

ARTICLE III - ZONING DISTRICTS AND MAP

SECTION 300. DISTRICTS

For the purpose of this Ordinance, Resort Township is hereby divided into the following Districts:

RESIDENTIAL DISTRICTS

- R-1A One Family Residential
- R-1B One Family Residential
- R-2A General Residential
- R-2B General Residential
- RR Recreational Residential

NON-RESIDENTIAL DISTRICTS

- B-1 Local-Tourist Business
- B-2 General Business
- I Light Industrial

OTHER DISTRICTS

- FF Farm and Forest
- PUD Planned Unit Development

WATERFRONT AND HISTORIC OVERLAY AREAS

- WR Waterfront Resource
- HR Historic Resource

SECTION 301. BOUNDARIES

The boundaries of these Districts are hereby established as shown on the Resort Township Zoning Map, which accompanies this Ordinance, and which map with all notations, references and other information shown thereon shall be as much a part of this Ordinance as if fully described herein. If there are any questions as to the interpretation of District Boundaries, the Board of Appeals shall determine same.

SECTION 302. DISTRICT REQUIREMENTS

All buildings and uses in any district shall be subject to the provisions of General Provisions and General Exceptions.

SECTION 303. AREA AND BULK REQUIREMENTS FOR ALL DISTRICTS

For each District in this Ordinance, see also the Article XV - SCHEDULE OF REGULATIONS, limiting the height and bulk of buildings, the minimum size of the lot permitted, the maximum density permitted and minimum yard requirements (setbacks).

SECTION 304. ACCESSORY USES ASSUMED

For each District established in the Ordinance it shall be assumed that customary accessory buildings and uses, which are incidental to any Principal Uses or Principal Uses Permitted Subject to Special Conditions, are permissible as part of the main use.

ARTICLE IV - R-1A and R-1B ONE FAMILY RESIDENTIAL DISTRICTS

(Amended 9-9-14)

INTENT

This residential district is designed to provide for one-family dwelling sites and the residentially related uses in keeping with the Comprehensive Plan of residential development in Resort Township. The uses permitted are intended to promote a compatible arrangement of land uses for homes, with the intent to keep residential areas relatively quiet and free from detrimental use influences.

SECTION 400. PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. One-family detached dwellings.
2. Permanent manufactured homes may be used for dwelling purposes in the R-1B District, but not in the R-1A District. (See SEC. 402)
3. Domestic Farms, per the standards in Section 1702-15.
4. Commercial Farms.
5. Publicly owned recreational lands and facilities.
6. Accessory buildings which are customary and incidental to any of the above uses. Accessory buildings shall not be used as a dwelling and shall not contain any sleeping facilities.

SECTION 401. USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted upon approval of the Planning Commission, subject to the conditions imposed for each use, the Conditional Use Review Standards in Section 1700, and the Site Plan Review requirements in Section 2005:

1. Public Utility and public service facilities and uses except open storage, when operating requirements necessitates the locating of said facilities within the district, and except for electrical or heat generation plants or facilities.

2. Public buildings (except public works garages and storage yards), churches, public schools, private schools and their local supporting service uses, provided that, at a minimum, all criteria listed below are met:
 - a) All sites for uses permitted, herein, shall maintain a minimum open space area equal to sixty (60%) percent of the site area (excluding road right-of-way). Open spaces shall not include buildings, parking lots, pedestrian walks, and/or driveways, and other paved or blacktop surfaces.
 - b) The arrangement of property uses shall consider the impact on natural resources, scenic views, and historic resources. If feasible, the site design shall endeavor to prevent and mitigate negative impacts related to building size, noise, lighting and traffic, or other impacts associated with such use.
 - c) No such use shall locate on or have vehicle access from a subdivision street unless the subdivision (or similar type of development) contains dedicated sites for such uses.
 - d) Any uses of church structures or properties for such other purposes as recreation, day care centers, group housing, and the like, shall be separately considered as part of the conditions to granting or denying a special permit in residential districts.
3. Cemeteries when developed on sites of ten (10) acres or more.
4. Golf Courses and Country Clubs, except mini golf, provided any accessory pro-shops and/or clubhouses are clearly incidental to the golf use, and no commercial driving range or mini-golf facility is included.
5. Non-public recreational areas and facilities when not operated for a profit.
6. Nursery schools, day nurseries and child care centers.
7. Authentic historical restoration or renovation projects including historic communities, archaeological excavations and displays of historical artifacts related to the premises; provided said restoration is not used to circumvent the use intent of the District or the nonconforming status of properties.
8. Accessory buildings which are customary and incidental to any of the above conditional uses. Accessory buildings shall not be used as a dwelling and shall not contain any sleeping facilities.

