, or storage of automobiles other than
those in for immediate repair.

**Basement:** That portion of a building which is partly or wholly below finished grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling.

**Bed and Breakfast Establishments:** Any family occupied dwelling used or designed in such a manner that certain rooms in excess of those used by the family are rented to the transient public for compensation.

**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 to provide a transition between uses of differing intensity.

**Billboard:** A sign structure advertising a service, commodity or establishment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located, also known as "off-premise sign" or "outdoor advertising structure." Such sign is subject to the requirements of the Highway Advertising Act, PA 106 of 1972 (as amended) as well as to the provisions of this Ordinance. Tourist oriented directional signs (TODS), as provided by the Michigan Department of Transportation, are excluded from this definition.

**Board of Appeals:** Solon Township Zoning Board of Appeals (ZBA).

**Buffer Area:** A strip of land for planting shrubs and/or trees to serve as an obscuring screen to carry out the requirements of this Ordinance.

**Building:** Any structure, either temporary or permanent, having a roof supported by columns, walls, or any other supports, which is used for the purpose of housing, sheltering, storing, or enclosing persons, animals, or personal property, or carrying on business activities.

**Building Height:** The vertical distance from the peak of the roof to the average finished grade. When the terrain is sloping, the height shall be computed using the average grade measured at the building wall on all four sides (see Figure 1). No portion of the structure’s roof may exceed the maximum height allowed in the specific District regulations. As illustrated in Figure 2 buildings may be “stair stepped” up and down slopes. The building height shall be calculated for each “stair stepped” portion separately.

**Building Inspector:** An individual hired by Leelanau County to administer the County building code.

**Building Lines:** see Setback.

**Carport:** A partially open structure, intended to shelter one or more vehicles. Such structures shall comply with all yard requirements applicable to garages.

**Cellar:** See definition for “Basement”.

**Cemetery:** Property, including crematories, mausoleums, and/or columbiums, used or intended to be used solely for the perpetual interment of deceased human beings.

**Certificate of Occupancy:** A document signed by the Building Inspector as a condition precedent to the commencement of a use or the construction/reconstruction of a structure or building which acknowledges that such use, structure or building complies with the
provisions of this Ordinance and the County building code.

**Changeable Message Board:** A sign which identifies an business or organization on the premises of which it is located and which contains the name of the business or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution, or similar messages.

**Change of Use:** A use of a building, structure or parcel of land, or portion thereof which is different from the immediate previous use.

**Christmas Tree Farm:** A Christmas tree farm is one that grows coniferous trees such as Scotch, White and Austrian Pine; Douglas fir, Fraser fir, Canaan, Concolor and Balsam Fir; Blue, Norway and White Spruce for the purpose of landscape or Christmas holiday decoration, either pre-cut or for the consumer to cut. **Associated Entertainment:** Wagon ride – either tractor or horse-drawn to Christmas tree lot, Petting farm, Bonfire, Tree drilling, baling. **Retail:** Pre-cut Christmas trees, Wreaths, grave blankets and garland, Christmas ornaments and decorations, Stands. **Food Concessions:** Hot chocolate, coffee, cider, Bakery items – donuts, Kitchen and dining facilities for limited service of items such as, hot chocolate, cider, doughnuts and other bakery items. All food franchises and products are strictly prohibited. The kitchen must comply with other applicable zoning ordinances, and any local and state agency regulations and inspections. **Church:** see Place of Worship.

**Cidery:** See Winery

**Cider Mill:** A cider mill consists of a facility where apples are processed into cider. Although the cider is the main focus of the business, there are related activities that keep the customer entertained. Pasteurization may or may not be part of the process. Apples may be from the farm or bought from area farmers. **Associated Entertainment:** Inflatable play areas, Petting farm, goat walks, Haunted houses, Corn mazes, straw mountains, Bonfires, Corporate picnics, Tours, Birthday parties, General children’s playground equipment –slides, swings, climbers. **Retail:** The retail area sells in-season fruits and vegetables grown on the farm and from other local growers. Locally made maple syrup, honey, jams and jellies are also sold in farm markets. Local crafters and artisans will sell their pieces in farm markets. Bakery items are also a part of the retail business. **Food concessions:** Kitchen and dining facilities can serve food and bakery items. All food franchises and products are strictly prohibited. The kitchen shall comply with other applicable zoning ordinances and any local and state agency regulations and inspections.

**Clinic:** A building or group of buildings where patients come for examination and treatment by one or more professionals, such as a physician, veterinarian or dentist.

**Club:** An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics, agriculture or similar activities, but not operated for profit and open only to members and not the general public.

**Co-location:** The use of a telecommunication tower or alternative tower structure by one or more wireless telecommunication providers.

**Commercial Farm:** A Farm that has sold agricultural or horticultural products worth $10,000.00 or more annually for at least three of the past five years.

**Community Supported Agriculture (CSA):** A small-scale farm and/or garden that sell their products to buyers that have purchased a “subscription” to the farm. A CSA’s focus is usually on a system of weekly delivery or pick-up of vegetables and other farm products. It is a partnership between a local farmer and nearby consumers who become members or subscribers in support of the farm. In exchange for paying in advance (at the beginning of the growing season,) the CSA member receives fresh produce as available throughout the season.
Communication Tower: Any structure that is designated and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, Wi-Fi, and other telecommunication purposes. The term includes, but is not limited to, radio and television transmission communication towers, microwave communication towers, common-carrier communication towers, cellular telephone communication towers alternative tower structures and the like. The term includes the structure and any support thereto, and any antenna that may be affixed to such structure. This term also applies to an antenna in the case where the antenna is affixed to a building or other structure that was not constructed primarily for the purpose of supporting an antenna.

Concentrated Livestock Operations: A farm operation which exceeds the confinement of livestock or poultry in excess of fifty (50) animal units per confined acre, or where the confinement area accumulates manure that must be removed, or a sustained ground cover (crops, vegetation, forage growth, or post harvest residue) cannot be maintained over the normal growing season throughout the area where the animals are confined.

Condominium Project: A plan or project consisting of two (2) or more condominium units established and approved in conformance with the Condominium Act (Act 59, 1978).

Condominium Subdivision: A division of land on the basis of condominium ownership, which is not subject to the provisions of the Land Division Act, Public Act 288 of 1967, as amended.

Condominium Subdivision Plan: The drawings attached to the master deed for a condominium subdivision which describe the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the condominium subdivision, as well as the nature, location and size of common elements.

Condominium Unit: That portion of a condominium project or condominium subdivision which is designed and intended for separate ownership and use, as described in the master deed.

Cottage Industry: An occupation or trade conducted either within residential structure or within a detached residential accessory structure, which is clearly incidental and secondary to the use of the lot, and dwelling for residential purposes.

Dairy Farm: A working farm where dairy animals and products are produced.

Associated Entertainment: Tours and hayrides, Petting farm and animal feeding Picnic, Festivals, Corporate meetings, Retail: Dairy products, Meat products, Gift shop. Food Concessions: Ice cream shop, Snack shop, Other Considerations: Storage

Day Care Center: A facility, other than a private residence, receiving 1 or more preschool or school age children for care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. Childcare center or day care center includes a facility, which provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. Child care center or day care center does not include any of the following:

a. A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are in attendance for not greater than 3 hours per day for an indefinite period, or not greater than 8 hours per day for a period not to exceed 4 weeks during a 12-month period.

b. A facility operated by a religious organization where children are cared for not greater than 3 hours while persons responsible for the children are attending religious services.

c. A private home (private residence) in which the licensee or registrant permanently resides as a
member of the household, which residency shall not be contingent upon caring for children or employment by a licensed or approved child placing agency. Private home includes a full-time foster family home, a full-time foster family group home, a group day care home, or a family day care home.

**Day Care Home; Family:** A private home in which the operator permanently resides as a member of the household in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.

**Day Care Home, Group:** A private home in which the operator permanently resides as a member of the household in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to more than six unrelated minor children for more than 4 weeks during a calendar year.

**Deed Restriction:** A restriction on the use of a lot or parcel of land that is set forth in the deed and recorded with the County Register of Deeds. It is binding on subsequent owners and is sometimes also known as a restrictive covenant. Unless the Township has an ownership interest or other interest in the property, a deed restriction is enforced by the parties to the agreement, not by the Township.

**Density:** The number of existing or proposed dwelling units per net acre of land. Net acreage is the gross acreage of a lot, less the rights-of-way for streets and alleys.

**Distillery:** See MLCC requirements

**District:** An area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements and height regulations. A "district" is also known as a "zone" or "zoning district".

**Dock:** Any structure temporary or permanent, built or extending over a public body of water, supported by pillars, pilings or other supporting devices.

**Drive-in Establishment:** An establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

**Driveway:** A private lane, which is used for vehicular ingress and egress serving one or two lots, parcels or site condominium units.

**Dwelling:** see Dwelling Unit.

**Dwelling, Manufactured:** A building or portion of a building designed for long-term residential use and characterized by all of the following:

1. The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended, and
2. The structure is designed to be transported to the site in nearly complete form, where it is placed on a foundation and connected to utilities; and
3. The structure is designed to be used as either an independent dwelling or as a module to be combined with other elements to form a complete dwelling on the site.

**Dwelling, Multiple Family:** A building containing three or more dwelling units designed for residential use for three or more families living independently of each other.

**Dwelling, Single Family:** A detached building or portion thereof designed and used exclusively as the home, residence or sleeping place of one family. In the case of a mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed a dwelling for purposes of this Ordinance and shall comply with the provisions herein relative
to dwellings.

**Dwelling, Two Family (Duplex):** A building containing not more than two separate dwelling units designed for residential use.

**Dwelling Unit:** One or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes, either permanently or transiently. In the case of buildings which are occupied in part, the portion occupied shall be considered a dwelling unit, provided it is in conformance with the criteria for dwellings. In no case shall a travel trailer, truck, bus, motor home, tent, shipping container or other such portable structures be considered a dwelling unit.

**Easement, Permanent Recorded:** A grant of one or more property rights from a property owner to another person which is permanent and appurtenant to the land and is recorded in the office of the Leelanau County Register of Deeds.

**Erected:** Includes built, constructed, reconstructed, moved upon, or any physical activity upon a premises or lot required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erection when done in conjunction with a structure.

**Erosion:** The removal or relocation of soil particles from the land by the action of water, wind, ice, or other geological elements.

**Essential Services:** The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface or overhead gas, communication, telephone, electrical, steam, fuel or water transmission or distribution systems, collections, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience, or welfare, but not including towers, or office buildings, substations, or structures which are enclosures or shelters for service equipment, or maintenance depots. Telecommunication towers or facilities licensed via state or federal agencies, alternative tower structures, wireless communication antenna and wind turbine generators are not included within this definition. **Excavation:** Any breaking of ground, except common household gardening, general farming and ground care.

