

ARTICLE 4

ZONING DISTRICT REGULATIONS

Section 4.1 Establishment of Zoning Districts

The Township is hereby divided into the following zoning districts as shown on the Official Zoning Map, which together with all explanatory matter shown thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

- AR** - Agricultural Residential District
- LR** - Lakefront Residential District
- C** - Commercial District
- I** - Industrial District

Section 4.2 Provisions for Official Zoning Map

These districts, so established, are bounded and defined as shown on the map entitled: "Zoning Map of Sanilac Township" adopted by the Township Board, and which with all notations, references and other information appearing thereon, is hereby declared to be a part of this Ordinance and of the same force and effect as if the districts shown thereon were fully set forth herein.

Section 4.3 Changes to Official Zoning Map

If, in accordance with the procedures of this Ordinance and of Public Act 110 of 2006, as amended, a change is made in a zoning district boundary, such change shall be made by the Township Board with the assistance of the Zoning Administrator promptly after the Ordinance authorizing such change shall have been adopted and published by the Township Board. Other changes in the Zoning Map may only be made as authorized by this Ordinance and such changes, as approved, shall also be promptly made by the Township Board with the assistance of the Zoning Administrator.

Section 4.4 Authority of Official Zoning Map

Regardless of the existence of other copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be located in the office of the Township Supervisor, shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building or structure in the Township.

Section 4.5 Interpretation of Zoning Districts

Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules for interpretation shall apply:

- (a) A boundary indicated as approximately following the centerline of a highway, road, alley, railroad or easement shall be construed as following such centerline.
- (b) A boundary indicated as approximately following a recorded lot line, a boundary of a parcel, section line, quarter section line, or other survey line shall be construed as following such line.
- (c) A boundary indicated as approximately following the corporate boundary line of the Township shall be construed as following such line.
- (d) A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in a shoreline shall be construed as following the actual shoreline.
- (e) A boundary indicated as following the centerline of a stream, river, canal, lake, or other body of water shall be construed as following such centerline.
- (f) A boundary indicated as parallel to or an extension of a feature indicated in Sections 4.3 through 4.4 above shall be so construed.
- (g) A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- (h) All questions concerning the exact location of boundary lines of any zoning district not clearly shown on the Official Zoning Map shall be determined by the Zoning Board of Appeals consistent with the intent and purpose of this Ordinance.

Section 4.6

AR, Agricultural Residential District

Intent and Purpose

This district is established to preserve the rural character and support stable and viable agricultural operations. The primary use of this district area is considered to be agriculture. The regulations of this district are designed to conserve and protect farm operations, including dairy farming, pasturage, cash cropping, stables (public and private), orchards, as well as other agricultural and related uses. The regulations of the district are designed to exclude or discourage uses and buildings that demand substantial public or private services, including, but not limited to major thoroughfares, water supply, waste water treatment facilities, drainage, and other public or private utility type services. This district includes areas where the largest concentration of undeveloped agricultural soils exist.

Section 4.6.1 Permitted Land Uses

- (a) Adult Family Day-Care Homes, subject to Section 6.2.
- (b) Adult Foster Care Family Homes and Adult Foster Care Small Group Homes (six or fewer adults), subject to Section 6.3.
- (c) Child Family Day-Care Homes, subject to Section 6.2.
- (d) Child Foster Family Homes, subject to Section 6.3.
- (e) Churches, subject to section 6.12.
- (f) Dwelling, single-family.
- (g) Dwelling, two-family.
- (h) Essential services.
- (i) Farming operations considered to be generally accepted farming practices, and covered under the Michigan Right to Farm Act.
- (j) Home occupations, subject to Section 5.7.
- (k) Intensive livestock operations, subject to Section 6.27.
- (l) School, elementary, middle, high, and vocational, parochial and private.
- (m) Ponds, subject to Section 6.36.

- (n) Public buildings.
- (m) Veterinary clinic, subject to Section 6.48.
- (n) Uses similar to the above permitted principal land uses.