SECTION 402. ADDITIONAL REQUIREMENTS FOR DWELLING UNITS

The following performance standards shall apply to all dwelling units constructed in or placed in the R-1A One-family Residential District, RR Recreational District, and the WR Waterfront Resource Overlay Area or HR Historic Resource Overlay Area, and shall be in addition to the requirements of other codes, ordinances, or provisions of this Ordinance. These requirements are to assure a degree of structural comparability between site built dwellings and pre-constructed or factory built housing intended for one (1) family occupancy. On-site construction modifications may be necessary and shall be permitted to attain the standards of comparability.

1. The minimum building width across any front and any side elevation shall be twenty (20) feet on an unbroken building line, excluding garages and accessory buildings.
2. Every detached dwelling unit shall provide useable accessory storage space in the amount of ten percent (10%) of gross floor area, but not less than 100 sq. ft. of storage space. Basements, attics, closets, or separate accessory structures shall count as storage space.
3. Foundation supports shall extend below the prevailing frost line.
4. Dwellings units moved onto any lot in the District shall have its wheels removed. Towing devices or hitches shall be removed or be totally obscured from view.
5. Modular or manufactured home units shall not be structurally attached to one another or placed together unless specifically designed and engineered at the site of manufacture to be attached.
6. All factory assembled dwelling units constructed prior to June 15, 1976 shall not be placed on or moved upon a lot or parcel unless all minimum code requirements for site built housing are in compliance.

The requirements of paragraphs 1 thru 6 of this Ordinance Section shall not apply to factory built housing or manufactured homes sited within legally established manufactured home developments.

SECTION 403. SPECIFIC DEVELOPMENT STANDARDS in R-1A and R-1B District

1. **Parcel Size** 45,000 sq. feet minimum
2. **Lot Width** 100 feet minimum
3. **Maximum Height** Principal Use – 30 ft. maximum from uniform finished grade to average height between eaves and ridge
Accessory Use – 10 ft. maximum height to eave in front and side yard; 14 ft. maximum height to eave in rear yard
4. **Minimum Floor Area** Principal Use – 720 square ft.
5. **Max Ground Floor Area** Accessory Use – 1,000 sq. ft. if in front or side yard; 1,400 sq. ft. if in rear yard
6. **Maximum Percent of Lot Coverage by the area of buildings** 30%
7. **Minimum Yard Setback**
 - a. Front (faces road) 30 feet
 - b. Sides 10 feet
 - c. Rear 25 feet, except for non-waterfront accessory buildings 600 sq. ft. or less need not be farther from rear lot line than 10 ft.
8. **Accessory Buildings** Shall not be used as a dwelling and shall not contain any sleeping {Section 1800} facilities

One (1) detached accessory residential building up to the maximum allowable size per zoning lot of five (5) acres or less. For each additional five (5) acres of zoning area, above five (5), one (1) additional accessory building up to the maximum allowable size may be permitted, but not more than a total of four (4) such buildings.

In addition to the above allowed residential accessory buildings,

one detached accessory building not exceeding 200 square feet may be permitted for such use as tool shed, wood storage equipment housing, animal shelter and the like.

Residential accessory building sizes shall be regulated as follows:

<u>Location on Property</u>	<u>Max Ground Floor Area</u>	<u>Max Height to Eave</u>
Front Yard	1,000 Sq. Feet	10 Feet
Side Yard	1,000 Sq. Ft	10 Feet
Rear Yard	1,400 Sq. Ft	14 Feet

ARTICLE V - R-2A and R-2B
GENERAL RESIDENTIAL DISTRICTS

(Amended 9-9-14)

INTENT

The General Residential Districts are designed to provide for structures that are needed to house more than one-family, in order to meet the needs of the apartment dwelling. The R-2B District is further intended to serve a transition use function, and is particularly applicable to areas that already have a degree of residential and non-residential use mix, or in areas where such a mix would be desirable.

