

## ARTICLE 7 R-1 ONE FAMILY RESIDENTIAL DISTRICT

### SECTION 700 STATEMENT OF PURPOSE

This district classification is designed to be the most restrictive of the residential districts intended to encourage an environment of predominantly low-density single-family dwelling units together with a minimum of other residentially related facilities and activities primarily of service to the residents in the area.

### SECTION 701 USES PERMITTED BY RIGHT

The following structures and/or uses shall be permitted by right:

1. One-family detached dwelling units provided that:
  - a. Within any platted subdivision the minimum lot size is fifteen thousand (15,000) square feet with at least one hundred (100) feet of frontage.<sup>1</sup>
  - b. Outside a platted subdivision the minimum lot size is one (1) acre (43,560 square feet) with at least one hundred (100) feet of frontage.
  - c. Minimum building setbacks are : front – thirty five (35) feet; side – ten (10) feet; rear – thirty five (35) feet.<sup>2</sup>
  - d. Maximum height is two and one half (2 ½) stories or forty-two (42) feet.
  - e. Living space must be at least eleven hundred and twenty (1120) square feet with a minimum width of sixteen (16) feet.
  - f. The building must conform to all other applicable regulations specified in Article 18 and Article 19 of this ordinance.
2. Mobile homes, modular, and manufactured homes not located in a mobile home park, must comply with all regulations of one-family detached dwelling units and in addition must:
  - a. Not have exposed wheels, towing mechanisms, undercarriage or chassis in excess of ninety (90) days from the time it is located on the lot.
  - b. Comply with the Huron County residential building code if any additions are constructed. Materials and construction of any additions should equal the original dwelling, must be permanently attached to the dwelling and have an appropriate foundation.
  - c. Be firmly attached to a solid foundation that meets the Huron County Building Code.
3. A building accessory to an existing dwelling and not used for the conduct of business provided that:
  - a. It is placed to the rear of the dwelling.
  - b. It does not occupy more than forty (40) per cent of a required rear yard.
  - c. It is no more than eighteen (18) feet in height.
  - d. It conforms aesthetically with neighboring buildings.
4. An accessory building where there is **no existing dwelling** provided that:
  - a. It is no larger than two hundred (200) square feet.
  - b. It is placed on the rear part of the lot behind a line established by any neighboring dwellings.
  - c. It conforms aesthetically with neighboring buildings.

<sup>1</sup> *on pre-existing lots in platted subdivisions where the Health Department has approved a building site the Zoning Inspector may authorize building on lots as small as 5,000 sq. ft.*

<sup>2</sup> *on pre-existing lots in platted subdivisions when minimum setback requirements are unobtainable the Zoning Inspector may authorize a rear setback as little as 4 feet.*

5. Storage buildings not used for the conduct of business or for dwelling units provided that:
  - a. The lot size is at least three (3) acres.
  - b. The building is no more than forty feet by sixty feet (40 X 60) or twenty-four hundred (2400) square feet and eighteen (18) feet in height.
  - c. The building meets minimum setbacks of: Front - one hundred fifty (150) feet; Back & Side - twenty-five (25) feet .
6. Home Occupations wherein the occupant of a single family residence offers instruction in a craft or fine art.
7. State licensed residential facilities providing services for six (6) or fewer people except for adult foster care facilities licensed by a state agency for the care and treatment of persons released from or assigned to adult correctional institutions.
8. Churches, Mosques, Synagogues or Temples together with accessory housing for religious personnel subject to the following:
  - a. The lot shall be at least two (2) acres in size.
  - b. The lot shall be so located as to have at least one (1) property line on a major thoroughfare or collector street. All motor vehicle ingress and egress to the lot shall be directly onto said thoroughfare or service drive.
  - c. No building shall be closer than forty (40) feet to any property or street line.
  - d. No more than thirty-five (35%) per cent of the lot area shall be covered by buildings.
  - e. the number of parking spaces offered conforms to the number required in Article 19.
9. Nursery schools, day nurseries, or child care centers (not including a dormitory), meeting all requirements necessary for licensing by the State of Michigan.
10. Publicly owned and operated libraries, parks, playgrounds, or parkways subject to the following:
  - a. The lot shall be at least two (2) acres in size.
  - b. The lot shall be so located as to have at least one (1) property line on a major thoroughfare or collector street. All motor vehicle ingress and egress to the lot shall be directly onto said thoroughfare or service drive.
  - c. No building shall be closer than forty (40) feet to any property or street line.
  - d. No more than thirty-five (35%) per cent of the lot area shall be covered by buildings.
  - e. the number of parking spaces offered conforms to the number required in Article 19.
11. Public, parochial, or private elementary schools offering courses in general education, and not operated for profit subject to the following:
  - a. The lot shall be at least two (2) acres in size.
  - b. The lot shall be so located as to have at least one (1) property line on a major thoroughfare or collector street. All motor vehicle ingress and egress to the lot shall be directly onto said thoroughfare or service drive.
  - c. No building shall be closer than forty (40) feet to any property or street line.
  - d. No more than thirty-five (35%) per cent of the lot area shall be covered by buildings.
  - e. the number of parking spaces offered conforms to the number required in Article 19.
12. Subdivisions platted for single family dwellings conforming to all provisions of Michigan Public Act 288 of 1967.
13. One model dwelling unit for each approved project or subdivision subject to:
  - a. The model must be converted to a salable unit within three months of the sale of the final unit.