**Extraction Operation:** The removal, extraction, or mining of sand, gravel or similar material.

**Family:**

a. An individual or group of two or more persons related by blood, marriage, or adoption, including foster children and servants, together with not more than two additional persons not related by blood, marriage, or adoption, living together as a single 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 domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, 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 or other similar determinable period.

c. Said definition shall not apply in instances of group care centers, or state licensed residential facilities as established under P.A. 395 of 1976, as amended.

**Farm:** The use of contiguous, neighboring, or associated land operated as a single unit by the owner-operator, manager, or tenant-farmer by his own labor or with the assistance of members of his household or hired employees for the purpose of raising and harvesting farm products for economic gain. The use of land as dog kennels, commercial slaughterhouses,
fertilizer works, and bone yards shall not be considered farms.

**Farm Market:** An accessory building or structure to a farm operation used solely for the purposes of the sale of seasonal or other farm products, of which fifty (50) percent of the retail floor area is devoted to seasonal or other farm products produced on the farm or in Leelanau County.

**Farm Operation:** A condition or activity which occurs on a farm in connection with the commercial production of farm products, and includes, but is not limited to: marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.

**Farm Product:** Those plants and animals useful to man and includes, but is not limited to: forages and sod crops; grains, and feed crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing; fruits, vegetables, flowers, seeds, grasses, and trees; fish, apiaries, equine and other similar products; or any other products which incorporate the use for food, feed, fiber, or fur.

**Fence:** Any permanent or temporary means, partition, structure or gate erected as a dividing structure or barrier.

**Filling:** The depositing or dumping of any soil matter into or onto the ground.

**Floor Area, Gross:** The sum of the square footage of all floors of a building or buildings, measured from the outside dimensions of the outside face of the outside wall. Unenclosed and uncovered porches, unenclosed and covered porches, court yards, or patios shall not be considered as part of the gross area except where they are utilized for commercial purposes such as the outdoor sale of merchandise.

**Floor Area, Usable:** (For the purposes of computing parking requirements), 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 restrooms and janitorial service rooms, shall be excluded from this 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.

**Footing:** That portion of the foundation of a structure which spreads and transmits loads directly to the soil or the pilings.

**Foster Care Facility:** An establishment which provides supervision, assistance, protection, or personal care, in addition to room and board, to persons. A foster care facility does not include a home for the aged or nursing home, licensed under PA 139 of 1956, as amended, or a mental hospital for mental patients licensed under PA 151 of 1923.

a. **Family Home:** A facility which provides foster care to six (6) or fewer persons.

b. **Group Home:** A facility which provides foster care to seven (7) or more persons.

**Frontage:** The total continuous length of the front lot line. In the case of waterfront lots, the term frontage shall also apply to the total continuous length of the rear lot line.

**Fruit and Vegetable Receiving Station:** A business which receives raw fruit and /or vegetables from area farms for shipment to market, and may include the process of brining.

**Garage:** An accessory building or an accessory portion of a principal building designed or used for the use of motor vehicles, boats, motor homes, snowmobiles, and similar vehicles owned and used by the occupants of the building to which it is accessory.
**Golf Course/Country Club:** A golf course, public or private, where the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges as a principal use.

**Grade, Average:** For the purpose of this Ordinance, the term, "average" will be an arithmetic mean.

**Grade, Finished:** The elevation of the ground upon the completion of construction and improvements.

**Grade, Natural:** The elevation of the ground surface in its natural state, before man-made alterations.

**Home Occupation:** A profession or occupation conducted entirely within a dwelling which is clearly incidental and secondary to the residential use of the lot; does not change the character of the dwelling, and meets all applicable provisions of this Ordinance.

**Hotel or Motel:** A building occupied or used as a predominantly temporary abiding place by individuals or groups of individuals, with or without meals.

**Hospital:** An institution providing health services, primarily for inpatients and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities, clinics and staff offices.

**Impervious Surface:** Any surface or structure incapable or highly resistant to penetration by water including, but not limited to, roofs of any type, concrete, asphalt or bituminous paving, compacted gravel, flagstone or brick patios, and driveways.

**Inoperable or Abandoned Motor Vehicle:** Any wheeled vehicle which is self-propelled or intended to be self-propelled, and which by reason of dismantling, disrepair or other cause is incapable of being propelled under its own power.

**Junk:** Any motor vehicles, machinery, appliances, products, or merchandise with parts missing, or scrap metals or other trash, rubbish, refuse or scrap materials that are damaged or deteriorated, except if in a completely enclosed building or otherwise managed as part of a junk yard. Junk includes any inoperable or abandoned motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of thirty (30) days and shall also include, whether so licensed or not, any motor vehicle which is inoperable for any reason for a period in excess of thirty (30) days and which is not in a completely enclosed building. Junk does not include domestic refuse if stored so as to not create a nuisance and is thirty (30) feet or more from any residential structure for a period not to exceed seven (7) days.

**Junk Yard:** Any land or building used: 1) for the abandonment, storage, keeping, collecting, or baling of paper, rags, scrap metals, or other scrap or discarded materials; or 2) for the abandonment, demolition, dismantling, storage or salvaging of machinery, automobiles or other vehicles not in normal running condition, or parts thereof. A junk yard shall be considered as a special land use requiring special approval.

**Kennel:** A lot or premises on which four (4) or more dogs, cats, or other domestic pets of the same species, six (6) months of age or older, are kept, either permanently or temporarily, for the purposes of breeding, boarding, training, sale, or transfer.

**Landscape buffer strip:** see Buffer Strip.

**Land Use Permit:** A permit signifying compliance with the provisions of this Ordinance, as issued by the Zoning Administrator on behalf of the Township.

**Limited Food Processing Kitchen:** A small licensed kitchen area that is used for processing food such as berries for jam, cucumbers and other vegetables for pickling, and other food items for off premise consumption.

**Livestock:** Cattle, horses, sheep, goats, swine, poultry, llamas, and other animals or fowl.

**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 or unloading merchandise or materials.
Lot: A parcel of land or site condominium unit, whether buildable or unbuildable.

Lot, Corner: Any lot having at least two (2) contiguous sides abutting upon one or more streets or approved private roads, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees. A lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. (see Figure 3.)

Lot Coverage: The percentage (%) of the lot covered by buildings, loading docks, and other structures which impede the unobstructed infiltration of water. Driveways, sidewalks or other like items are not included.

Lot, Depth Of: The average distance from the front lot line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.

Lot, Flag: A lot whose access to the public street is by a narrow, private right-of-way that is either a part of the lot and does not meet the frontage requirements of the district in which it is located.

Lot Frontage: The length of the front lot line along a public or private road or easement.

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.

Lot Lines: (Figure 4) The lines bounding a lot or
a. Lot Line, Front: The line(s) separating the lot from any street right-of-way, private road or other access easement. In the case of a waterfront lot, the front lot line shall be the water's edge.
b. Lot Line, Rear: The lot line opposite and most distant from the front lot line. In the case of an irregularly shaped lot or parcel, an imaginary line parallel to and at a maximum distance from the front lot line.
c. Lot Line, Side: Any lot line other than a front or rear lot line.

Lot of Record: A lot whose legal existence, location and dimensions have been recorded with the Register of Deeds, or registered in a deed or on a plat.

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

Lot Width: The straight line perpendicular distance between the side lot lines, measured at the two (2) points where the minimum required front setback line intersects the side lot lines.

Major Thoroughfare: A public street, the principal use or function of which is to provide an arterial route for through traffic, with its secondary function the provision of access to abutting property and which is classified as a county primary road by the Leelanau County Road Commission or as a principal or minor arterial by the Michigan Department of Transportation.

Manufactured Housing: see Dwelling, Manufactured.

Marina: A water body or portion thereof used for the principal purpose of docking watercraft in water for which a fee is paid for such docking, and where additional accessory services may be offered including watercraft repair, fueling and servicing.

Master Deed: The document recorded as part of a condominium project to which are attached as exhibits and incorporated by reference the approved bylaws for the
condominium project and the condominium site plan.

Master Plan: The statement of policy by the Township Planning Commission relative to the agreed upon and officially adopted guidelines for a desirable physical pattern for future community development. The plan consists of a series of maps, charts and written material representing in summary form the soundest concept for community growth to occur in an orderly, attractive, economical and efficient manner.

Mini Storage (warehouse) Facilities: A building or group of buildings that contains individual Compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares including recreational vehicles and watercraft, which are generally not used on a daily basis.

Minor Thoroughfare: A public street identified as a county local road by the Leelanau County Road Commission, except that no street in a platted subdivision nor any private road shall be considered a minor thoroughfare under this Ordinance.

Modular (Pre-Manufactured) Housing Unit: see Dwelling, Manufactured

Motel: see Hotel.

Motor Home: see Recreational Vehicle

Municipal Civil Infraction Citation: A written complaint prepared by an authorized Township official, directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

Municipal Sewage Treatment Facility: A sewage treatment system owned by a township, charter township, village, city, county, the State of Michigan, or an authority or commission comprised of these governmental units.

Municipal Water Supply: A water supply system owned by a township, charter township, village, city, county, the State of Michigan, or an authority or commission comprised of these governmental units.

Nature Trail: A dedicated non-motorized recreational path that can be privately or publicly owned.

Nonconforming Structure: A building or structure (or portion thereof) that does not meet floor area, setback, parking or other dimensional regulations for the district in which located, but which complied with application regulations, if any, at the time it was constructed.

Nonconforming Lot of Record: A lot of record legally created, that does not comply with the area or width dimensions, or both, for the district, but which complied with applicable regulations, if any, at the time it was created.

Nonconforming Use: A legally created use of a building or structure or of a parcel or tract of land, that does not conform to the use regulations in the district in which located, but which conformed with use regulations, if any, at the time it was created.

Nuisance: An offensive, annoying, unpleasant, or obnoxious thing or practice or a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things including but not limited to: noise; dust; smoke; odor; glare; fumes; flashes; vibration; objectionable effluent; passing traffic; or invasion of street frontage by traffic generated from an adjacent land use which lacks sufficient parking and circulation facilities.

Nursing Home: An installation other than a hospital, having as its primary function the rendering of nursing care for extended periods of time to persons afflicted with illness, injury, or an infirmity.

Occupancy Permit: see Certificate of Occupancy

Open Space, Common: Open space which is held for the collective use and enjoyment of the owners, tenants, or occupants of a single development.
Open Space, Dedicated: Common open space dedicated through permanent recorded deed restrictions or easement.

