

CHAPTER V

AG AGRICULTURAL DISTRICT ZONING CLASSIFICATION

SECTION 5.01 DESCRIPTION AND PURPOSE. *This Zoning District is intended for large tracts of land used for farming, animal husbandry, dairying, horticultural, or other agricultural activities.*

SECTION 5.02 USE REGULATIONS. *Land, buildings and structures in this Zoning District may be used for the following purposes only:*

- (a) Farms and farm houses for both general and specialized farming, together with farm dwellings and buildings and other installations necessary to such farms including temporary housing for migratory workers provided such housing and its sanitary facilities are in conformance with all requirements of the Allegan County Health Department and/or any other federal, state, and/or local regulating agency having jurisdiction.
- (b) Greenhouses, nurseries, orchard, vineyards, apiaries, chicken hatcheries, blueberry, and poultry farms.
- (c) Riding stables where horses are boarded and/or rented.
- (d) Single family dwellings on parcels of land of five acres or more.
- (e) Publicly owned athletic grounds and parks.
- (f) Home occupations when authorized as a special use by the Township Planning Commission. In considering such authorization the Township Planning commission shall consider the following standards:
 - (1) The nature of home occupation;
 - (2) The effect of the home occupation on the surrounding neighborhood;
 - (3) The environmental effects of the home occupation;
 - (4) The nature of surrounding neighborhood;

- (5) Potential traffic congestion as a result of the home occupation;
and
- (6) Provision for parking for traffic or clientele which may result from the operation of the home occupation.
- (g) Earth removal, mining operations, and gravel pits as a special use, subject to the standards contained in Section 11.22.
- (h) Kennels.
- (i) Roadside stands when authorized as a special use by the Township Planning Commission shall consider the following standards:
 - (1) The proposed location of the roadside stand;
 - (2) The size, nature and character of the building and/or structure to be utilized for the roadside stand;
 - (3) The type and kind of produce and goods to be sold at the roadside stand;
 - (4) The proximity of the roadside stand to adjoining properties;
 - (5) The time or season during which the roadside stand will operate;
 - (6) The parking facilities provided for the roadside stand;
 - (7) Any traffic congestion or hazards which would result from the roadside stand; and
 - (8) The effect of the roadside stand on adjoining properties and the surrounding neighborhood.
- (j) Real estate sign, identifying sign, name plate.
- (k) Landfills as special use, subject to the standards contained in Section 11.22.
- (l) Family Business: (A business which is incidental to the principle residential use of property) as a special use, subject to the provisions of Section 11.22 and the following regulations:

- (1) The business must be operated solely within a building or structure.
- (2) No outdoor storage shall be allowed unless same cannot be reasonably stored within a building or structure. Such outdoor storage area shall be located to the rear of the business and shall be adequately screened to effectively block all view from adjoining roads and properties.
- (3) The business shall be located on the same parcel with the family' s residence.
- (4) Only family members of a person or persons operating a family business who reside on the parcel shall work in the business. However, the Planning Commission shall have the authority to permit additional persons who do not reside or work on the parcel to assist in the family business provided the subordinate employee would not materially impair the residential character of the neighborhood, cause traffic congestion or parking problems. (Adopted by Ord. No. 67, eff. 8-28-08.)
- (5) There shall be no expansion of the business without approval of the Planning Commission.
- (6) No service shall be sold or conducted upon or from the premises which would constitute a nuisance or annoyance to adjoining residents by reason of noise, smoke, odor, electrical disturbance, night lighting or the creation of unreasonable traffic to the premises. Noise, smoke, odor, electrical disturbance or lighting shall not be discernible beyond the boundaries of the property from which the occupation is conducted.
- (7) There shall be a minimum distance of 25 feet between any adjoining property line and any building, storage area or parking area used in connection with the business.
- (8) The Planning Commission may limit the family occupation to a particular type of business; it may limit the size of the building; it may require the particular business to be operated only by the present owner and not by future owners or tenants; it may allow the business to operate for only a specific period of months or years unless an additional permit is granted. The Planning Commission may impose additional conditions and regulations as it deems necessary to adequately protect

adjoining residents and property owners and the values of adjoining properties.

