

**ARTICLE IV
AR AGRICULTURAL - RESIDENTIAL DISTRICT**

Section 4.01 PURPOSE

The purpose of this district is to provide for the compatible arrangement and development of parcels of land for conventional residential building purposes in a pastoral, agricultural, woodland or open land areas, that will remain unserved by public water distribution and waste water disposal systems in the foreseeable future and that is more suitable for residential purposes and which can accommodate healthful on-site water supply and wastewater disposal, but which reserves and conserves that land which is most adaptable for present and future agricultural, woodland, natural resource and other extensive land use.

(Ord. No. 1 eff. Jan. 8, 1983; amend. by Ord. No. 11 eff. Apr. 4, 1986)

Section 4.02 PERMITTED PRINCIPAL USES

- A. General on at least twenty (20) contiguous acres and specialized on at least ten (10) contiguous acres agriculture in accordance with PA 93 of 1981, The Right to Farm Act, including general farming, farming for crops, dairy and beef cattle, sheep, horses and similar kinds of domestic animals and the raising, housing and sale of poultry, rabbits and fur-bearing animals on at least twenty (20) acres of contiguous land, including the following:
- 1) Tree Fruit Production
 - 2) Small Fruit Production
 - 3) Field Crop Production
 - 4) Forage and Sod Production
 - 5) Livestock and Poultry Production
 - 6) Fiber Crop Production
 - 7) Apiary Production
 - 8) Maple Syrup Production
 - 9) Mushroom Production
 - 10) Fur Bearer Production
 - 11) Greenhouse Production
 - 12) Silviculture
- B. One (1) conventional dwelling unit may be located on agricultural parcels having a minimum area of twenty (20) acres. One additional farm related dwelling may be located on the same agricultural parcel for each additional contiguous thirty (30) acres, operated as a farm under a single owner or management.

- C. Agricultural buildings necessary to and functionally related on-site agricultural land uses.
- D. Single family non-farm conventional dwelling on a minimum two (2) acre parcel.
- E. Public and private developments designed for the purpose of conserving natural resources including woodlands, watersheds, surface water, soil, wildlife and underground natural resources including ground water, minerals, oil and gas or any other natural resource important to the present and future local, regional or national economy.
- F. The growing, harvesting and sale of nursery stock, plants, trees, and shrubs and any equipment, improvements and structures that are necessary to and designed to be functionally a part of such a land use.
- G. The growing, stripping and sale of sod and any equipment improvements and structures that are necessary to and designed to be functionally a part of such a land use, providing that any area stripped of sod shall be seeded by the fall season in which it was stripped, so as to prevent possible wind and water eroding the otherwise exposed soil.
- H. Churches. (Group Day Care Facilities which are affiliated with the church on the same site may be permitted after special land use approval - See Sections 4.03K and 16.29)

(Ord. No. 1 eff. Jan. 8, 1983; amend. by Ord. no. 8 eff. Dec. 7, 1983; Ord. No. 62 eff. Oct. 8, 1997; Ord. No. 97 eff. Feb. 23, 2000)

Section 4.03 PERMITTED PRINCIPAL SPECIAL USES WITH CONDITIONS

- A. **Feedlots and similar concentrated feeding areas, buildings and structures.**
 - 1) A minimum lot of forty (40) acres.
 - 2) A minimum distance of seven hundred and fifty (750) feet shall be required from any residential use.
- B. **Kennels for dogs.**
 - 1) All dog kennels shall be operated in conformance with all applicable county and state regulations, permits being valid no longer than one (1) year.
 - 2) For dog kennels, the minimum lot size shall be ten (10) acres for the first ten (10) dogs and an additional one-third (1/3) acre for each one (1) additional dog.
 - 3) Buildings wherein dogs are kept, dog runs, and/or exercise areas shall not be located nearer than one hundred (100) feet to any adjacent occupied dwelling or any adjacent building used by the public and shall not be located in any required front, rear or side yard setback area.

- 4) Such facilities shall be under the jurisdiction of the Township Planning Commission, and subject to other conditions and requirements of said body deemed necessary to insure against the occurrence of any possible nuisance (i.e., fencing, soundproofing, sanitary requirements.)
- 5) The owner of an approved dog kennel shall prior to December 1st each year fill out an Annual Dog Kennel Renewal Application and submit it to the Township Clerk for processing. The fee for this annual renewal shall be that specified in the Township Fee Schedule.

