

## ARTICLE III: ZONING DISTRICTS AND MAP

### Section 3.01 Classification of Zoning Districts

For the purpose of this Ordinance, the following Zoning Districts shall be established in Burt Township:

WR	Waterfront Residential
R-1	General Residential
RR	Rural Residential - Agricultural
MR	Mixed Residential
C-1	Local Commercial
I	Light Industrial
CR	Conservation Recreation

#### Section 3.01.2 - Zoning Map

The areas assigned to each Zoning District and the boundaries thereof shown on the map entitled "Burt Township Zoning Map, Cheboygan County, Michigan" are hereby established, and said map and all proper notations and other information shown thereon are hereby made a part of this Zoning Ordinance.

#### Section 3.01.3 - Boundaries of Districts

Unless otherwise specified, the boundary lines of the Zoning Districts shall be interpreted as following along section lines, or customary subdivisions of sections, or centerlines of highways or streets, or the shoreline of waterways, or property lines of legal record at the office of the Cheboygan County Register of Deeds on the date of the enactment of the Zoning Ordinance. The official Zoning Map shall be the final authority in any dispute concerning district boundaries. The official map shall be kept up to date, with any amendments to the Ordinance involving changes to the official map noted and portrayed on said map.

The official zoning map, including legally adopted amendments, shall be designated as such by the signature of the Township Clerk. Where uncertainty exists as to the exact district boundaries, the following shall prevail:

1. Where boundary lines are indicated as approximately following streets, alleys, or highways; the center lines of the said streets, alleys, or highways shall be considered to be exact boundary lines.
2. Boundaries indicated as approximately following lot lines shall be considered to follow said lot lines.
3. Where the application of the above rules leave a reasonable doubt as to the exact location of a district boundary, the provisions of the more restrictive district shall govern the entire parcel in question, unless determined otherwise by the Zoning Board of Appeals.

#### **Section 3.01.4 - Zoning of Vacated Areas**

Whenever any street, alley, highway, or other public right-of-way within the Township has been abandoned by official government action, such right-of-way lands attach to and become part of the land adjoining. Such right-of-way property shall automatically acquire and be subject to the provisions of the Zoning District of the abutting property. In the case of an abandoned right-of-way which also serves as the district boundary, the centerline of the right-of-way shall be the district boundary.

#### **Section 3.01.5 - Zoning of Filled Areas**

Whenever, after appropriate permits are obtained, any fill material is placed in any lake, stream, or wetland so as to create a usable or buildable space, such fill area shall take on the Zoning District and accompanying provisions of the land abutting said fill area. No use on any lake or stream shall be allowed which does not conform to the Ordinance provisions on the property from which said property emanates. No fill material shall be placed in any lake or stream within the Township unless appropriate permits are obtained from the Michigan Department of Environmental Quality and U.S. Army Corp of Engineers, as required.