SECTION 500. PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. All principal uses permitted and as regulated in the R-1 Districts:
 - a. One-family detached dwellings.
 - b. Permanent manufactured homes may be used for dwelling purposes.
 - c. Domestic Farms, per the standards of Section 1702-15.
 - d. Commercial Farms.
 - e. Publicly owned recreational lands and facilities.
2. Two-family Dwellings and duplexes
3. Multiple family dwellings, townhouses and housing for the elderly.
4. Accessory buildings which are customary and incidental to any of the above uses. Accessory buildings shall not be used as a dwelling and shall not contain any sleeping facilities.

SECTION 501. USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted upon approval of the Planning Commission, subject to the conditions imposed for each use, the Conditional Use Review Standards in Section 1700, and the Site Plan Review Requirements in Section 2005:

1. All Special approval uses permitted and as regulated in the R-1 Districts:

- a) Public Utility and public service facilities and uses except open storage, when operating requirements necessitates the locating of said facilities within the district, and except for electrical or heat generation plants or facilities.
 - b) Public buildings (except public works garages and storage yards), churches, public schools, private schools and their local supporting service uses, provided that, at a minimum, all criteria listed below are met:
 - 1) All sites for uses permitted, herein, shall maintain a minimum open space area equal to sixty (60%) percent of the site area (excluding road right-of-way). Open spaces shall not include buildings, parking lots, pedestrian walks, and/or driveways, and other paved or blacktop surfaces.
 - 2) The arrangement of property uses shall consider the impact on natural resources, scenic views, historic resources, and if feasible, the site design shall endeavor to prevent and mitigate negative impacts related to building size, noise, lighting and traffic, or other impacts associated with such use.
 - 3) No such use shall locate on or have vehicle access from a subdivision street unless the subdivision (or similar type of development) contains dedicated sites for such uses.
 - 4) Any uses of church structures or properties for such other purposes as recreation, day care centers, group housing, and the like, shall be separately considered as part of the conditions to granting or denying a special permit in residential districts.
 - c) Cemeteries when developed on sites of ten (10) acres or more.
 - d) Golf Courses and Country Clubs, except mini golf, provided any accessory pro-shops and/or clubhouses are clearly incidental to the golf use, and no commercial driving range or mini-golf facility is included.
 - e) Non-public recreational areas and facilities when not operated for a profit. Nursery schools, day nurseries and child care centers.
 - f) Authentic historical restoration or renovation projects including historic communities, archaeological excavations and displays of historical artifacts related to the premises; provided said restoration is not used to circumvent the use intent of the District or the nonconforming status of properties.
2. Rooming houses, apartment houses and group quarters, subject to County Health Department approval and compliance with the construction code standards.

3. The following uses may be permitted in R-2B Districts, provided there is direct access to a County Primary or State Trunk line Highway, as opposed to a County local road, as defined by the County Road Commission:
 - a) Motels, tourist homes, motor inns provided there is a minimum lot width of 150 feet at the road line.
 - b) Professional offices, real estate sales offices, banks and other financial institutions
 - c) Fraternal lodge halls, sportsmen's associations, athletic clubs and related uses.
 - d) The personal services of hairdressers, barbers, tailors, dressmakers, and/or photographers, studios for instructing dance, physical exercise, or musical arts.
 - e) Funeral home or mortuary, provided; there is at least 150 feet of lot width, all uses, off-street parking areas, and loading areas are within the setback requirements of the District, and the service entrance to the building shall be screened from view of adjoining residential properties, or contained within the confines of the building.
 - f) Studio Art services and/or handcrafted products, including artists, potters, leather workers, and similar crafts, when operated in the character of a home occupation in that the primary service or product is produced or provided on the same premises, and that there is no visible outdoor display.
4. Accessory buildings which are customary and incidental to any of the above conditional uses. Accessory buildings shall not be used as a dwelling and shall not contain any sleeping facilities.