C. Airports and airplane landing fields.

- 1) These regulations shall not apply for private air strips which are used only by the owner or lessee of the premise for the maintenance and flight of his/her aircraft.
- 2) Plans shall be approved by the Federal Aviation Agency and the Michigan Department of Aeronautics prior to submittal to the Township for review and approval.
- 3) The parcel shall be located so as to abut a major thoroughfare and to provide public access and egress to and from said lot from said thoroughfare.

D. Stables for breeding, rearing and housing of horses and similar domestic animals.

- 1) For breeding, rearing and housing of horses, mules and similar domestic animals, the minimum lot size shall be ten (10) acres except as specifically provided under Section 4.05C.
- 2) An accessory building used as a stable shall not be located nearer than sixty (60) feet to any dwelling on adjacent premises.
- 3) Animals shall be confined in a suitably fenced area, or paddock, within the property line and/or road right of way line as described in Section 14.35.
- 4) The facility shall be so constructed and maintained that odor, dust, noise, or drainage shall not constitute a nuisance or hazard to adjoining premises.

E. Electronic receiving and transmitting facilities. (Replaced by Section 16.28 Wireless Communications Facilities.)

F. Campgrounds and day camps.

- 1) Minimum lot size shall be forty (40) acres. The lot shall provide direct vehicular access to a public street or road. The term lot shall mean a campground or travel trailer park.
- 2) Each site on a lot designated for camping use may accommodate a travel trailer or tent, and shall be provided with individual electrical outlets.
- 3) Public stations, housed in all-weather structures containing adequate water outlet, toilet, waste container and shower facilities, shall be provided uniformly throughout the lot at a ratio of not less than one (1) such station per each twenty (20) sites.

- 4) Each campground and day camp containing more than sixty (60) sites shall provide a masonry building containing machine laundry (wash and dry) facilities.
- 5) No commercial enterprises shall be permitted to operate on the lot, except that a convenience goods shopping building may be provided on a lot containing more than eighty (80) sites.
- 6) Each lot shall provide a hard surfaced vehicle parking area for site occupant and guest parking. Such parking area shall be located within four hundred (400) feet of the site it is intended to serve (except in the case of sites specifically designated only for tent camping). Each parking space shall be two hundred (200) square feet in area and guest parking shall be provided at a ratio of not less than one (1) space per each two (2) sites. Occupant parking space for two (2) vehicles shall be provided on each site.
- 7) Each site shall contain a minimum of fifteen hundred (1500) square feet. Each site shall be set back from any right-of-way or property line at least seventy-five (75) feet, and from any private street at least forty (40) feet.
- 8) A common use area shall be provided on each lot at a ratio of not less than one thousand (1000) square feet of such area per each site. This common area shall be developed by seeding, landscaping, picnic tables, barbeque stands and passive recreation equipment (i.e., swings, horseshoe pits, shuffleboard courts and the like) for the general use of all occupants of the entire lot.
- 9) Each travel trailer site shall have direct access to a hard-surfaced roadway of at least twenty-four (24) feet in width for two-way traffic and twelve (12) feet in width for one-way traffic. Parking shall not be allowed on any roadway. Public roads shall be paved with asphalt or concrete. Sites specifically designated for, and only used for, tent camping need not have direct vehicular access to any street or road, but shall be provided with adequately cleared and marked pedestrian pathway access which originates at a point on a street or road within two hundred (200) feet of the parking area mentioned in paragraph six (6). Access to the parcel or development shall be a hard-surfaced major thoroughfare.
- 10) Any open drainage ways must have seeded banks sloped at least 3:1 and designed to properly drain all surface waters into the county drain systems subject to approval by the Drain Commissioner of Livingston County.
- 11) The development of the entire lot is subject to all applicable requirements of the Department of Environmental Quality.
- 12) A minimum distance of fifteen (15) feet shall be provided among all travel trailers and tents.
- 13) Fences and green belts may be required by the Planning Commission. The location of common use areas, roadways, streets, and buildings shall be subject to approval by the Planning Commission.
- 14) Maximum lot density of not more than twelve (12) lots per acre (including roads and other common areas) shall be required.