Owner: The owner of the premises or lesser estate in the premises, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, leasee, or any other person, sole proprietorship, partnership, association, or corporation directly or indirectly in control of a building, structure, or real property, or his or her duly authorized agent.

Parcel: see Lot.

Park: Properties and facilities owned and operated by any public or private entity which are open to the general public for recreational purposes.

Parking Area, Off-Street: A land surface or facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide safe access for ingress and egress.

Parking Space: An area of definite length and width exclusive of drives, aisles, or entrances giving access thereto, which is fully accessible for storage or parking of vehicles.

Place of Worship: A building wherein people regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such principal purpose.

Planned Unit Development: A type of development to be planned and built as a unit and which permits upon review and approval, variations in many of the traditional controls related to density, land use, setbacks, open space and other design elements, and the timing and sequencing of the development. Such developments can be proposed as either single use (such as a residential site condominium project), or mixed use developments (such as a project which includes both residential and commercial components).

Planning Commission: The Planning Commission of Solon Township.

Plat: A map of a subdivision of land recorded with the Register of Deeds pursuant to the Subdivision Control Act of 1967 or a prior statute.

Principal Building: The main building on a lot in which the principal use exists or is served.

Principal Use: The main use to which the premises are devoted and the main purpose for which the premises exist.

Private Road: A private way or means of approach which meets the requirements of this Ordinance to provide access to three (3) or more abutting lots, and which is constructed and maintained by the owner or owners and is not dedicated for general public use.

Private Sanitary Sewage Disposal System: An individual or community (shared), on-site sewage disposal system as defined in the County Health Department Sanitary Code. Private Water Supply: A well or other water supply system approved by the County Health Department pursuant to Part 127 of Act 368 of the Public Acts of 1978, as amended.

Prohibited Use: A use of land which is not permitted within a particular zoning district.

Public Bath: An establishment providing common bathing facilities or hot tubs for use for a fee. Shower facilities, swimming pools, saunas and similar facilities intended as accessory uses in a school, health club, motel or similar facilities are not "public baths."

Public Facilities: Land and associated structures and buildings used to carry out a governmental function(s) or provide a governmental service(s), such as a use or service owned or managed by a city, village, township, county state or public school boards and including commissions or other arms of such entities.

Public Sanitary Sewer: A system of pipe owned and maintained by a governmental unit used to carry human, organic and industrial waste from the point of origin to a point of discharge.

Public Utility/Infrastructure: Any person, firm, or corporation, municipal department, board or
commission duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public; gas, steam, electricity, sewage disposal, communication, transportation or water.

**Recreational Vehicle:** A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle. (Act 96, Michigan Public Acts of 1987, as amended).

**Recreational Vehicle Park:** All lands and structures which are owned and operated by private individuals, a business or corporation which are predominantly intended to accommodate recreational vehicles and provide for outdoor recreational activities.

**Repair:** The reconstruction or renewal of any part of an existing building for the purpose of maintenance.

**Restaurant, Drive-through:** A restaurant in which all or a substantial portion of the business consists of serving foods and beverages in a ready-to-consume state from a drive-through window to patrons in motor vehicles. A drive-through restaurant may or may not also have indoor seating.

**Restaurant, Standard:** An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics:

a. customers, normally provided with an individual menu, are served their food and beverage by a restaurant employee, at the same table or counter at which food and beverage are consumed;

b. cafeteria-type operation where food and beverage generally are consumed within the restaurant building.

The term “standard restaurant” shall not be interpreted to mean or include a drive-through restaurant.

**Restoration:** The reconstruction or replication of an existing building's original architectural features.

**Right-of-Way:** A street, alley, or other thoroughfare or easement permanently established for passage of persons, vehicles, or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

**Road Frontage:** The area along a parcel or lot abutting a public or private road.

**Roadside Stand:** A structure which is used seasonally for display and sale of agricultural produce and products grown on the same parcel of land.

**School:** A public or private educational institution offering students a conventional academic curriculum, including pre-school, kindergartens, elementary schools, middle schools, high schools and colleges. Such term shall also include all adjacent properties owned by and used by such schools for educational, research, and recreational purposes.

**Screen:** A visual barrier located between two areas; the area enclosed and the adjacent area. A screen may be structural or non-structural, such as shrubs or other growing materials.

**Seasonal:** A recurrent period other than year round.

**Secondary Containment:** A device and/or measures taken to prevent regulated substances that can be spilled at a loading or unloading facility from entering a public sewer, ground water, surface water, subsurface soils, or the impoundment area for the tanks.

**Setback:** The minimum distance from the lot line within which no buildings or structures, including overhangs, may be placed, except as otherwise provided in this ordinance

a. **Front:** Minimum distance, extending the full lot width, between the principal building and the front lot line.

b. **Rear:** The minimum required distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line.
c. **Side:** The minimum required distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

**Shooting/Hunting Preserve (minimum 120 acres small game (shot guns/bows), 320 acres large game):** Shooting preserve or game farming means the intensive, small pasture production of wild animals for the purpose of hunting on agricultural land, for a fee, over an extended period of time, in conformance with state and federal game laws. **Associated Entertainment:** Competitions, **Food Concessions:** Boxed lunches, Snack shop, Dining facilities, **Other Considerations:** Bird cleaning facilities, Overnight camping, Bed and breakfast, Dog kennels.

**Shoreline:** Any area within five hundred (500) feet of the water’s edge of Lake Leelanau; any additional areas adjacent to Lake Leelanau designated by the State of Michigan or County agencies as environmental areas worthy of protection due to wildlife habitats, sensitive aquatic vegetation, or high risk of erosion; and any area within one hundred fifty (150) feet of the water of a stream, river, pond, lake or wetland area, or the designated floodplain of such water bodies, whichever is greater.

**Sign:** Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or other representation, or combination thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity or product, which is located upon any land or on or in any building, in such a manner as to attract attention from outside the premises.

**Sign Area:** The area of a sign shall be computed as including the entire area within a regular geometric form or combination of such forms comprising all the display area of the sign and including all of the elements of the matter displayed and structural and nonstructural trim. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where (2) such faces are placed back-to-back, parallel to one another and less than one (1) foot apart from one another, the area of the sign shall be the area of one (1) face.

**Sign, Freestanding:** A sign advertising the name of the establishment and/or goods and services available on the lot which is not attached to a principal or an accessory structure.

**Sign, Off-Premises:** A sign which identifies goods, services, facilities, events, or attractions which are available or provided at a location other than the lot or parcel upon which such sign is located.

**Sign, Portable:** Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building, including but not limited to "A-frame", "T-frame", or inverted "T-shaped" structures, including those signs mounted on wheeled trailers.

**Sign Wall:** A sign which is attached directly to a building wall with the horizontal sign surface generally parallel to the building wall, including signs painted on any building wall.

**Site Plan:** A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Ordinance. A plot plan depicts a subset of the information required by this Ordinance for a site plan.

**Solid Waste:** Garbage, rubbish, paper, cardboard, metal containers, yard clippings, wood, glass, bedding, crockery, demolished building materials, ashes, incinerator residue, street cleanings, municipal and industrial sludges, and solid commercial and solid industrial waste, animal waste, but does not include human body waste, liquid or other waste regulated by statute, ferrous or nonferrous scrap directed to a scrap metal processor or to a reuser of ferrous or nonferrous products, and slag or slag products directed to a slag processor or to a reuser of slag or slag products.

**Special Land Use:** Conditional uses and structures which have been generally accepted as reasonably compatible with the primary uses and structures within a zoning district, but could present potential injurious effects upon the primary uses and structures within the zoning district and therefore require special consideration in relation to the welfare of adjacent properties and to the community as a whole. All such proposed uses shall be subject to a public hearing.

**Stable, Commercial:** A structure and/or land use where horses are bred, reared, trained and/or
boarded for remuneration.

**Stable, Private:** An accessory structure and/or land use where horses are kept for private use by the occupants of the parcel and are not for hire, remuneration or sale.

**Steepest Slope:** Any area exceeding a slope of twenty-four (24) percent.

**Stop Work Order:** An administrative order which is either posted on the property or mailed to the property owner which directs a person not to continue, or not to allow the continuation of an activity which is in violation of this Ordinance.

**Stream:** A definite bank, a bed, and visible evidence of a continued flow or continued occurrence of water as determined by the Michigan Department of Environmental Quality.

**Street:** A state highway, county road, dedicated public thoroughfare or approved private road affords the principal means of access to abutting property and if newly constructed, or reconstructed, meets construction standards promulgated by this Ordinance.

**Street Line:** The legal line of demarcation between a street right-of-way and abutting land.

**Structural Alterations:** see Alterations.

**Structure:** Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having such location on the ground. Sidewalks and at-grade patios shall not be considered as “structures,” but must comply with all applicable standards of this Ordinance.

**Subdivision:** The division of a lot, tract, or parcel of land into five (5) or more lots, tracts, or parcels of land for the purpose, whether immediate or future, of sale or of building development. The meaning of the term subdivision shall not, however, apply to the partitioning or dividing of land into tracts or parcels of land of more than ten (10) acres.

**Swimming Pool:** Any structure or container located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches, intended for swimming or bathing.

**Tasting Room:** A room in conjunction with a winery, cidery, or distillery where a) tasting of wine, fruit wines, and nonalcoholic fruit juices takes place and b) the retail sales of winery products, incidental retail sales of non-food items and packaged food items are allowed as provided herein.

**Temporary Dwelling (TD) Unit:** When a dwelling is destroyed by fire, collapse, explosion, Acts of God, or acts of a public enemy to the extent that it is no longer safe for human occupancy, as determined by the County Building Inspector, a TD may be approved for a period of not more than one (1) year during which time a permanent dwelling shall be erected on the property.

**Temporary Off-Season Storage Agricultural Building:** An agricultural building which is used no more than six (6) months during a twelve (12) month period for the purposes of storing recreational vehicles which are not registered to a person residing on the premises.

**Township Board:** Elected members of the governing Board of Trustees of Solon Township.

**Township Engineer:** The staff engineer or consulting engineer of the Township.

**Underground Storage Tank:** A tank or combination of tanks, including underground pipes connected to the tank or tanks or underground ancillary equipment containment systems, if any, which is, was, or may have been, used to contain an accumulation of regulated substances and the volume of which, including the volume of the underground pipes connected to the tank or tanks is 10% or more beneath the surface of the ground.