Section 4.6.2 Special Land Uses

The following special land uses are permitted, subject to the provisions of Section 3.5, Special Land Uses:

- (a) Adult Group Day-Care Homes, subject to Section 6.2.
- (b) Adult Day-Care Centers, subject to Section 6.2.
- (c) Adult Foster Care Small Group Homes (twelve adults or fewer), subject to Section 6.3.
- (d) Airports, airstrips and heliports, subject to Section 6.5.
- (e) Animal rescues or shelters, subject to Sections 6.6.
- (f) Bed and Breakfast, subject to Section 6.10.
- (g) Cemeteries, subject to Section 6.11.
- (h) Child Group Day Care Homes, subject to Section 6.2.
- (i) Child Day Care Centers, subject to Section 6.2.
- (j) Child Foster Family Group Homes, subject to Section 6.2.
- (k) Extractive operations, subject to Section 6.17.
- (l) Funeral homes and mortuaries, subject to Section 6.18.
- (m) Golf courses, subject to Section 6.21.
- (n) Gun clubs, firing and archery ranges, subject to Section 6.22.
- (o) Home-based businesses, subject to Section 5.7.
- (p) Kennels, commercial, subject to Sections 6.28.
- (q) Kennels, private, subject to Section 6.29.

- (r) Landscape nurseries.
- (s) Outdoor recreational facilities, subject to Section 6.34.
- (t) Public parks.
- (u) Stables, commercial, subject to Section 6.38.
- (v) Roadside stands, subject to Section 6.39.
- (w) Wireless Communication Facilities, subject to Section 6.49.
- (x) Uses similar to the above permitted principal special land uses.

Section 4.7

LR, Lakefront Residential District

Intent and Purpose

This district is established to provide an area that is primarily single family residential development. The regulations of the district are designed to encourage uses and buildings that have adequate public services, including, but not limited to major thoroughfares, water supply, and wastewater treatment facilities/plants, drainage, and other public or private utility type services.

Section 4.7.1 Permitted Land Uses

- (a) Adult Family Day-Care Homes, subject to Section 6.2.
- (b) Adult Foster Care Family Homes, subject to Section 6.3.
- (c) Child Family Day-Care Homes, subject to Section 6.2.
- (d) Child Foster Family Homes, subject to Section 6.3.
- (e) Churches, subject to Section 6.12.
- (f) Dwellings, single-family.
- (g) Dwelling, two-family.
- (h) Essential services.
- (i) Home occupations, subject to Section 5.6.
- (j) Ponds, subject to Section 6.36.
- (k) Public buildings.
- (l) School, elementary, middle, high, and vocational, parochial and private.
- (m) Veterinary clinics, subject to Section 6.48.
- (n) Uses similar to the above permitted principal land uses.

Section 4.7.2 Special Land Uses

The following special uses of land, building and structures are permitted, subject to the provisions of Section 3.5, Special Land Uses:

- (a) Adult Group Day-Care Homes, subject to Section 6.2.
- (b) Adult Day-Care Centers, subject to Section 6.2.
- (c) Adult Foster Care Small Group Homes (Twelve or fewer adults), subject to Section 6.3.
- (d) Animal rescues or shelters, subject to Sections 6.6.
- (e) Bed and breakfast establishments, subject to Section 6.10.
- (f) Cemeteries, subject to Section 6.11.
- (g) Child Group Day Care Homes, subject to Section 6.2.
- (h) Child Day Care Centers, subject to Section 6.2.
- (i) Child Foster Family Group Homes, subject to Section 6.3.
- (j) Home-based businesses, subject to Section 5.6.
- (k) Kennels, commercial, subject to Section 6.28.
- (l) Kennels, private, subject to Section 6.29.
- (m) Public parks.
- (n) Roadside stands, subject to Section 6.39.
- (o) Rooming and boarding facilities, subject to Section 6.40.
- (p) Uses similar to the above permitted principal special land uses.