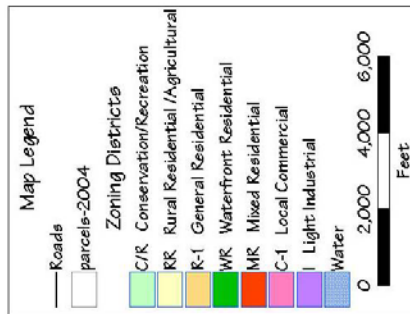
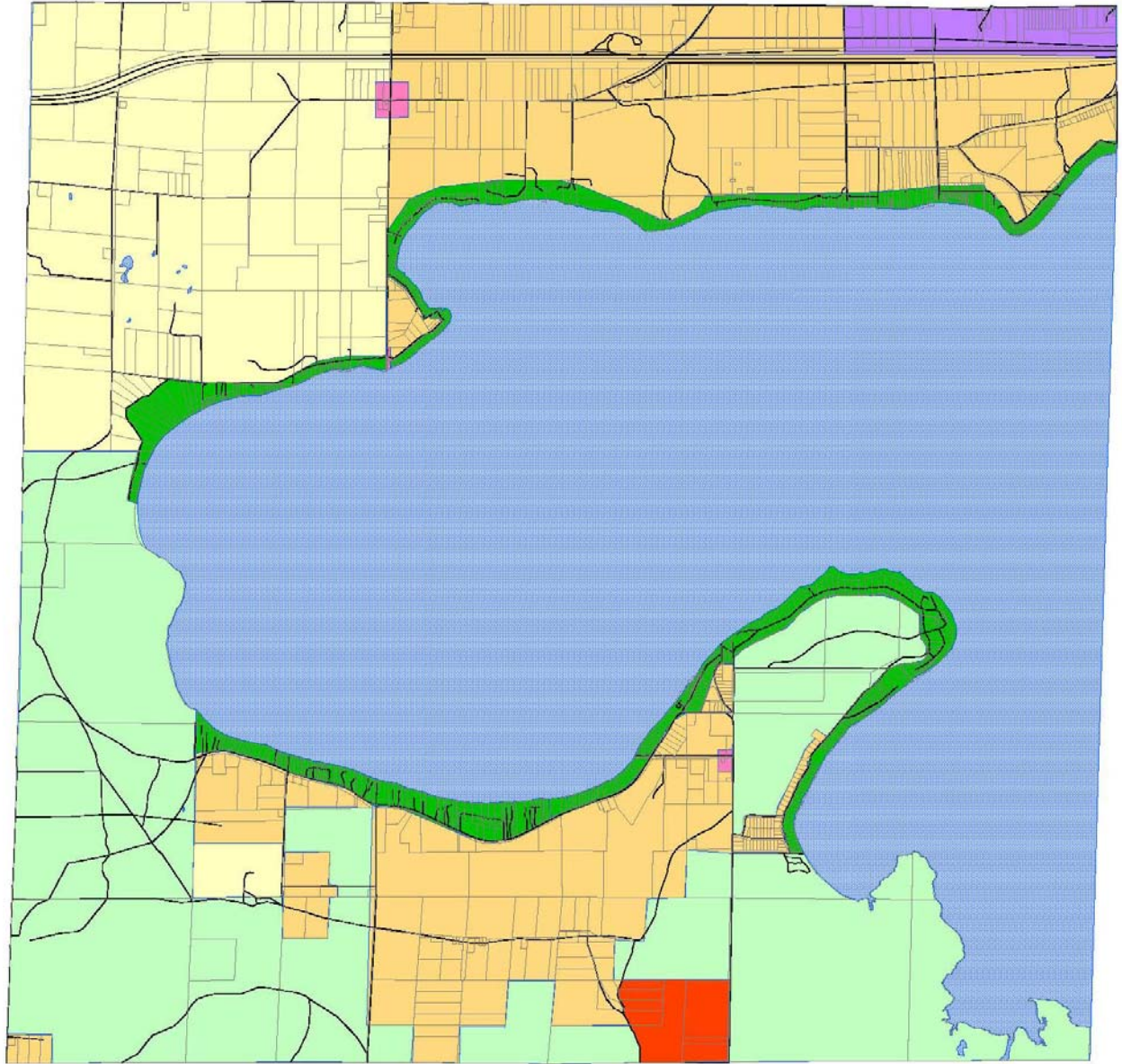
#### **Section 3.01.6 - Zoning District Changes**

When district boundaries change, any non-conforming use may continue subject to all other applicable provisions of this Ordinance.

# Burt Township

Cheboygan County, Michigan

## Zoning Map



Adopted: October 2006





## **Section 3.02 Waterfront Residential District (WR)**

The following provisions shall apply to the Waterfront Residential District (WR).

### **Section 3.02.1 - Intent**

The land uses in this district are intended to promote the proper use, enjoyment and conservation of water, land, and topographic resources of the Township.

### **Section 3.02.2 - Permitted Uses**

1. Dwelling, single family
2. Guest house
3. Home occupations
4. Accessory buildings and uses customarily incidental to the above permitted uses

### **Section 3.02.3 - Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Section 5.02 Uses Subject to Special Use Permit** and the applicable portions of **Article VII: Supplemental Site Development Standards**.

1. Public Lake Access
2. Private Shared Lake Access
3. Accessory buildings and uses customarily incidental to the above special uses

### **Section 3.02.4 - Dimensional Regulations**

Structures and uses in the Waterfront Residential District are subject to the area, height, bulk and placement requirements in **Section 3.09 Schedule of Regulations**.

### **Section 3.03 General Residential District (R-1)**

The following provisions shall apply to the General Residential District (R-1).