- b. The model unit must not be a dwelling unit until it is converted to a salable unit.
14. Outdoor storage of motor homes or travel trailers on lots where there is an existing residence provided that:
- a. They are owned by the lot owner/ resident.
  - b. They are located a minimum of one hundred fifty (150) feet from the front lot line and ten (10) feet from the side lot line.
15. The keeping of animals and/or fowl provided that:
- a. There is a single family dwelling on a tract of five (5) or more unplatted acres.
  - b. Animals and/or fowl kept are “for personal pleasure” or raised for 4H or FFA projects and *not kept as a business*.
  - c. No roosters or peacocks are permitted.
  - d. Any building constructed or used for the housing of these animals or fowl shall be located at least one hundred fifty (150) feet from the front property line and at least one hundred fifty (150) feet from the property line of any adjoining property.
  - e. Any fences for animal or fowl confinement shall be at least ten (10) feet from any adjoining property line unless the adjoining property owner provides a written waiver of this requirement. A copy of such a waiver must be attached to the Township Site Permit Application.
  - f. Fences erected for animal or fowl confinement may be of a type permitted in an agricultural zoned district. That includes electric fences and/or the use of barbed wire.
  - g. All animal and/or fowl facilities shall be constructed and maintained so that odor, dust, noise, or drainage shall not constitute a nuisance or hazard to adjoining property.

**SECTION 702 USES PERMITTED BY SPECIAL APPROVAL**

The following structures and/or uses shall be permitted, but only by special approval granted by the Planning Commission:

- 1. Multiple dwelling units, including apartment buildings, and town houses but excluding hotels and motels.
- 2. Bed and Breakfast operations provided:
  - a. They are not in a platted residential subdivision or in a residential condominium.
  - b. Guest rooms must be part of the owner’s principal residence and not have been constructed specifically for rental.
  - c. They have six or fewer guest sleeping rooms.
- 3. Boarding and lodging houses containing not more than six (6) separate units.
- 4. Cemeteries, public or private, subject to the following:
  - a. The lot shall be at least ten (10) acres and shall be so designed as to provide motor vehicle ingress and egress directly onto or from a major thoroughfare.
  - b. No building shall be closer than fifty (50) feet to any property or street line.
  - c. A maximum of one (1) sign is permitted at the point of entrance which shall bear only the name of the cemetery and shall have a maximum area of thirty-two (32) square feet.
- 5. Residential condominiums as provided in Article 15 of the Port Austin Township Zoning Ordinance.