Section 4.8 C, Commercial District

Intent and Purpose

This district is established to serve the overall shopping needs of the population both within and beyond the Township boundaries, including both convenience and comparison goods. It should also accommodate low-intensity, office-type professional and administrative services necessary for the normal conduct of a community's activities.

Section 4.8.1 Permitted Land Uses

- (a) Automobile washes and car wash establishments, subject to Section 6.9.
- (b) Business support service.
- (c) Churches, subject to Section 6.12.
- (d) Convenience store without gasoline sales.
- (e) Day care centers, subject to Section 6.2.
- (f) Financial institutions without drive through windows.
- (g) Funeral homes and mortuaries, subject to Section 6.18.
- (h) Hotel and motels, subject to Section 6.32.
- (i) Landscape nurseries.
- (j) Laundromat and dry cleaner.
- (k) Office: business, professional, medical, dental and non-profit.
- (l) Outdoor display and sales, subject to Section 6.33.
- (m) Personal service establishment.
- (n) Public buildings.
- (o) Private meeting halls, clubs, and similar uses designed to serve the needs of the members rather than of the general public.
- (p) Photography, art, craft studies and galleries.

- (q) Restaurants, carryout, fast food, and standard.
- (r) Tavern and nightclubs.
- (s) Theater, when fully enclosed.
- (t) Veterinary clinics, subject to Section 6.48.
- (u) Uses similar to the above permitted principal land uses.
- (v) Agricultural/Residential Zoning

Section 4.8.2 Special Land Uses

The following special uses of land, building and structures are permitted, subject to the provisions of Section 3.5, Special Land Uses:

- (a) Automobile filling stations, repair garages, service stations, and dealerships, subject to Section 6.8.
- (b) Bed and Breakfast, subject to Section 6.10.
- (c) Book, magazine and newspaper printing.
- (d) Drive-through facilities, subject to 6.16.
- (e) Essential services.
- (f) Farmers markets, subject to Section 6.7.
- (g) Flea Markets and open-air businesses, subject to Section 6.33.
- (h) Financial institutions with up to 3 drive-through windows, subject to Section 6.16.
- (i) Health club.
- (j) Home for the elderly and nursing/convalescent center, subject to Section 6.23.
- (k) Hospitals, subject to Section 6.20.
- (l) Kennel, private, subject to Section 6.29.
- (m) Limited warehousing and wholesale establishments.

- (n) Outdoor recreational facilities, subject to Section 6.34.
- (o) School, elementary, middle, high, and vocational, parochial and private.
- (p) Seasonal and transient display of products or materials intended for sale, subject to Section 6.42.
- (q) Self-storage facility, subject to Section 6.43.
- (r) Supermarket.
- (s) Transient and temporary amusement establishments, subject to Section 6.46.
- (t) Wireless communications facilities, subject to Section 6.49.
- (u) Uses similar to the above permitted principal special land uses.

Section 4.9

I, Industrial District

Intent and Purpose

This district is established to make available resources and services essential to various industrial uses that range from light to heavy industrial development. These may include manufacturing, office/research, warehousing and distribution, assembly and fabrication. It is intended that this District be located where adequate utilities and suitable road access are available.

Section 4.9.1 Permitted Land Uses

- (a) Business research, development and testing laboratories and offices.
- (b) Business support services.
- (c) Book, magazine and newspaper printing.
- (d) Churches, subject to Section 6.12.
- (e) Essential services.
- (f) Industrial park, subject to Section 6.25.
- (g) Industrial research, development, and testing laboratories and offices.
- (h) Kennel, commercial, subject to Section 6.28.
- (i) Kennel, private, subject to Section 6.29.
- (j) Landscape nurseries.
- (k) Manufacturing, compounding, processing, packaging or treatment of the following uses when conducted completely within a building, structure or an area enclosed and screened from external visibility beyond the lot lines of the parcel upon which the use is located:
 - (1) Electrical appliances, electronic instruments and devices.
 - (2) Food, cosmetics, pharmaceuticals, toiletries, hardware and cutlery.
 - (3) Jewelry, silverware and plated ware, metal or rubber stamps, or other small molded products, musical instruments and parts, toys, amusement, sporting and athletic goods, office and artists materials, notions, signs and advertising displays.
 - (4) Office, computing and accounting machines.