#### **Section 3.03.1 - Intent**

The Residential District is designed to accommodate and encourage single family residential development and associated uses, in keeping with the residential goals and objectives specified in the Burt Township Master Plan. The permitted uses are intended to provide for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

The provisions of this section also recognize with the gradual extension of other property uses into the district, such as those provided for under the "Uses Subject to Special Use Permit"; there is a need for careful consideration based on sound standards as provided for through the Special Use Permit approval process.

#### **Section 3.03.2 - Permitted Uses**

1. Dwelling, single family
2. Guest houses
3. Parks, playgrounds, community centers
4. Public buildings, institutions and places of worship
5. Home occupation
6. Commercial Timber Cut, per Section 6.22
7. Accessory buildings and uses customarily incidental to the above permitted uses
8. Accessory buildings as a Principal Use for non-commercial uses

#### **Section 3.03.3 - Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Section 5.02 Uses Subject to Special Use Permit** and the applicable portions of **Article VII: Supplemental Site Development Standards.**

1. Sand and gravel extraction
2. Planned Unit Development
3. Cottage Industry
4. Accessory buildings and uses customarily incidental to the above special uses
5. Accessory buildings as a Principal Use for commercial uses

#### **Section 3.03.4 - Dimensional Regulations**

Structures and uses in the General Residential District are subject to the area, height, bulk and placement requirements in **Section 3.09 Schedule of Regulations.**

### **Section 3.04 Rural Residential – Agricultural District (RR)**

The following provisions shall apply to the Rural Residential – Agricultural District (RR).

#### **Section 3.04.1 – Intent**

The Rural Residential - Agricultural District is designed to promote the use of wooded and rural areas of the Township in a manner that will retain the basic attractiveness of the natural resources and provide enjoyment for both visitors and the community at large. The intent of the District is to hold the rural Township areas for agriculture and forestry purposes and to allow some multiple uses of marginal farm-forest lands.

#### **Section 3.04.2 - Permitted Uses**

1. Dwelling, single family
2. Dwelling, two-family
3. Dwelling, farm
4. Farms
5. Roadside stand
6. Stable, private
7. Guest house
8. Parks, playgrounds, community centers
9. Noncommercial recreation facilities
10. Forest preserves
11. Game refuges
12. Public buildings, institutions and places of worship
13. Public utility buildings without storage yards
14. Tree farms, tree crops and forestry
15. Commercial Timber Cut, per Section 6.22
16. Home occupations
17. Accessory buildings and uses customarily incidental to the above permitted uses
18. Accessory buildings as a Principal Use for non-commercial uses

#### **Section 3.04.3 - Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Section 5.02 Uses Subject to Special Use Permit** and the applicable portions of **Article VII: Supplemental Site Development Standards**.

1. Stables, commercial
2. Recreation camps
3. Kennels or veterinary clinics/hospital
4. Nursery, flower, plant or garden shops
5. Sand and gravel extraction
6. Towers and antennae facilities
7. Wind turbine generators
8. Planned Unit Development
9. Cottage Industry
10. Accessory buildings and uses customarily incidental to the above special uses
11. Accessory buildings as a Principal Use for commercial uses

#### **Section 3.04.4 - Dimensional Regulations**

Structures and uses in the Rural Residential - Agricultural District are subject to the area, height, bulk and placement requirements in **Section 3.09** *Schedule of Regulations*.

### **Section 3.05 Mixed Residential Districts (MR)**

The following provisions shall apply to the Mixed Residential District (MR).

#### **Section 3.05.1 - Intent**

The Mixed Residential District is designed to accommodate and encourage higher density residential development through a mix of residential structures and associated uses, including both one-family and multiple family dwelling structures, in keeping with the residential goals and objectives specified in the Burt Township Master Plan. The uses permitted are intended to promote land uses for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

#### **Section 3.05.2 - Permitted Uses**

1. Dwelling, single family
2. Dwelling, two-family
3. Dwelling, multi-family
4. Guest house
5. Manufactured Home Developments, including Mobile Home Park
6. Public buildings, institutions and places of worship
7. Public utility buildings without storage yards
8. Home occupations
9. Accessory buildings and uses customarily incidental to the above permitted uses
10. Accessory buildings as a Principal Use for non-commercial uses

#### **Section 3.05.3 - Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Section 5.02 Uses Subject to Special Use Permit** and the applicable portions of **Article VII: Supplemental Site Development Standards**.