**U-Pick:** U-Pick means a fruit or vegetable-growing farm that provides the opportunity for customers to pick their own fruits or vegetables directly from the plant. **Associated Entertainment:** Wagon rides, Festivals and contests, Picnic areas, Children’s play area. **Retail:** In season produce from own farm or other Michigan farms **Food Concessions:** Snack shop, **Use:** The purpose for which land or a building is arranged, designed or
intended, or for which land or a building may be occupied.

**Variance:** A variance is a modification of the literal provisions of the Zoning Ordinance which the Zoning Board of Appeals is permitted to grant, upon making certain required findings, including but not limited to, when strict enforcement of said provision would cause practical difficulty or undue hardship owing to circumstances unique to the individual property on which the variance is sought.

**Vicious Animal:** Any animal that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals. The term “vicious animal” shall include, but not be limited to, wolves, coyotes, jackals, cougars or hybrids thereof, and ocelots and margays and hybrids thereof.

**Waterfront Lot:** Any lot or parcel which abuts Lake Leelanau or has a stream, river, or pond.

**Water’s Edge:** The contour line 589.9 feet above mean sea level with respect to lands abutting Lake Leelanau, including the bays and harbors thereof, and the “ordinary high water mark” as defined and interpreted under the Natural Resources Protection Act, PA 345 of 1994, as amended with respect to lands abutting all other lakes and streams in the township.

**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.

**Wine:** The product made by the normal alcoholic fermentation of the juice of grapes or any other fruit with the usual cellar treatment, and containing not more than 21% of alcohol by volume, including fermented fruit juices other than grapes and mixed wine drinks.

**WineRelated Beverages:** Fortified wines, wine brandy and mixed wine drinks.

**Wine Drink, Mixed:** A drink or similar product containing less than 7% alcohol by volume, consisting of wine and plain, sparkling, or carbonated water, and containing any one or more of the following:
1. Non-alcoholic beverages
2. Flavoring
3. Coloring materials
4. Fruit juices
5. Fruit adjuncts
6. Sugar
7. Carbon dioxide
8. Preservatives

**Wine-Fortified:** Wine with brandy or wine spirits added as permitted by law.

**Winery:** The retail and/or manufacturing premises of a small winemaker or winemaker licensee as defined by the Michigan Liquor Control Commission. According to the Michigan Liquor Control Commission (MLCC), a winemaker “means any person licensed by the commission to manufacture and sell, at wholesale or retail, wine manufactured by that person.” A small winemaker is a winemaker manufacturing or bottling not more than 50,000 gallons in 1 calendar year.” Wine is defined as “the product made by normal alcoholic fermentation of the juice of sound ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21 percent of the alcohol by volume, including fermented fruit juices other than grapes and mixed wine drinks.” An MLCC Rule that impacts winery zoning - even though the winemaker license gives the business permission to sell wine, it is subject to the following restriction: R 436.1003 Building and health laws, rules, and ordinances. Rule 3: A licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. **Associated Entertainment:** Special events involving
wine, food, arts and cultural entertainment, Vineyard and winery tours, **Retail:** Tasting room for sampling of wine or other beverages made by the winery, Bottles of wine, Wine related items - glasses, corkscrews, and coolers, Business related items – t-shirts, bags, caps, wine books - arts and crafts. **Food Concessions:** Full service restaurants – as allowable under MLCC regulations, Breads, cheese, bakery. **Other Considerations:** Overnight Accommodations – bed and breakfast.

**Yard:** A space open to the sky between a building and the lot lines of the parcel of land on which located, unoccupied or unobstructed by an encroachment or structure except as otherwise provided by this Ordinance.

a. **Front Yard:** A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the structure. There shall be maintained a front yard on each street side of a corner lot.

b. **Rear Yard:** A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the structure of the main building. In the case of corner lots, there shall only be one rear yard which shall be determined by the owner.

c. **Side Yard:** A yard between the principal building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the structure of the main building.

**Zoning Administrator:** The authorized individual appointed by the Township Board of Trustees and charged with the responsibility of administering this Ordinance.

**Zoning District or Zone:** A portion of the Township within which specific regulations and requirements, or various combinations thereof apply as provided in this Ordinance.
ARTICLE III

SECTION 3.01  LAND USE DISTRICTS

For the purposes of this Ordinance, the Township is divided into nine (9) Land Use Districts, as follows:
1. Agricultural/Conservation (A/C)
2. Residential/Agricultural (R/A 2 & 5)
3. Residential 1 (R-1)
4. Residential 2 (R-2)
5. Governmental
6. Resort Recreation (RR)
7. Business 1 (B-1)
8. Business 2 (B-2)
9. Planned Unit Development (PUD)

SECTION 3.02  ZONING MAP

The Land Use District into which each lot in the Township is placed is shown on the Zoning Map which accompanies and is hereby made a part of this Ordinance. The Zoning Map, or an exact copy thereof, shall be available for examination at the office in the Township Hall at all reasonable times, and shall be kept with the records of the Clerk. Unless otherwise stated, all Land Use District boundaries shown on the Zoning Map are intended to follow lot lines, or the center lines of roads or streets.

SECTION 3.03  INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the Districts indicated on the Zoning Map, the following rules shall apply:
1. Boundaries indicated as approximately following a street, the center lines of such streets shall be considered to be such boundaries.
2. Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following Township boundary lines shall be construed as following such Township boundary lines.
4. Boundaries indicated as approximately parallel to the center lines of streets or highways shall be construed as being parallel thereto and at such distance there from as indicated on the Zoning Map.
5. Boundaries following the water's edge of a stream, lake or other body of water shall be construed to follow such shorelines; boundaries indicated as approximately following the center line of streams, rivers, canals, or similar bodies of water shall be construed to follow such center lines.
6. Where the application of the aforesaid rules leaves a reasonable doubt as to the boundary between two (2) districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the Board of Appeals after recommendation from the Commission.

Section 3.04  SCOPE OF REGULATION

A. Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing
building or structure occurring, and every enlargement of, or addition to an existing use, building and
structure occurring after the effective date of this Ordinance shall be subject to all regulations of this
Ordinance which are applicable in the Zoning District in which such use, building, or structure shall be
located.

B. Any use of land not specifically permitted is prohibited, except that the Zoning Board of Appeals shall
have the power to classify a use which is not specifically mentioned along with a comparable permitted
or prohibited use for the purpose of clarifying the use regulations in any district, if so petitioned and in
accord with the requirements. If the Zoning Board of Appeals finds no comparable uses based on an
examination of the characteristics of the proposed use, it shall so state and the Planning Commission
may be petitioned to initiate an amendment to the text of the Ordinance to establish the appropriate
district(s), type of use (by right or special use), and criteria that will apply for that use. Once the
Ordinance has been amended to include the new regulations, then an application can be processed to
establish that use.

C. No part of a setback area, or other open space, or off-street parking or loading space required about
or in connection with any use, building or structure, for the purpose of complying with this Ordinance,
shall be included as part of a setback area, open space, or off-street parking or loading space similarly
required for any other use, building or structure.

D. No setback area or lot existing at the time of adoption of this Ordinance shall be reduced in
dimensions or area below the minimum requirements set forth herein. Yards or lots created after the
effective date of this Ordinance shall meet at least the minimum requirements established herein.

E. No portion of one lot, once established and/or improved with a building or structure, shall be used in
the creation of another lot unless each lot resulting from each such reduction, division, or sale, shall
conform with all of the requirements established herein.

F. Accessory uses are permitted as indicated for the various Zoning Districts and if such uses are
clearly incidental to the permitted principal uses.

Section 3.05 ZONING OF VACATED AREAS
Whenever any street, alley or other public way within the Township shall have been vacated by official
governmental action and when the lands within the boundaries thereof attach to and become a part of
lands adjoining such street, alley or public way, such lands shall automatically acquire and be subject to
the same zoning regulations as are applicable to lands to which same shall attach, and shall be used for
those uses as is permitted under this Ordinance for such adjoining lands.

Section 3.06 ZONING OF FILLED LANDS: USE OF WATER
No fill shall be placed in any wetland, lake or stream without proof of a valid permit therefor from the
Michigan Department of Natural Resources. Whenever any fill is placed in any lake or stream, the land
thus created shall automatically and without further governmental action thenceforth acquire and be
subject to the same zoning regulations as are applicable for lands to which the same shall attach or be
adjacent, and the same be used for those purposes as are permitted under this Ordinance for such
adjoining lands. No use of the surface of any lake or stream shall be permitted for any purpose not
permitted on the land from which the use emanates.

Section 3.07 CONFLICTING REGULATIONS
Wherever any provision of the Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.

Section 3.08 CATEGORIES WITHIN ZONING DISTRICTS
In order to insure all possible benefits and protection for the zoning districts in this Ordinance, the land uses have been classified into two (2) categories:

A. Uses Permitted By Right: Uses permitted by right are the primary uses and structures specified for which the zoning district has been established.

B. Special Land Uses Permitted By Special Approval: Special land uses permitted by special approval are uses and structures which have been generally accepted as reasonably compatible with the primary uses and structures within the zoning district, but could present potential injurious effects upon the primary uses and structures within the zoning district and therefore require special consideration in relation to the welfare of adjacent properties and to the community as a whole. All such proposed uses shall be subject to a public hearing and Planning Commission approval.

Section 3.09 SCHEDULE OF REGULATIONS
The requirements in the following table entitled "Schedule of Regulations" apply to all principal land uses and buildings permitted by right within each zoning district, except as otherwise specified in the schedule or established in this Ordinance. This schedule summarizes basic site development standards. The specific district regulations and other regulations should be consulted to identify additional standards and regulations, and clarifications of the schedule, and all other applicable site development provisions. In the event of any conflict between the provisions of the written text of the Ordinance and the content of the Schedule of Regulations, the provisions of the text shall apply. Owners of nonconforming lots of record should refer to Article XVII as well. Variances may be granted by the Zoning Board of Appeals only upon a showing of practical difficulty or unnecessary hardship, related to a unique characteristic of the land and not to self-created hardships of the owner.
<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area</th>
<th>Minimum Lot Width &amp; Frontage (in feet)</th>
<th>Maximum Building Height</th>
<th>Minimum Yard Setback (in feet)</th>
<th>Maximum Lot Coverage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AC: Agricultural Conservation</td>
<td>5 acre</td>
<td>250</td>
<td>35</td>
<td>50/100 RES</td>
<td>25</td>
</tr>
<tr>
<td>RA: Residential /Agricultural 5 Residential /Agricultural 2</td>
<td>5 acres 2 acres</td>
<td>200 f 100 f</td>
<td>35</td>
<td>40 20 30 25</td>
<td>25</td>
</tr>
<tr>
<td>R-1: Low Density Residential</td>
<td>15,000 sq. ft. 100 50 in Cedar</td>
<td>35</td>
<td>40 *Cedar 10</td>
<td>40 15 Cedar 40 50 Cedar</td>
<td>40</td>
</tr>
<tr>
<td>R-2: Medium Density Residential</td>
<td>30,000 sq. ft. 100</td>
<td>35</td>
<td>40 10 40</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>GOV: Governmental</td>
<td>20,000 sq. ft. 100</td>
<td>35</td>
<td>40 10 10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>RR: Resort Recreation</td>
<td>20,000 sq. ft. 75</td>
<td>35</td>
<td>4010 / 15c 40</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>B-1: Business</td>
<td>20,000 sq. ft. 100 15 in Cedar</td>
<td>35</td>
<td>75 15 Cedar 15 5 Cedar</td>
<td>25</td>
<td>8,000 15,000 d</td>
</tr>
<tr>
<td>B-2: Business / Light Manufact.</td>
<td>1 acre 150</td>
<td>35</td>
<td>65 10 50 Res. 10 50 Res.</td>
<td>50</td>
<td>50</td>
</tr>
</tbody>
</table>

Footnotes: Residential sq. ft. minimum is 400 with a 20’ by 20’ minimum core on the main level.