- (5) Previously prepared materials including, but not limited to bone, canvas, cellophane, ceramic, clay, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings including, but not limited to automobile fenders or bodies), shell, textiles, wax, wire, wood, (excluding saw and planing mills), and yarns.
- (6) Professional, scientific and controlling instruments, photographic and optical goods.
- (l) Private meeting halls, clubs, and similar uses designed to serve the needs of the members rather than of the general public.
- (m) Research, development and testing laboratories and offices.
- (n) Uses similar to the above permitted principal land uses.
- (o) Agricultural/Residential Zoning

Section 4.9.2 Special Land Uses

The following special uses of land, building and structures are permitted, subject to the provisions of Section 3.5, Special Land Uses:

- (a) Adult regulated uses, subject to Section 6.4.
- (b) Airports, airstrips, heliports, subject to Section 6.5.
- (c) Central dry cleaning plants or laundries provided that such plants shall not deal directly with consumers at retail.
- (d) Commercial outdoor storage, subject to Section 6.13.
- (e) Construction and farm equipment sales, subject to Section 6.13.
- (f) Container warehouse facilities, subject to Section 6.15.
- (g) Flea markets and open-air businesses, subject to Section 6.33.
- (h) Health clubs.
- (i) Incineration of any refuse, industrial, hazardous, or other wastes when conducted within an approved and enclosed incineration plant, subject to Section 6.26.

- (j) Industrial or commercial waste lagoons and ponds, subject to Section 6.24.
- (k) Junk, salvage yards, scrap waste and wholesaling, subject to Section 6.41.
- (l) Livestock auction yards and markets, subject to Section 6.30.
- (m) Major vehicle repair shops and overhauling facilities, vehicle bump and paint shops and the like, subject to Section 6.8.
- (n) Manufacturing, compounding, processing, packaging, or treatment of the uses not previously mentioned above.
- (o) Open air business, subject to Section 6.33.
- (p) Open storage of building materials, sand, gravel, stone, lumber, open storage or construction contractor's equipment and supplies, subject to Section 6.19.
- (q) Public or private waste or water treatment facilities, subject to Section 6.14.
- (r) Self-storage facilities, subject to Section 6.43.
- (s) Slaughterhouses, subject to Section 6.44.
- (t) Sludge processing and similar resource recovery operations, subject to Section 6.45.
- (u) Storage of commercial and recreational vehicles subject to Section 6.13.
- (v) Tool and die machinery shops.
- (w) Warehousing and materials distribution centers.
- (x) Wireless Communication Facilities, subject to Section 6.49.
- (y) Uses similar to the above permitted principal special land uses.

Section 4.10 Schedule of Area, Height, and Placement Regulations.

The following regulations regarding lot sizes, yards, setbacks, lot coverage, structure size, and densities apply within the zoning districts as indicated, including those “additional regulations” referred to in the following table.

No structure shall be erected, nor shall an existing structure be altered, enlarged, or rebuilt, nor shall any open space surrounding any structure be encroached upon or reduced in any manner, except in conformity with the regulations hereby established for the district in which such structure is located. No portion of a lot used in complying with the provisions of this Ordinance for yards, lot area, occupancy, in connection with an existing or projected structure, shall again be used to qualify or justify any other structure existing or intended to exist at the same time.