G. Public and private cemeteries.

- 1) All cemeteries shall be developed on sites of at least forty (40) acres.
- 2) Refer to Ordinance No. 68 Cemetery Ordinance for additional regulations.

H. Agribusiness.

- 1) All agricultural industrial and commercial uses shall be located and developed on sites of at least forty (40) acres, and shall have a direct relationship to the existing types of permitted agricultural uses.

I. Institutional organization.

Maintained and controlled by a religious body that is established in law, may use land, buildings and structures for educational and/or recreational purposes or an institutional organization, which has as its primary purpose education, may use land, buildings and structures for educational purposes subject to the following conditions:

- 1) The proposed site for any of the uses permitted herein which would attract persons from, or are intended to serve, areas beyond the immediate neighborhood shall have at least one property line abutting a major thoroughfare and be hard surfaced, and the site shall be so planned as to provide all access directly to said major thoroughfare.
- 2) Front, side and rear yards shall be set back at least fifty (50) feet, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to obscure the use from abutting residential lots and parcels.
- 3) Uses of land, buildings and structures are subject to the provisions of Article XVI, "Special Uses."

(Amend. Ord. No. 119 eff. Dec. 27, 2000, Amend. Ord. No. 160 eff June 20, 2003 Amend. Ord. No. 220 eff. Feb. 13, 2009)

J. Home Business.

In those AR - Agricultural Residential areas of the Township which have direct access to Grand River Avenue, it is anticipated that Grand River Avenue will eventually be devoted primarily to commercial types of uses but also be subject to the existence of single-family dwellings on parcels of property with sufficient size to accommodate a residence and a business that is operated by the owner of the single-family dwelling. It is the intent of this section to allow and provide for the gradual change in uses along Grand River Avenue from low density residential to high density residential or commercial and allow for certain home businesses. A home business shall be considered as a technical, personal or professional service, or other type of commercial enterprise as permitted under Section 9.02 (A or C) which business either takes place in a home or one of its accessory structures which is operated and carried on by the inhabitants thereof or with no more than one non-family employee which use is generally, but not necessarily, secondary to the use of the dwelling for dwelling purposes. Such use shall not significantly change the character of the properties adjacent to the subject parcel and it shall not endanger the health, safety, or welfare of any other persons residing in that area by reason of noise, obnoxious odors, unsanitary or unsightly conditions, fire hazards, and the like, involved in or resulting from such home business. Such home business shall be further subject to the requirements of Article XVI, "Special Uses", of this zoning ordinance and shall also be subject to the following conditions:

- 1) There shall be no outside display or storage of goods or materials.
- 2) The home business shall involve no more than one non-family employee or other employee who is not an inhabitant of the dwelling on the premises.
- 3) Uses related to the repair of motor vehicles and/or heavy equipment shall be specifically excluded.
- 4) The home business shall be entitled to a small announcement sign which shall not exceed four (4) square feet in area.

K. Church affiliated group day care facilities.

Replaced by Section 16.29.

L. Agribusinesses.

- 1) An agribusiness shall be buildings, structures, lots, parcels or parts thereof which provide services, goods, storage, transportation or other activities directly related to the production of agricultural commodities. An agribusiness may include, but is not limited to:
 - a) Farm machinery, sales, service, rental and repair.
 - b) Grain elevators for storage, drying and sales.
 - c) Bulk feed and fertilizer outlets and distribution centers.
 - d) Seed dealership outlets and distribution centers.
 - e) Grain and livestock, truck and cartage facilities.
 - f) Auctions for livestock.
 - g) Agricultural products, production and processing operations.
- 2) Agribusiness uses are permitted in the AR Zoning District on lots and parcels having frontages on Grand River or Burkhart Road.
- 3) Minimum lot or parcel area shall be five (5) acres and a minimum road frontage shall be 330 feet.
- 4) These uses shall meet all other requirements of the AR District.

M. Prohibited Principal Uses.

- 1) Piggeries.
- 2) Poultry factories.
- 3) Slaughter houses.

(Ord. No. 1 eff. Jan. 8, 1983; amend. by Ord. No. 10 eff. May 3, 1984; further amend. by Ord. No. 11 eff. Apr. 4, 1986; Ord. No. 46 eff. Nov. 4, 1993; Ord. No. 52 eff. May 3, 1995; Ord. No. 62 eff. Oct. 8, 1997)

SECTION 4.04 PERMITTED ACCESSORY USES.