* Neighborhood Clause
ARTICLE IV
GENERAL PROVISIONS

SECTION 4.01 SCOPE

Except as otherwise provided in this Ordinance no lot, no existing building or structure and no new building, or structure shall hereafter be located, erected, constructed, reconstructed, altered or used for purpose other than in conformity with the provisions of this Ordinance.

SECTION 4.02 ESSENTIAL PUBLIC SERVICES

Essential public services such as drains, sewers, pipes, and conduits within the road right-of-way, are hereby declared exempt from the provisions of this Ordinance. Overhead wires, cables and poles shall be located on section or property lines, PROVIDED, however, that if such location is impractical, the Board of Appeals may, on application made thereof, grant a variance. Accessory buildings for utility installations shall be approved through Special Land Use and Site Plan Review requirements.

SECTION 4.03 CODES

All buildings constructed within all zoning districts shall meet all local, state and federal approved codes, if applicable.

SECTION 4.04 YARD, AREA AND LOT RELATION

Every building and structure hereafter erected shall be located on a lot the description of, and the deed to which shall be on record in the office of the Register of Deeds of this County, or on a lot the description of which shall be contained in a bona fide land contract or lease which is in full force and effect at the time of application for a permit under this Ordinance.

SECTION 4.05 SETBACK RESTRICTIONS, HIGHWAY

Right-of-way line of any roadway appearing elsewhere in this Ordinance have been written with the assumption that the right-of-way is not wider than sixty six (66) feet, therefore, any forty (40) foot setback restriction may be reduced as follows:

<table>
<thead>
<tr>
<th>RIGHT-OF-WAY</th>
<th>DISTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>66</td>
<td>40</td>
</tr>
<tr>
<td>100</td>
<td>30</td>
</tr>
<tr>
<td>150</td>
<td>25</td>
</tr>
<tr>
<td>200</td>
<td>20</td>
</tr>
</tbody>
</table>
SECTION 4.06 SETBACK RESTRICTIONS, BUILDING AND STRUCTURES

No building or structure shall be built closer to the adjoining right-of-way than forty (40) feet nor closer to the water's edge than forty (40) feet except where compliance with both of these restrictions on a lot of record created before the institution of this Ordinance creates a hardship in which case the right-of-way restriction may be reduced as deemed necessary by the Board of Appeals, but in no case shall the setback from the right-of-way be less than twenty (20) feet nor the setback from the water's edge be less than twenty (20) feet. To reduce fire hazards, no building or structure shall be erected less than ten (10) feet from the side lines of any lot or existing or proposed structures. Towers, wind generators, transmission or reception antennas and other similar structures shall be setback ten (10) feet plus the height of the structure, from all lot lines, except where other provisions of this Ordinance are more restrictive.

SECTION 4.07 PARKING RESTRICTIONS

Parking and/or service areas for all business uses shall be separated from adjoining residential uses by a suitable planting screen, fence or wall at least six (6) feet in height, as required by the Planning Commission during site plan review.

SECTION 4.08 BOAT HOUSES

Unless otherwise specifically provided in this Ordinance, boat houses constructed on lakes or water courses in the Township do not have to comply with setback restrictions from such water's edge of lakes or water courses as would be applicable to other types of structures. A 14’ x 24’ maximum building footprint with an 18’ high maximum peak with a minimum 4/12 gable roof pitch. No habitable space or decking is allowed.

SECTION 4.09 MAXIMUM HEIGHT

Fire Department regulations require that no building or structure shall be constructed having a height greater than thirty five (35) feet unless allowed by applicable building and fire safety codes. This does not include antenna systems that might require a greater height for adequate signal reception.

SECTION 4.10 STRUCTURES EXEMPT FROM LAND USE PERMITS AND SETBACK REQUIREMENTS

Structures, such as mailboxes, sidewalks, (still require a permit from the Leelanau County Road Commission), and other similar objects shall be exempt from setback requirements and shall not require a Land Use Permit. Also see TEMPORARY HOUSING UNITS, Section 4.13, and SIGNS.

SECTION 4.11 DRIVEWAYS

To promote public safety; to facilitate optimum levels of emergency services to township residents and guests; and, to prevent or reduce damage to buildings and structures resulting from fire hazards, all Primary Driveways shall meet the following minimum design, construction, and maintenance standards:

1. Connection to Public Street or Road -Unless otherwise permitted by this Ordinance, all driveways shall connect directly to an approved public or private street or road.
2. Design Standards - All driveways shall meet or exceed the following design standards:

<table>
<thead>
<tr>
<th>Design Element</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right-of-Way – Area used for driveway placement, including the driving surface and clearance zone. That portion of the right-of-way outside the limits of the driving surface may also be used for snow storage and surface water drainage.</td>
<td>24'</td>
</tr>
<tr>
<td>Horizontal Clearance Zone – Open area maintained throughout the length of the driveway for accommodating the driving surface and shoulder areas. A clearance zone is necessary for the unimpeded movement of emergency vehicles, such as fire equipment, as well as the parking of vehicles associated with emergency operations.</td>
<td>20'</td>
</tr>
<tr>
<td>Vertical Clearance Zone – A vertical clearance zone maintained along all portions of the driving surface. A clearance zone is necessary for the unimpeded movement of emergency vehicles, such as fire equipment, as well as the parking of vehicles associated with emergency operations.</td>
<td>14'</td>
</tr>
<tr>
<td>Improved Driving Surface – Improved area of the driveway used for the normal conveyance of vehicular traffic associated with the use of the lot or parcel served by said driveway</td>
<td>12’ – Driveway serving Single Parcel 16’ – Driveway serving Multiple (up to 2) Parcels (Note: the improved driving surface width at the connection of the driveway to a public street shall be not less than required by the agency having jurisdiction over the street to which the driveway will connect.)</td>
</tr>
<tr>
<td>Driving Surface Alignment – The location of the driveway within the right-of-way.</td>
<td>The centerline of the driving surface shall follow the centerline of the right-of-way. Provided, however, the Zoning Administrator may permit modification of said placement for purposes of public safety and/or protection of important site features.</td>
</tr>
<tr>
<td>Grade – Incline/slope of the road. Radius approval by Zoning Administrator and Fire Chief</td>
<td>Not to exceed 7%. A grade exceeding 7%, up to a maximum of 10%, may be permitted subject to review and approval by the Fire Chief and Zoning Administrator.</td>
</tr>
<tr>
<td>Materials – Driveway construction materials</td>
<td>Sub-base: 6 inches compacted course sand Surface: 4 inches compacted gravel (22A); or 2” bituminous pavement or 3” to 5” of suitable concrete over compacted gravel. Materials shall be placed over a stable base or equivalent.</td>
</tr>
<tr>
<td>Clear Vision – Maintaining an open area of the intersection of the driveway with a private street</td>
<td>Shall be maintained at all driveway/road intersections.</td>
</tr>
<tr>
<td><strong>or road such that the views of oncoming traffic are not blocked or obscured.</strong></td>
<td><strong>Turn-A-Rounds – For driveways beyond 400 feet in length</strong></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Shall be required if the terminus of the driveway (i.e. point[s] most distant from the connection of the drive to a public street or road) does not provide sufficient area or maneuvering capability for the turn-a-round of vehicles using the driveway. The turn-a-round shall be in the form of a cul-de-sac having a radius of not less than 40 feet or a hammerhead &quot;T&quot; of sufficient size to permit the safe and efficient maneuvering of vehicles for turn-a-round purposes. All turn-a-rounds shall be subject to review and recommendation of the Township Fire Department.</td>
<td><strong>Turn-out – for driveways greater than 400 feet in length.</strong></td>
</tr>
<tr>
<td>Shall be required subject to review and approval of the Zoning Administrator and Fire Chief.</td>
<td><strong>Stream, Wetlands and Drainage Crossings</strong></td>
</tr>
<tr>
<td>The crossing of a stream, wetland, or county drain shall be subject to site plan review and approval. All such crossings shall also satisfy the requirements of the agency having jurisdiction thereof</td>
<td><strong>Shared Driveways</strong></td>
</tr>
</tbody>
</table>
| All portions of shared driveways shall comply with applicable provisions of Section 4.12 | 3. Maintenance- All driveways shall be regularly maintained, suitable for the safe and efficient passage of emergency vehicles at all times.  
4. Other Access Requirements- The provisions of Section 4.12 do not preclude compliance with the access and lot frontage requirements of this Ordinance.  
5. Shared Driveways- The sharing of driveways shall be permitted provided, however, this provision shall not nullify the requirements that every lot shall abut on, or have permanent access to, a public street. All parcels subject to use of a shared driveway shall execute and record with the County Register of Deeds an access easement and maintenance agreement. Said agreement shall fully describe the location of the access easement and shall contain language specifying that all parties to the easement agreement shall be subject to the driveway requirements of Solon Township, and that said access easement agreement shall not be construed as a public or private street or road. The applicant shall file a copy of the recorded access agreement with the Solon Township Zoning Administrator not less than sixty (60) days after date of said recording.  
6. County or State Road Connection Approval (permit)- The applicant shall obtain necessary connection approvals (i.e. permits) as required by the Leelanau County Road Commission or the Michigan Department of Transportation.  
7. Township Approval- The design and construction of a Primary Driveway shall be subject to site plan review and approval by the Zoning Administrator. Provided, however, review and approval may also occur coincident with the review and approval of site development (i.e. building) plans proposed for the property subject to the driveway. The Zoning Administrator may consult with the Fire Chief or other parties when reviewing and approving a driveway. |
The approval of a primary Driveway may be subject to conditions necessary to protect the public health, safety, and welfare. Said conditions may include, but shall not be limited to, relocation of the driveway for purposes of public safety and/or to protect adjoining properties from the effects of the driveway resulting from its construction and use; provisions for the placement of emergency staging areas to support fire and emergency vehicles and associated equipment; certification by a civil engineer or professional surveyor, registered in the State of Michigan, specifying that said Primary Driveway has been designed and constructed to township standards; implementation of a dust control plan; implementation of an erosion control plan; landscape buffers for purposes of dust and erosion control; and other such conditions necessary to protect public safety, the integrity of the driveway, and the fulfillment of these regulations.