1. Sand and gravel extraction
2. Planned Unit Development
3. Cottage Industry
4. Accessory buildings and uses customarily incidental to the above special uses
5. Accessory buildings as a Principal Use for commercial uses

#### **Section 3.05.4 - Dimensional Regulations**

Structures and uses in the Mixed Residential District are subject to the area, height, bulk and placement requirements in **Section 3.09 Schedule of Regulations**.

### **Section 3.06 Local Commercial District (C-1)**

The following provisions shall apply to the Local Commercial District (C-1).

#### **Section 3.06.1 - Intent**

The Local Commercial District is designed to provide sites for a diversity of small and moderate scale business types and is located so as to serve local passer-by traffic.

#### **Section 3.06.2 - Permitted Uses**

1. Dwelling, single-family
2. Guest house
3. Public buildings, institutions and places of worship
4. Public utility buildings without storage yards
5. Business and professional services
6. Professional Offices
7. Banks/financial services
8. Nursery, flower, plant or garden shops
9. Retail Sales
10. Home occupations
11. Cottage industry
12. Accessory buildings and uses customarily incidental to the above permitted uses
13. Accessory buildings as a Principal Use for non-commercial uses

#### **Section 3.06.3 - Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Section 5.02 Uses Subject to Special Use Permit** and the applicable portions of **Article VII: Supplemental Site Development Standards**.

1. Restaurant and bars
2. Motel and Hotel
3. Bed & Breakfast establishments
4. Gasoline/service
5. Sand and gravel extraction
6. Accessory buildings and uses customarily incidental to the above special uses
7. Accessory buildings as a Principal Use for commercial uses

#### **Section 3.06.4 - Dimensional Regulations**

Structures and uses in the Local Commercial District are subject to the area, height, bulk and placement requirements in **Section 3.09 Schedule of Regulations**.

### **Section 3.07 Light Industrial District (I)**

The following provisions shall apply to the Light Industrial District (I).

#### **Section 3.07.1 – Intent**

The Light Industrial District is designed to primarily accommodate wholesale activities, warehouses and other large scale business and other industrial operations whose external physical effects are restricted to the area of the district and do not affect in a detrimental way any of the surrounding districts. The Light Industrial District is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material.

#### **Section 3.07.2 - Permitted Uses**

1. Dwelling, single family
2. Dwelling, multiple family
3. Guest house
4. Public buildings, institutions and places of worship
5. Public utility buildings without storage yards
6. Professional offices
7. Home occupations
8. Accessory buildings and uses customarily incidental to the above permitted uses
9. Accessory buildings as a Principal Use for non-commercial uses

#### **Section 3.07.3 - Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Section 5.02 Uses Subject to Special Use Permit** and the applicable portions of **Article VII: Supplemental Site Development Standards**.

1. Medical clinics, and rest, convalescent and nursing homes
2. Kennels, or veterinary clinic/hospital
3. Automobile repair shop or garage
4. Retail lumber yard
5. Dry boat storage
6. Contractor's equipment storage yard
7. Public utility buildings with outside storage
8. Storage of bulk petroleum products
9. Lumber and building material and bulk storage yards
10. Freighting or trucking terminal
11. Warehousing and wholesale establishments
12. Warehousing and storage buildings
13. Outside storage facilities, including self-storage facilities
14. Warehousing truck terminals and shipment facilities
15. Production, processing, assembly, manufacturing or packaging of goods or materials such facilities may include testing, repair, storage, distribution and sale of such products
16. Boat, motor or related marine repair establishments
17. Ship and boat building
18. Timber cutting

19. Sawmills and other mills
20. Sand and gravel extraction
21. Sexually orientated businesses
22. Towers and antennae facilities
23. Cottage Industry
24. Salvage Yard
25. Accessory buildings and uses customarily incidental to the above special uses
26. Accessory buildings as a Principal Use for commercial uses

#### **Section 3.07.4 - Dimensional Regulations**

Structures and uses in the Light Industrial District are subject to the area, height, bulk and placement requirements in **Section 3.09** *Schedule of Regulations*.

## **Section 3.08 Conservation Recreation District (CR)**

The following provisions shall apply to the Conservation Recreational District (CR).

### **Section 3.08.1 - Intent**

The land uses in this district are intended to promote the proper use, enjoyment and conservation of water, land, topographic and forest resources of the Township particularly adapted to recreational and forest uses. The provisions of this section also recognize the gradual extension of other property uses into the district, and the importance of adopting good standards to guide such developments. If properly integrated, the inclusion of such uses is provided for by special approval.