- (m) Individual mobile home failing to satisfy all of the criteria for “dwellings” and intended for permanent use, as a special land use subject to the provisions of Section 11.22, and the following additional conditions and limitations:
- (1) The mobile home must have a minimum of seven hundred (700) square feet of usable floor area.
 - (2) The mobile home must be firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under the provisions of 1972 PA 230, as amended, and shall have a wall of the same perimeter dimensions of the mobile home and constructed of such materials and type as required in the applicable Code for single-family dwellings. The mobile home shall in addition be installed pursuant to the manufacturer=s setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
 - (3) The mobile home must be connected to a public sewer and water supply or to such private facilities as are approved by the local health department.
 - (4) The mobile home shall continue no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
 - (5) The mobile home and the parcel of land which contains no other mobile homes or dwelling.
 - (6) The mobile home and the parcel of land on which it is located shall comply with the Area Regulations contained in Section 5.04 of this ordinance.
 - (7) The mobile home shall be installed with the wheels removed. In addition, the mobile home shall not have any exposed towing mechanism, undercarriage or chassis.

- (8) All construction and all plumbing, electrical apparatus and insulation within and connected to the mobile home shall be of type and quality conforming to the Mobile Home Construction Safety Standards as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended.
- (9) The mobile home shall be owner-occupied.
- (n) Sawmills as a special use subject to the provisions of Section 11.22.
- (o) Farm equipment. Farm equipment and farm supply dealers as subject to the standards contained in Section 11.22.
- (p) Processing and Packaging of Agricultural products as a special use, subject to the provision of Section 11.22.
- (q) Golf Courses and outdoor recreational area when authorizes as a special use, subject to the following conditions and limitations:
 - (1) Concession stand, pro-shops, clubhouses, and other incidental commercial type uses shall be permitted provided they are located so as to minimize any adverse effects upon adjoining residential property owners and are operated for the purpose of serving patrons of the principal use and not the adjoining community or transient motorists.
 - (2) No overnight accommodations other than a single-family dwelling for the owner or manager of the facility shall be allowed.
 - (3) Adequate public restrooms and other facilities shall be constructed and properly maintained, commensurate with the anticipated popularity of the particular use involved.
 - (4) Rubbish disposal shall be handled in such a manner as will avoid any littering upon adjoining properties and will minimize any adverse effects from noise, odor or dust to adjoining properties.
 - (5) Off-street parking shall be required on the site located in areas which will minimize any adverse effects upon adjoining property owners and shall be sufficient to satisfy peak periods of use.

- (6) Fencing may be required where deemed necessary to prevent trespass onto adjoining residences or residentially zoned property.
- (7) The placement of any trails, roads, runs, obstacle courses or similar roadways or pathways shall be in such locations as to minimize any adverse effect of noise, traffic or dust upon adjoining residents and shall, where the Planning Commission deems necessary to dissipate noise emanating therefrom, be screened.
- (8) Equipment storage buildings and other such buildings of a commercial nature shall be screened from adjoining residential properties.
- (9) The Planning Commission shall have the right and authority to impose additional restrictions and conditions as may be necessary for the protection of the health, safety and welfare of the adjoining residential property owners and to insure that any noise, odors, traffic or other activities incident thereto have a minimum impact upon the neighborhood in which the same is located.

(Adopted by Ord No. 32, eff 6-14-93; Ord 63, eff 10-27-04).

SECTION 5.03 HEIGHT REGULATIONS. *No residential building or structure shall exceed thirty five (35) feet in height. All other buildings and structures shall not exceed their usual and customary heights.*

SECTION 5.04 AREA REGULATION. *No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, and building coverage requirements:*

- (a) Front Yard - There shall be a front yard of not less than forty (40) feet.
- (b) Side Yard - For residential buildings and structures, there shall be total side yards of not less than fifty (50) feet; provided, however, that no side yard shall be less than twenty (20) feet. For all other buildings, there shall be two (2) side yards of not less than fifty (50) feet each.
- (c) Rear Yard - There shall be a rear yard of not less than fifty (50) feet.
- (d) Lot Area - The minimum lot area and width for all uses in this district, unless specified elsewhere, shall be five (5) acres and two hundred (200) feet, respectively.

SECTION 5.05 MINIMUM FLOOR AREA. *Each dwelling unit, unless specified elsewhere, shall have a minimum of nine hundred (900) square feet of usable floor area.*