8. Indemnity-The applicant(s) and owners of a driveway agree that by applying for and securing a permit to construct a driveway shall indemnify and will hold the Township, including the Township Board, Planning Commission, Township Staff, Township Consultants and other such bodies representing the Township, harmless from any and all claims for personal injury and/or property damage arising out of the use of the driveway or the failure to properly construct, maintain, repair, and replace the driveway.

SECTION 4.12 SINGLE FAMILY DWELLINGS

Single family dwellings in all districts allowed by this ordinance shall meet each of the following standards:

1. The dwelling shall comply with the minimum living space requirements and other requirements of the district in which it is to be placed.
2. The exterior walls shall be constructed, or appear to be constructed, of wood or masonry, or other materials approved by the Planning Commission. Reflection from such exterior shall not be greater than from siding coated with clean, white, gloss exterior siding.
3. The dwelling shall have a minimum dimension, in any direction, of not less than twenty (20) feet.
4. The dwelling shall have not less than two (2) exterior doors.
5. The dwelling shall be firmly attached to a permanent foundation, which shall be coextensive with the perimeter of the dwelling. The foundation shall be constructed in accordance with the Leelanau County Building Code, and attachment of the dwelling to the foundation shall meet all applicable building codes and other state and federal regulations.
6. The dwelling shall not have exposed wheels or towing mechanism.
7. The dwelling shall meet all standards of the State of Michigan’s Building Code and all other applicable Township, state, or federal ordinances or statues.

Compliance with the foregoing standards shall be determined by the Zoning Administrator of the plans submitted, which plans shall include elevations or elevations of photographs of all sides of the proposed dwelling, exterior dimensions, roof slopes, description of the exterior finish and roofing composition, storage areas, and all other information required to be submitted under any applicable ordinance. Said determination may be appealed by an aggrieved party to the Zoning Board of Appeals, pursuant to Article XXI, Section 21.08. Further, the Board of Appeals is empowered to grant variances from the foregoing standards to permit innovative design concepts involved in such matters.
as solar energy, view, unique land contour, or relief from the common or standard dwelling.

SECTION 4.13 TEMPORARY DWELLING UNIT

A maximum of one (1) temporary dwelling unit may be located on any lot without issuance of a Land Use Permit, provided the following conditions and limitations are met:

1. Each unit shall:
   a. Be maintained in reasonable state of repair and in working condition
   b. Meet all applicable setback requirements
   c. Not be located in a public right-of-way
   d. Not be used for commercial or business purposes
   e. Not constitute a public or private nuisance
   f. Not be used for residential purposes for more than sixty (60) calendar days in any calendar year, except in ag than no more than a hundred (100) calendar days.
   g. Not be used as a permanent dwelling
   h. Meet Health Department requirements for sanitary waste disposal and water supply

2. No temporary housing unit shall be located, parked, or stored for a total period of more than sixty (60) consecutive days in any calendar year, on any lot on which no permanent dwelling exists, unless located inside a legally established barn, garage, or other enclosed structure conforming to all requirements of the Ordinance.

SECTION 4.14 PERMITTED ACCESSORY USES

The following accessory uses are permitted in all Land Use Districts, except the Governmental District, within the Township:

1. Accessory structure; private garage, garden house, tool house, swimming pool, play house or greenhouse (not used for habitable space), private dock, boat house and/or swimming beach (not used for commercial purposes), studio hobby or craft shop (not for commercial use and not producing a nuisance). All buildings and structures for accessory uses customarily incidental to any of the uses permitted in any district shall be subject to the same provisions of location, spacing and land occupancy as the principal building permitted in that district and their area shall be computed as part of the maximum total area of land occupancy permitted.

SECTION 4.15 FLOOD INSURANCE

Any party or parties requesting a Land Use Permit on lakeshore property eligible for National Flood Insurance under the National Flood Insurance Act of 1968, as amended in 42 USC 40011127, must comply with all the requirements as defined in said Act, if said party or parties desires to obtain said insurance.
SECTION 4.16 SANITATION PERMIT REQUIREMENTS

The placement of any sewage disposal system on any lot shall be such as not to endanger the domestic water supply of any neighboring property owners or otherwise be the cause of any contamination or pollution and, therefore, where a sewage disposal system is to be a part of the construction project, the Administrator may not issue a land use permit until a permit for the construction of the sewage disposal system and water system has been issued by the local health department.

SECTION 4.17 PERMIT REQUIREMENTS

Subject to all other terms and conditions of this Ordinance, a land use permit shall include legal description, and a drawing showing length and width of lot, direction, dimensional size and location of all buildings and structures to be erected, water supply and sewage system. Floor plans may be required to confirm compliance with use requirements of this ordinance.

SECTION 4.18 AMENDMENTS

Any individual, corporation, association, department, board or bureau of the State, County, or Township affected by this Ordinance may submit a petition in writing to the township's Zoning Administrator requesting that consideration be given to amendment of this Ordinance in the particulars set out in the petition. Upon receipt of such petition, the Commission shall within ninety (90) days hold a public hearing to consider such petition. The person submitting such petition shall be notified of the time and place of such meeting no later than ten (10) days prior thereto.

The person submitting such petition, if it is a request for rezoning, shall furnish the Secretary of the Commission with the legal description of the property involved and an original and seven (7) copies of a good and sufficient survey of the property showing all boundary dimensions, directions, and the relationship of all adjoining properties (including those across roads and streets). The applicant must present the results of all necessary studies (at their own expense) if required to prove that any proposed facilities shall be adequate to prevent any detrimental effects to the surrounding environment.

SECTION 4.19 FEES

The Board is hereby authorized to establish, by a resolution, all fees for the administration of this Ordinance. Such fees may be altered by subsequent resolution of the Board after public notice.

Each application for a land use permit, amendment, rezoning, appeal, and some conditional uses shall be accompanied by the payment of a fee as established by the Board to help defray the anticipated costs of investigation and printing. The payment of the fee for an amendment or appeal may be waived by the Board if it can be shown that the fee creates an undue hardship to the applicant. Specific information may be required of the applicant regarding his or her financial status in order to determine individual hardship. No part of any fee shall be refundable. Refer to schedule of fees, to be obtained.
from the Township Clerk.
ARTICLE V

AGRICULTURAL CONSERVATION (A/C) DISTRICT

This district is designed to accommodate agriculture uses, outdoor recreational activities, and conservation measures while protecting the rural areas of the Township. A farm or farm operation shall not be found to be a public or private nuisance if the farm or farm operation conforms to legal Generally Accepted Agricultural and Management Practices (GAAMPs).

SECTION 5.01 PERMITTED USES BY RIGHT

1. Single family dwelling
2. Wildlife management areas, plant and wildlife conservancies, refuges and sanctuaries.
3. Agricultural activities, such as field crops, horticulture, viticulture, fruit and nut producing, forestry, maple syrup reducing, ranching, nurseries and greenhouses, beekeeping, poultry and egg production, animal breeding, raising, training, stabling, kenneling, milk/cheese production and storage relating to the above uses.

SECTION 5.02 PERMITTED ACCESSORY USES

1. Any structures customarily incidental to the permitted use by right.
2. Signs, as permitted in Article XXXII.
3. Roadside stands.
4. Home occupation

SECTION 5.03 SPECIAL LAND USES

The following uses are permitted in this district upon Development Site Plan Review approval by the Planning Commission in accordance with Article XXIV and are subject to a Public Notice and subsequent Public Hearing. The necessary conditions for approval of any of these uses shall be a demonstrated need for the use and the placement of the facility in a manner which least affects the productive agricultural land of the site or the surrounding properties:

1. Farm Retail Market, nurseries, and retail greenhouses provided that one (1) off-street parking space is provided for each one hundred (100) square feet of retail floor area. Screened parking shall not be allowed within the first fifty (50) feet of the front setback.
2. Farm dwellings, farm labor housing: More than one farm dwelling shall not be permitted on a parcel of record unless substantial evidence is provided which shows conclusively that the additional farm dwelling is necessary for the operation of the commercial farm. In making the determination whether the additional farm dwelling is necessary for the farm operation, the Planning Commission shall take into consideration whether any non-farm dwellings already exist on the farm unit that may be used for that purpose. Farm dwellings in addition to the principal dwelling shall be located to minimize adverse effects upon productive areas for farm crops and livestock.
3. Wineries, Cideries, Distilleries, and Tasting Rooms subject to licensing from regulatory agencies.
4. Fruit Packing, Grading, Cooling, and Packing Plants
5. Agricultural research and development facilities, public and private (excluding
manufacture and sale of products)
6. Farm implement dealers and suppliers
7. Libraries & Churches
8. Daycare operations, Nursing Homes, & Adult Foster Care facilities
9. Bed and breakfast establishments
10. Public and private, elementary, junior and senior high schools, offering general education provided, however, that the net lot upon which located contains at least five hundred (500) square feet of land per pupil.
11. Nursery schools, provided that the net lot area upon which located contains at least two hundred fifty (250) square feet of land per pupil.
12. Public utility transformer stations and switchboards, gas regulator and telephone exchanges.
13. Extractive Operations - the extraction and processing of sand and gravel, including block and redi-mix operations and the removal of topsoil, are permitted, subject to the following conditions in the interest of safety, prevention of traffic hazards, reduction of excessive wind and water erosion, noise and dust, and visually shielding such operations from adjacent rights-of-way and property owners:
   a. Minimum lot size - eighty (80) acres.
   b. Setbacks - Gravel pits, temporary buildings and structures, processing machinery, and the extraction or processing of sand and gravel shall be set back not less than:
      (1) Two hundred fifty (250) feet from any public right-of-way and/or from any lot line.
      (2) Two hundred fifty (250) feet from any lake or stream. Permanent buildings, structures, and storage of sand, gravel and machinery used for day-to-day operations shall meet setback requirements of Section 5.04. Setbacks may be used for access and haul roads provided such roads do not interfere with the effectiveness and intent of required buffers.
   c. Buffers - The following shall be placed and maintained as required below:
      (1) Wherever possible, the existing natural vegetation shall not be removed from the required setbacks.
      (2) Where existing vegetation is insufficient or non-existent, three (3) rows of conifer trees (min. 8’ in height) shall be stagger planted and permanently maintained on the perimeter of the lot and spaced seven (7) feet apart in accordance with the recommendations of the Leelanau County Soil Conservation District. Adjacent to road right-of-ways, trees will be planted outside the right-of-way.
   d. Reclamation - When supply is exhausted, pit abandoned, or after a period of two (2) years of inactivity, the owner/operator shall be responsible for rough grading the site to conform or blend with the surrounding terrain, and the entire site shall be revegetated with native vegetation using techniques and standards approved by the County Soil Erosion Control Officer. Slopes shall not be in excess of 1’ on 3’ (one foot of vertical elevation per three foot horizontal).
   e. Signs shall be conspicuously posted around the perimeter of any lot being used for extractive operations in order to warn individuals of the hazards associated with trespass.
   f. A master plan indicating the measures that will be implemented to meet the above conditions shall be submitted to the Zoning Administrator prior to the
issuance of a land use permit. The master plan shall indicate a time schedule for completion of measures required by this subsection.