6. Colleges, universities, or other institutions of higher learning, public or private, offering courses in general, technical, or religious education and not operated for profit, subject to the following:
  - a. The lot shall be at least ten (10) acres in area.
  - b. The lot or any portion thereof shall not be part of a recorded subdivision plat.
  - c. No building shall be closer than forty (40) feet to any property or street line.
7. Essential services, subject to the following:
  - a. No building shall be closer than forty (40) feet to any property or street line.
  - b. No more than twenty-five (25%) per cent of the lot area may be covered by buildings.
  - c. All buildings shall be harmonious in appearance with the surrounding area and shall be similar in design and appearance to any other buildings on the same site development.
  - d. Where mechanical equipment is located in the open air, it shall be screened from the surrounding area by an obscuring wall, fence, or planting area and it shall be fenced for safety. All buildings housing mechanical equipment shall be landscaped and maintained to harmonize with the surrounding area.
8. Golf courses, not including miniature golf courses or par-3 courses, which may or may not be operated for profit, subject to the following:
  - a. The site shall be at least fifty (50) acres in area.
  - b. Motor vehicle ingress and egress shall be onto a major thoroughfare.
  - c. The site plan shall be laid out to achieve a relationship between the major thoroughfare and any proposed service roads, entrances, driveways, and parking areas which will encourage pedestrian and vehicular traffic safety. No structure shall be closer than fifty (50) feet to any property or street line
  - d. Development features including structures shall be so located and related as to minimize the possibility of any adverse effects upon adjacent lots. This shall mean that all principal or accessory buildings shall be not less than one hundred (100) feet from any property line abutting a residential lot. Where topographic conditions are such that buildings would be screened from view, the Planning Commission may modify this requirement. The lighting of a golf course so as to permit use after daylight is expressly prohibited.
9. Home Occupations other than those specified in uses permitted by right.
10. Hospitals, public or private, providing general health care, subject to the following:
  - a. The lot shall be at least five (5) acres in area.
  - b. The lot shall have at least one (1) property line abutting a major thoroughfare or collector street. All motor vehicle ingress and egress to the off-street parking area for guests, employees, and staff shall be directly from the thoroughfare or street.
  - c. All two (2) story structures shall be at least sixty (60) feet from any property or street line. Buildings less than two (2) stories shall be no closer than forty (40) feet to any property or street line. For buildings above two (2) stories, the buildings shall be set back from the initial sixty (60) feet set back an additional one (1) foot for each foot of additional height above two (2) stories.
  - d. No more than twenty-five (25%) percent of the lot may be covered by buildings.
  - e. Ambulance and delivery areas shall be obscured from all residential view by an obscuring wall, fence or planting area. Motor vehicle access to and from the delivery and ambulance area shall be directly from a major thoroughfare or collector street.
11. Nursing homes, convalescent homes, adult foster care homes, or housing for the elderly, orphans or wards of the probate court meeting all requirements for licensing by the State of Michigan not allowed "by right".

12. Planned Unit Developments as provided in Article 14 of this Ordinance.
13. Private offices for a doctor or dentist, or similar professional person, provided such offices are part of a dwelling unit occupied by that person and not more than one person practices in the office.
14. Private Solar Energy Systems which are **not attached** to a principal structure provided that:
  - a. They conform to setback requirements for accessory buildings.
  - b. They do not cover more than twenty-five (25) per cent the lot.
  - c. They are fenced to protect the public from any hazard they might pose.
15. Private Wind Energy Systems that:
  - a. Have a lot size of at least one (1) acre.
  - b. Are no more than one hundred fifty (150) feet tall.
  - c. Are located at least two (2) times the hub height from any property line **or** the minimum setback required for a primary building whichever is greater.
16. Public or private noncommercial recreational areas and/or facilities, institutional or community recreation centers, or nonprofit swimming pool clubs subject to the following:
  - a. The lots for any of such uses which may attract or serve people beyond the immediate neighborhood shall have at least one (1) property line abutting a major thoroughfare.
  - b. Front, side and rear yards shall be at least eighty (80) feet.
17. Retail sales of any products (produce or flowers) grown on the premises shall be subject to the following:
  - a. Sales shall be made only from the premises where the product (produce or flowers) were grown.
  - b. No permanent structure shall be erected in connection with such sale and all temporary structures shall be removed when such products (produce or flowers) have been disposed of.
18. Kennels.
19. With the exception of animals considered to be common household pets, the keeping of any animals inconsistent with the provisions whereby animals are allowed "by right". (Section 701 #15).
20. Storage buildings not used for the conduct of business or as dwelling units which do not meet the required conditions of a use permitted by right.
21. Any structure or use which, in the opinion of the Planning Commission, is similar to or compatible with a structure or use permitted in this zoning district.