- A. Buildings and structures customarily incidental to the operation of an agricultural enterprise.
- B. Accessory buildings and structures customarily incidental to single family residential.
- C. Signs related to the permitted agricultural enterprise, provided that all such signs shall conform to the requirements of this Ordinance.

(Ord. No. 1 eff. Jan. 8, 1983)

SECTION 4.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

A. Roadside Stands.

In agricultural districts each farm may have one (1) temporary roadside stand for the purpose of selling produce raised or produced on that farm in the course of its permitted agricultural activity. The stand shall be located and constructed to meet the following requirements:

- 1) The structure shall not be more than one (1) story in height.
- 2) The floor area shall not exceed 400 square feet for farms having forty (40) acres or less in area, and farms in excess of forty (40) acres may increase the floor area at the rate of 100 square feet for each additional ten (10) acres of area.
- 3) The stand shall be located no closer than forty (40) feet from the nearest highway pavement or other traveled surface. In no case, shall the stand occupy any part of the right-of-way.

B. Mobile homes and trailer homes.

Trailer coaches or mobile homes may be permitted as accessory dwellings to a permanent dwelling under the following circumstances:

- 1) The parcel of land shall be used for agricultural production, and shall not be less than eighty (80) acres in area.
- 2) The occupants of a said trailer shall qualify by being either:
 - a) in direct family relationship to the principal dwelling, or
 - b) a bona fide employee of the occupant of the principal dwelling, and engaged in an agricultural occupation on the premises.
- 3) The permit for such use shall terminate at such time as any of the above conditions shall cease to be met. In any case, the permit must be renewed each year, on the anniversary of its initial issue.
- 4) All mobile homes and travel trailers shall be located within the appropriate setback lines, and, in no case, shall be located in the front yard of the principal dwelling.

C. The rearing and housing of horses, mules and similar domestic animals.

- 1) The rearing and housing of horses, mules, and similar domestic animals for noncommercial purposes shall be on a parcel of land containing five (5) acres or more. On five acres the density shall be up to two (2) animals; for each additional animal two (2) additional acres will be required.
- 2) An accessory building used as a stable shall not be located nearer than sixty (60) feet to any dwelling on adjacent premises.
- 3) Animals shall be confined in a suitable fenced area, or paddock, within the property line and/or road right of way line as described in Section 14.35.

- 4) Any facility constructed or accessory structure maintained for the housing, rearing or breeding of the animals shall be maintained so that the odors, dust, noise, or drainage shall not constitute a nuisance or a hazard to adjoining premises.

(Ord. No. 1 eff. Jan. 8, 1983; Ord. No. 46 eff. Nov. 4, 1993; Ord. No. 97 eff. Feb. 23, 2000; further amend Ord. No. 125 eff. March 25, 2001, amend Ord. No. 160 eff. June 20, 2003)

SECTION 4.06 DIMENSIONAL REGULATIONS.

- A. **Lot area.** A non-farm single family residential parcel or lot shall have a minimum of one (1) acre in area, provided the parcel or lot contains a developable area or areas adequate to locate and space all buildings and structures proposed and required to be constructed on it.
- B. **Lot width.** Minimum of 150 feet at the building setback line.
- C. **Lot coverage.** Maximum of twenty (20) percent.
- D. **First floor area.** The minimum **first** floor area of a one (1) story dwelling is 900 square feet, and for a two (2) story dwelling is 600 square feet and minimum total of 900 square feet for both stories.
- E. **Yard and setback requirements.**
 - 1) **Front Yard.** Minimum of fifty (50) feet from the road right-of-way line or as specified in Section 26.05, whichever is greater.
 - 2) **Side Yard.** Minimum of twenty (20) feet for each side yard.
 - 3) **Rear Yard.** Minimum of fifty (50) feet.
- F. **Height limitations.** Maximum of 22 stories or forty-five (45) feet, except on all non-agricultural parcels, accessory buildings and structures shall not exceed twenty-five (25) feet.

(Ord. No. 1 eff. Jan. 8, 1983; amend. Ord. No. 8 eff. Dec. 7, 1983; further amend. Ord. No. 119 eff. Dec. 27, 2000, further amend. Ord. No. 217 eff. May 1, 2009)