14. Permanent sawmills, provided that no sawmill shall be located closer than two hundred fifty (250) feet from any road right-of-way and having a minimum side, front, rear and water's edge setback of two hundred fifty (250) feet.
   a. Wherever possible, the existing natural vegetation shall not be removed from the normal required setbacks. Where existing vegetation is insufficient or non-existent, three (3) rows of conifer trees (min. 8’ in height) shall be stagger plated and permanently maintained on the perimeter of the lot and spaced seven (7) feet apart in accordance with the recommendations of the Leelanau County Soil Conservation District. Adjacent to road right-of-ways, trees will be planted outside of the road right-of-way.
   b. Hours of operation shall be determined during the Site Plan Review process.
   c. Noise will be measured from the common property line and shall not exceed 70 decibels.

15. Cemeteries, provided that the minimum lot area is five (5) acres and a maximum lot area of ten (10) acres and has controlled vehicle access.

16. Golf Course, provided that:
   a. Minimum front, rear and side setbacks of one hundred (100) feet except rough which may extend to the lot line, and the fairway may extend within fifty (50) feet of the lot line.
   b. Off-street parking, four (4) spaces for each golf hole plus one (1) for each two (2) employees.
   c. The sale and/or rental of golfing sports equipment and accessories shall be allowed. The sale of non-alcoholic beverages and refreshments shall be allowed.
   d. The sale of alcoholic beverages shall be allowed if proper licensing is obtained.
   e. A master plan shall be required indicating the measures that will be implemented to meet the above conditions. It shall be submitted to the Zoning Administrator prior to the issuance of a land use permit.

17. Concentrated livestock operations which meet the GAAMPS of the Michigan Department of Agricultural.

SECTION 5.04 LOT AND BUILDING REQUIREMENTS

1. Minimum Lot Area - Five (5) acres
2. Minimum Road Frontage & Lot Width - Two hundred fifty (250) feet
3. Minimum Front Setback - Fifty (50) feet
4. Minimum Side Setback – Twenty-five (25) feet - Except 50’ along a Residential District
5. Minimum Rear Setback - Fifty (50) feet - Except 100’ along a Residential District
6. Lot Coverage % - 25 percent
ARTICLE VI

RESIDENTIAL/AGRICULTURAL (R/A) DISTRICT

This district is designed to accommodate limited agricultural uses in a residential district that are harmonious to a residential environment and do not constitute a nuisance visually, audibly, or cause obnoxious odors to the surrounding properties.

SECTION 6.01 PERMITTED PRINCIPAL USES

1. Single family dwelling.
2. Churches.
3. Libraries.

SECTION 6.02 PERMITTED ACCESSORY USES

1. Any structure customarily incidental to the permitted principal use.
2. Signs, as permitted in Article XXXII.
3. Roadside stands.
4. Home occupation.

SECTION 6.03 SPECIAL LAND USES

1. Cemeteries, provided there is a minimum lot area of five (5) acres, a maximum lot area of ten (10) acres all controlled vehicle access.
2. Beekeeping, poultry and egg production (R/A2, 20 acres; R/A5, 40 acres), large/small animal breeding, raising, training, stabling, or kenneling, provided there are fifty (50) foot side and rear setbacks. Buildings and/or use shall not exceed twenty five (25) percent of the lot area except as pasture for animals.
3. Nurseries and greenhouses. All buildings and structures and/or greenhouse materials shall be setback according to the lot and building requirements of this district. All plantings shall have a minimum side and rear setback of five (5) feet. Buildings shall not exceed fifty (50) percent of the lot area.
4. Private and public schools, elementary, junior and senior high schools, offering general education provided, however, that the net lot upon which located contains at least five hundred (500) square feet of land per pupil.
5. Nursery schools, provided that the net lot area upon which located contains at least two hundred fifty (250) square feet of land per pupil.
6. Nursing homes, provided that they shall have one (1) parking space per every three hundred (300) square feet of indoor floor area.
7. Bed & Breakfast
8. Public utility transformer stations and switchboards, gas regulator stations and telephone exchange.
SECTION 6.04 LOT AND BUILDING REQUIREMENTS

R/A 2

1. Minimum Lot Area - Two (2) acres
2. Minimum Frontage Width - One hundred (100) feet
3. Minimum Front Setback - Forty (40) feet
4. Minimum Side Setback - Twenty (20) feet
5. Minimum Rear Setback - Thirty (30) feet
6. Lot Coverage % - Twenty-five (25) percent

R/A 5

1. Minimum Lot Area - Five (5) acres
2. Minimum Frontage Width - Two hundred (200) feet
3. Minimum Front Setback - Forty (40) feet
4. Minimum Side Setback - Twenty (20) feet
5. Minimum Rear Setback - Thirty (30) feet
6. Lot Coverage % - Twenty-five (25) percent
ARTICLE VII

RESIDENTIAL DISTRICT 1 (R-1)

This district is intended to permit single family dwelling units in an area developed for low to medium density residential purposes. This district should provide suitable areas of protected residential character and the physical and social amenities of a healthy living environment, open space, recreational area, and compatibility with other residential land uses.

SECTION 7.01 PERMITTED PRINCIPAL USES

1. Single family dwelling.
2. Libraries.
3. Churches.

SECTION 7.02 PERMITTED ACCESSORY USES

1. Any structure customarily incidental to the permitted principal use.
2. Signs, as permitted in Article.
3. Home occupation.

SECTION 7.03 SPECIAL LAND USES

1. Public and private, elementary, junior and senior high schools, offering general education provided, however, that the net lot upon which located contains at least five hundred (500) square feet of land per pupil.
2. Nursery schools, provided that the net lot area upon which located contains at least two hundred fifty (250) square feet of land per pupil.
3. Cemeteries, provided that the minimum net lot area is five (5) acres, and maximum net lot area of ten (10) acres, and has controlled vehicle access.
4. Nursing homes, provided that they shall have one (1) parking space per every three hundred (300) square feet of indoor floor area.
5. Bed and Breakfast.
6. Public utility transformer stations and switchboards, gas regulator stations and telephone exchange.

SECTION 7.04 LOT AND BUILDING REQUIREMENTS

1. Minimum Lot Area - Fifteen thousand (15,000) square feet
2. Minimum Lot Width - One hundred (100) feet, except fifty (50) feet within the platted village limits of Cedar
3. Minimum Front Setback - Forty (40) feet except within platted lots in Cedar; Fifteen (15) feet
4. Minimum Side Setback - Ten (10) feet
5. Minimum Rear Setback - Forty (40) feet except within platted lots in Cedar; Fifteen (15) feet
6. Lot Coverage % – Forty (40) percent; Fifty (50) percent in Cedar
7. Neighborhood Clause (in Cedar) – Any front setback area in any residential district may be reduced below the minimum requirements when the average front setback of existing principal buildings within two hundred (200) feet of a proposed principal building location.
ARTICLE VIII

RESIDENTIAL DISTRICT 2 (R-2)

This district is intended to permit single family and two-family dwelling units in an area developed and reserved for medium density residential purposes. This district should provide suitable areas of protected residential character and the physical and social amenities of a healthy living environment, open space, recreational area and compatibility with other residential land uses.

SECTION 8.01 PERMITTED PRINCIPAL USES

1. Single family dwelling.
2. Two-family dwelling.
4. Libraries.
5. Churches.

SECTION 8.02 PERMITTED ACCESSORY USES

1. Any structure customarily incidental to the permitted principal use.
2. Signs, as permitted in Article XXXII.
3. Home occupation.

SECTION 8.03 SPECIAL LAND USES

1. Cemeteries, provided that the minimum net lot area is five (5) acres, and a maximum net lot area of ten (10) acres, and has controlled vehicle access.
2. Public and private, elementary, junior and senior high schools offering general education provided, however, that the net lot upon which located contains at least five hundred (500) square feet of land per pupil.
3. Nursery schools, provided that the net lot area upon which located contains at least two hundred fifty (250) square feet of land per pupil.
4. Nursing homes, provided that they shall have one (1) parking space per every three hundred (300) square feet of indoor floor area.
5. Bed and Breakfast.
6. Public utility transformer stations and switchboards, gas regulator stations and telephone exchange.

SECTION 8.04 LOT AND BUILDING REQUIREMENTS

1. Minimum Lot Area - Thirty thousand (30,000) square feet. Multi-family requires one third (1/3) acre for each unit
2. Minimum Lot Width - One hundred (100) feet
3. Minimum Front Setback - Forty (40) feet
4. Minimum Side Setback - Ten (10) feet
5. Minimum Rear Setback - Forty (40) feet
6. Lot Coverage % - Forty (40) percent
ARTICLE IX

GOVERNMENTAL DISTRICT

This district is intended to allow for and regulate areas in the Township for all public institutions, buildings, and areas under the control of all governmental agencies.

SECTION 9.01  PERMITTED PRINCIPAL USES

1. Public buildings.
2. Institutions.
3. Parks. Publically owned only.
4. Public picnic grounds.
5. Public lookouts.
6. Public campgrounds.
7. Forest preserves.
8. Wildlife management areas.
10. Public recreation areas.
11. Public beaches.

SECTION 9.02  PERMITTED ACCESSORY USES

1. Any use customarily incidenta1 to the permitted principal use.
2. Signs, as permitted in Article XXXII.

SECTION 9.03  SPECIAL LAND USES

Reserved for future use.