Schedule of Regulations Table

Zoning District	Minimum Lot Size		Maximum Building Height Space		Minimum Yard Setback			Max. Lot Coverage (principal plus attached accessory bldg.) Percent	Footnotes
	Area	Lot width	Stories	Feet	Front (l)	Side	Rear		
LR, Lakefront Residential District	20,000 sq. feet (0.46 acre)	To be determined by Appeal Board	2 ½	35 ft.	a.	b.	c.	d.	(see g)
AR, Agricultural Residential District	1 acre	165 ft of road frontage	2 ½	35 ft.	a.	e.	25 ft.		(see f, g)
C, Commercial District	20,000 sq. ft.	80 ft.	2 ½	35 ft.*	a.	25 ft.	40 ft.	---	(see f, h)
I, Industrial District	5 acres	250 ft. on the front street	2 ½	35 ft. *	150 ft. from center of road	50 ft. **	i.	---	(see f)

43,560 sq. feet = 1 acre
 21,780 sq. feet = 0.5 acre

*Unless approved by the Sanilac Township Zoning Board as within the fire fighting facilities of the Township upon written application of the owner of the premises.

** Except where property line adjoins a railroad right-of-way, in which case no rear yard will be required.

***See all reference letters a through i on the following pages.

(References for Schedule of Regulations Table on proceeding page)

- a. One-hundred fifty (150) feet from center of all hard surface highways, and one hundred eight (108) feet in depth from the center of the highway upon all other roads, provided, however, where there are existing dwellings, within fifteen (15) feet of the sidelines of the parcel of land on which the dwelling is located having lesser front yards, the front yard may be reduced to the average of such dwellings not less than forty (40) feet in depth.
- b. **Side Yard:** Ten (10) feet in width on each side. No garage attached to the side or front of a dwelling shall obstruct or interfere with the light or ventilation of neighboring buildings, nor shall any garage or accessory building or structure be located closer to the right-of-way line of an abutting side street than twenty-five (25) feet, and in all cases shall be far enough from each line as not to obstruct in a dangerous way a view of traffic on the intersecting streets.
- c. **Rear Yard:** No less than thirty-five (35) feet in depth. The depth of a rear yard abutting upon a street shall not be less than the depth of a front yard required for a building of the same size and kind, on the adjoining lot fronting on such rear street.
- d. Detached accessory buildings' location on side or rear lot lines shall not be located closer than three (3) feet. Buildings may be erected or structurally altered to a maximum height of two and one-half (2 1/2) stories or thirty-five (35) feet except that churches (not including steeples), public and semi-public buildings may be erected to a greater height if the building is set back from each required yard line at least one (1) more foot for each foot of additional height above thirty-five (35) feet.
- e. **Side Yards:** Twenty-five (25) feet in width on each side. No garage attached to the side or front of a dwelling shall obstruct or interfere with the light or ventilation of that dwelling or dwellings, nor shall it interfere with light or ventilation of dwellings on adjoining lots, nor shall any garage or accessory building or structure be located closer to the right-of-way of an abutting street than one hundred eight (108) feet, and in all cases shall be far enough from each line as not to obstruct in a dangerous way a view of traffic on the intersecting street.
- f. Corner lot to conform with Clear View Law.
- g. **Floor Area:** Every one-family dwelling hereafter erected, altered or moved upon premises, shall contain not less than seven hundred and fifty (750) square feet of floor area, except, however, every one-family, two-story dwelling, hereafter or erected, altered or moved upon a premises shall contain not less than six hundred (600) square feet of floor area on ground floor. Every two-family dwelling shall contain not less than fifteen hundred (1,500) square feet of floor area. Multiple dwellings, if permitted, shall contain an equivalent minimum floor area per unit as required, in two-family dwellings. In no

case shall such area include area in an attached garage, open porch or other attached structure.

- h. **Commercial Floor Area:** No building hereafter erected, altered or moved upon any premises in areas designated as “C” Districts shall have less than six-hundred (600) square feet of floor area at the first floor level. (excluding dwellings)
- i. **Side Yard (I District):** There shall be two (2) side yards, each of which shall not be less than fifty (50) feet in width except where a side property line adjoins a railroad right-of-way, in which case no side yard will be required along such lot line and except where the property adjoins a L-R or A-R District in which case a side yard of at least seventy-five (75) feet in width shall be provided.