### **Section 3.08.2 - Permitted Uses**

1. Dwelling, single family
2. Guest house
3. Parks, playgrounds, recreational areas and community centers
4. Conservation areas for fauna and flora
5. Home occupation
6. Accessory buildings and uses customarily incidental to the above permitted uses
7. Accessory buildings as a Principal Use for non-commercial uses

### **Section 3.08.3 - Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Section 5.02 Uses Subject to Special Use Permit** and the applicable portions of **Article VII: Supplemental Site Development Standards**.

1. Recreation Camps
2. Private Shared Lake Access
3. Sand and gravel extraction
4. Commercial Timber Cut, based on recommendations of an approved Michigan Department of Natural Resources Forest Stewardship Plan or Forest Management Plan, per Section 6.22.
5. Accessory buildings and uses customarily incidental to the above special uses

### **Section 3.08.4 - Dimensional Regulations**

Structures and uses in the Conservation Recreation District are subject to the area, height, bulk and placement requirements in **Section 3.09 Schedule of Regulations**.

### Section 3.09 Schedule of Regulations

Zoning District	District Name	Minimum Lot Area		Maximum Height of Structure	Minimum Yard Setbacks (a) (c) (d) (l)			Minimum Floor Area per Dwelling Unit		Minimum Dwelling Width	Maximum % of Lot Coverage (b) (m)
		Area	Width (ft)		Front (ft)	Side (ft)	Rear (ft)	Total	Min. 1 <sup>st</sup> Floor		
WR	Waterfront Residential	21,000	100(j)	35'	75	10	50	1200	800	24 ft	20%-bldg 10%-other
R-1	General Residential	2ac	200	35'	50	25 (e)	50	800	800	14 ft (k)	20%
RR	Rural Residential-Agricultural	5 ac	200	35' (f) (g) (h)	50	25	50	800	800		20%
MR	Mixed Residential	21,000 (i)	100	35'	50	10	50	800	800		20%-bldg 10% other
C-1	Local Commercial	---		35'	25	25	50	800	800		40%
I	Light Industrial	---		35' (g)	25	25	50	800	800		40%
CR	Conservation Recreation	40 ac	500(j)	35'	50	100	50	800	800		2%

- a) Accessory building as a Principal use shall comply with increased setback requirements, per Section 6.04.2 of this Ordinance.
- b) Maximum coverage shall include all impervious surfaces, such as structures, driveways and pavers, but shall exclude landscape boulders.
- c) All auxiliary appliances, such as power generators or air conditioners shall comply with appropriate district setback requirements.
- d) For all lakefront lots, the minimum structure setback on the waterfront side shall be seventy-five (75) feet from the ordinary high water mark.
- e) Side yard setbacks for existing lots of record of one hundred twenty (120) feet in width or less shall be reduced to ten (10) feet.
- f) Exceptions to height standards for Agricultural Uses. The maximum height of permitted agricultural accessory structures that are essential and customarily used in agricultural operations associated with a farm shall be forty-five (45) feet, except that the maximum height of silos shall be one hundred (100) feet, provided that all such accessory farm structures shall be located at least one hundred (100) feet from any residential dwelling other than the dwelling on the lot or parcel where the accessory farm structures are located.
- g) Telecommunication towers, alternative tower structures, transmission and communication towers, utility microwaves, and public utility T.V. or radio transmitting towers shall not be subject to the height regulations of this Section, but shall be regulated pursuant to Section 7.01.22 of this ordinance.
- h) Commercial Wind Turbine Generators or Anemometer Towers shall not be subject to the height regulations of this Section, but shall be regulated pursuant to Section 7.01.23 of this ordinance.
- i) Minimum 2 acre lot size shall be required for an accessory structure as a Principal Use.
- j) Lot width for any waterfront lot shall be measured at the ordinary high water mark.
- k) Except within 800 feet of the shore of Burt Lake (measured from the ordinary high water mark), where the minimum dwelling width shall be 24 feet.
- l) A building eave may extend up to twenty-four inches into the required setback, provided the foundation is in compliance with the required setback.
- m) The impervious area directly associated with a public trail crossing a property, which connects to larger trail system, shall be excluded from the lot coverage calculation, due to the overall public benefit