SECTION 9.04  LOT AND BUILDING REQUIREMENTS

1. Minimum Lot Area  -  Twenty thousand (20,000) square feet.
2. Minimum Front Setback  -  Forty (40) feet
3. Minimum Side Setback  -  Ten (10) feet
4. Minimum Rear Setback  -  Ten (10) feet
5. Minimum Lot Width  -  One hundred (100) feet
6. Minimum Distance Between Buildings  -  Twenty (20) feet
7. Parking Spaces  -  One (1) for every one hundred fifty (150) square feet of total office space and community rooms
ARTICLE X
RESORT RECREATION DISTRICT (RR)

This district is intended to permit development of recreational facilities and the goods and services usually incidental to such facilities while protecting the rural areas of the Township against premature, inappropriate, and substandard development.

SECTION 10.01 PERMITTED PRINCIPAL USES

1. Single family dwelling.
2. Two-family dwellings.
3. Libraries.
4. Home occupation.

SECTION 10.02 PERMITTED ACCESSORY USES

1. Any use customarily incidental to the permitted principal use.
2. Signs, as permitted in Article XXXII.

SECTION 10.03 SPECIAL LAND USES

1. Nursery schools, provided that the net lot area upon which located contains at least two hundred fifty (250) square feet of land per pupil.
2. Churches.
3. Public utility transformer stations and switchboards, gas regulator stations and telephone exchange.
4. Inns, lodges, hotels with or without dining facilities consisting of single or multiple unit dwellings intended for rental, with such necessary and customary accessory buildings as automobile and boat storage garages, utility buildings, recreational facilities, docks, boathouses and bathing houses, all designed and used primarily to serve the regular tenants of same.
5. Motels with or without dining facilities and other similar uses. Customary accessory buildings and recreational facilities may be combined with such motels.
6. Rental cottages.
7. Resort oriented retail sales such as grocery sales, baked goods, deli items, photographic and camera supplies, bait shop, fishing and hunting supplies, and gas and oil stations.
8. Marinas.
10. Private summer camps
11. Campgrounds for travel trailers and tents, provided that each camping site shall not be less than one-half (1/2) acre and has a minimum site width of thirty (30) feet. Two (2) parking spaces shall be provided for each campsite. The campground shall have a one hundred fifty (150) foot setback around the perimeter of the campground which shall be maintained as a buffer zone. The campground shall have a minimum of two (2) access roads, which shall be located on a public road.
12. Restaurant, drive-in, soda fountain or other eating and/or drinking establishment provided no outside loud speaker systems are utilized.
SECTION 10.04 LOT AND BUILDING REQUIREMENTS

1. Minimum Net lot Area - Twenty thousand (20,000) square feet
2. Minimum Net Lot Area Per Dwelling or Rooming Unit (May include access driveways and parking areas for cars and boats) - Eight thousand (8,000) square feet.
3. Minimum Lot Width - Seventy five (75) feet
4. Minimum Front Setback - Forty (40) feet
5. Minimum Side Setback - Ten (10) feet; fifteen (15) feet when abutting a Residential District.
6. Minimum Rear Setback - Forty (40) feet
7. Maximum Building Coverage Per Lot - Fifty (50) percent of lot exclusive of setbacks. No two separate buildings shall be built closer together than twenty (20) feet. Setbacks may be used for access but shall exclude parking areas.
8. Driveways and Off-Street Parking - Each development permitted in this district shall provide off-street parking for one (1) automobile for each dwelling or rooming unit. If dining facilities are provided in connection with any of the uses permitted in this district, then off-street parking shall be provided for patrons in the amount of one (1) parking space per every one hundred (100) square feet of dining area plus one (1) parking space per every two hundred (200) square feet of non-dining (kitchen and storage, etc.).
ARTICLE XI

BUSINESS DISTRICT 1 (B-I)

This district is designed to provide for local shopping and includes a wide range of convenience stores and personal service establishments which cater to frequently recurring needs. The district regulations are designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage and by excluding local service establishments which tend to break such continuity and to limit uses or characteristics of operation which encourage traffic from outside the immediate neighborhood.

SECTION 11.01 PERMITTED PRINCIPAL USES

1. Business and professional offices, medical offices and clinics.
2. Retail stores such as grocery, clothing, hardware, appliance stores, bakery, and other type specialty shops.
3. Retail services such as banks, tailors, barber shops, small appliance repair shops and other such public or private service establishments.
4. Private or semi-private club, lodge, union hall, or community / social center.
5. Libraries.
6. Churches.
7. Restaurant, drive-in, soda fountain or other eating and/or drinking establishment provided no outside loud speaker systems are utilized.
8. Meat, fish and/or poultry shop provided that no slaughtering be permitted. Any cleaning of fish or poultry necessary for such use may be permitted provided cleaning activities are conducted within the principal building enclosure on the premises.

SECTION 11.02 PERMITTED ACCESSORY USES

1. Any use customarily incidental to the permitted principal use.
2. Signs, as permitted in Article.

SECTION 11.03 SPECIAL LAND USES

1. Auto accessory store provided there is no exterior storage of wrecked automobiles or scrapped or salvaged auto parts on the premises.
2. Automobile service station provided operations involving major repairs, body and fender work, painting or the sale or rental of new or used cars or trucks, trailers or any type of boats; provided all parts are set back at least twenty-five (25) feet from the right-of-way line of all abutting streets; and provided parking, storage and/or service areas are separated from adjoining residential properties or roadside view by a suitable planting screen, fence, or wall at least six (6) feet in height above finish grade.
3. Contractors office, provided there is no storage of vehicles, equipment, or materials on the premises.
4. Public utility transformer stations and switchboards, gas regulator stations and telephone exchange.
5. Inns, lodges, hotels, motels, and tourist homes with or without dining facilities consisting of single or multiple unit dwellings intended for rental, with such necessary and customary accessory buildings as automobile and boat storage garages, utility buildings, recreational facilities, docks,
boat houses, and bathing houses, all designed and used primarily to serve the regular tenants of same.
6. Radio and/or television station.
7. Off-street commercial parking lot.
8. Combination of a residential structure with any use herein permitted provided that all dwelling units are located on the second floor only and have adequate on site parking access for two vehicles.
9. Automobile and light truck car washing services.
10. Public and private elementary, junior and senior high schools, offering general education provided, however, that the net lot upon which located contains at least five hundred (500) square feet of land per pupil.
11. Nursery schools, provided that the net lot area upon which located contains at least two hundred fifty (250) square feet of land per pupil.
12. Enclosed theaters, provided that the seating capacity of such use does not exceed six hundred (600) seats.
13. On site consumption sales, provided there is one (1) parking space for every one hundred (100) square feet of floor area exclusive of kitchen and storage areas.
14. Bed & Breakfast

SECTION 11.04 LOT AND BUILDING REQUIREMENTS

1. Minimum Net Lot Area - Five thousand (5,000) square feet
2. Minimum Lot Width - Fifty (50) feet
3. Minimum Front Setback - Zero (0) feet within the village limits of Cedar
4. Minimum Side Setback - Zero (0) feet, provided the walls meet the minimum fire requirements for common walls, Ten (10) feet side yard setback when abutting residential zoning
5. Minimum Rear Setback - Twenty five (25) feet
6. Maximum Lot Coverage - Seventy-five (75) percent of gross

Any of the above uses placed on property when adjoins a residential district shall require erection of a screen, wall, fence, or preferably, dense plantings at least six (6) feet in height.
ARTICLE XII

BUSINESS DISTRICT 2 (B-2)

This district is set up to provide areas in the Township to allow for service oriented and light manufacturing businesses in an area located close to major or minor thorough fares.

SECTION 12.01 PERMITTED PRINCIPAL USES

1. Public utility transformer stations and switchboards, gas regulator stations and telephone exchange.
2. Radio and/or television station.
3. Off-street commercial parking lot.
5. Printing shop with no exterior storage.
7. Woodworking shop with no exterior storage.
8. Assembly plant with no exterior storage.
9. Combination of a residential structure with any use herein permitted, provided that all dwelling units have access to an abutting street with no exterior storage.
10. Light vehicle and engine repair shops up to 10,000 pound (ten thousand) gross vehicle weight where all exterior storage is screened by a minimum of a six (6) foot high buffer as determined by the Planning Commission.

SECTION 12.02 PERMITTED ACCESSORY USES

1. Any use customarily incidental to the permitted principal use.
2. Signs, as permitted in Article XXXII.

SECTION 12.03 SPECIAL LAND USES

1. Auto accessory store provided there is no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises.
2. Automobile service station, with operations involving major repairs, body and fender work, painting or the sale or rental of new or used cars or trucks, trailers or any type of boats, provided all pumps are set back at least twenty five (25) feet from the right-of-way line of all abutting streets; and provided parking, storage and/or service areas are separated from adjoining residential properties or roadside view by a suitable planting screen, fence, or wall at least six (6) feet in height above finish grade.
3. Mini Storage (warehouse) Facilities provided no storage of goods are to be placed on the exterior of the buildings.
4. Laundry service, provided that any laundering, cleaning or pressing is done on the premises and no exterior storage on the parcel.
5. Lumber yards, primarily for the sale of dimensional lumber and related products, provided the minimum front, rear, side setback is fifty (50) feet and having a minimum lot area of five (5) acres. All exterior storage will be screened as required by the Planning Commission during site plan review.
6. Meat, fish, or poultry shop - any cleaning of fish or poultry necessary for such use may be permitted provided that cleaning activities are conducted within the principal building enclosure on the premises. No storage of any products will be allowed on the exterior of the building.

7. Food and fruit processing plants, provided there is a minimum net lot area of five (5) acres and the maximum coverage per lot does not exceed thirty-five (35) percent. There shall be a minimum rear setback of fifty (50) feet and minimum side setbacks of one hundred and fifty (150) feet. There shall be a minimum of one (1) off-street parking space for every two (2) employees. Cold storage and brining pits shall be allowed on the premises.

SECTION 12.04 LOT SIZE AND BUILDING REQUIREMENTS

1. Minimum Net Lot Area - One (1) acre
2. Minimum Lot Width - One hundred fifty (150) feet
3. Minimum Lot Depth - One hundred fifty (150) feet
4. Minimum Front Setback - Sixty five (65) feet
5. Minimum Side Setback - Ten (10) feet, fifty (50) feet when abutting residential districts.
6. Minimum Rear Setback - Ten (10) feet, fifty (50) feet when abutting residential districts.
7. Maximum Building Coverage of lot - Fifty (50) percent

Any of the above uses placed on property which adjoins a residential district shall require erection of a screen wall, fence, or preferably, dense plantings at least six (6) feet in height.