**SECTION 502. SPECIFIC DEVELOPMENT STANDARDS
in R-2A and R-2B District**

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|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| 1. Parcel Size
Section | 22,000 sq. feet minimum (refer to Article XV, notes to 1500, paragraph c.) |
| 2. Lot Width | 100' for one-family detached dwellings; no minimum for other allowed uses (refer to Article XV, notes to Section 1500, paragraph c.) |

3. **Maximum Height** Principal Use – 30 ft. maximum from uniform finished average height between eaves and ridge
grade to
- Accessory Use – 10 ft. maximum height to eave in front and side yard; 14 ft. maximum height to eave in rear yard
4. **Minimum Floor Area** 720 sq. ft. one-family detached dwellings; no minimum for other allowed uses
5. **Max Ground Floor Area** Accessory Use – 1,000 sq. ft. if in front or side yard; 1,400 sq. ft. if in rear yard
6. **Maximum Percent of Lot Coverage by the area of buildings** 35%
7. **Minimum Yard Setback** (refer to Article XV, notes to Section 1500, paragraphs b, c & g)
- a. Front (faces road) 30 feet
 - b. Sides 20 feet
 - c. Rear 35 feet
8. **Accessory Buildings** Shall not be used as a dwelling and shall not contain any sleeping {Section 1800} facilities
- One (1) detached accessory residential building up to the maximum allowable size per zoning lot of five (5) acres or less. For each additional five (5) acres of zoning area, above five (5), one (1) additional accessory building up to the maximum allowable size may be permitted, but not more than a total of four (4) such buildings.
- In addition to the above allowed residential accessory buildings,
one detached accessory building not exceeding 200 square feet may be permitted for such use as tool shed, wood storage, equipment housing, animal shelter and the like.

Residential accessory building sizes shall be regulated as follows:

<u>Location on Property</u>	<u>Max Ground Floor Area</u>	<u>Max Height to Eave</u>
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Front Yard	1,000 Sq. Feet	10 Feet
Side Yard	1,000 Sq. Ft	10 Feet
Rear Yard	1,400 Sq. Ft	14 Feet

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ARTICLE VI - RR, RECREATIONAL RESIDENTIAL DISTRICT

(adopted 9-9-14)

INTENT

The Recreation Residential District is designed to accommodate cottage and seasonal home developments. It is intended that the seasonal home areas be reasonably homogeneous by discouraging the mixing of recreation home areas with commercial resorts, business services and major institutional or community services.

SECTION 600. USES PERMITTED

No building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. One-family detached dwellings. Permanent manufactured homes may be used for dwelling purposes in RR District, per Sec. 602. House cars, campers, tents and/or R.V.'s shall not be occupied for seasonal or second home purposes.
2. Public parks, parkways, scenic trails, playgrounds, recreation lands, and forests, including accessory shelters and apparatus.
3. Authentic historical restoration or renovation projects including historic communities, archaeological excavations and displays of historical artifacts related to the premises.
4. Domestic Farms, per the standards in Section 1702-15.
5. Commercial Farms.
6. Accessory buildings which are customary and incidental to any of the above uses. Accessory buildings shall not be used as a dwelling and shall not contain sleeping facilities.

SECTION 601. USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

The following uses may be permitted upon approval of the Planning Commission, subject to the conditions imposed for each use, the Conditional Use Review Standards in Section 1700, and the Site Plan Review requirements in Section 2005:

1. Utility and public service facilities as regulated in the R-1A & R-1B Districts.
2. Boat launching pads and minor accessory facilities other than marinas and enclosed storage buildings.
3. Golf Courses and Country Clubs as regulated in the R-1A & R-1B Districts.
4. Private, semi-private, and other non-public recreation lands and/or facilities, subject to findings that the uses are compatible with the surrounding residential area, the uses respect the environmental qualities of the site, and no inordinate obstructions to scenic views are established. Recreational uses permitted herein include parks, playgrounds, and common access sites. No such facilities shall have a commercial appearance or be of a commercial character.

These provisions for private, semi-private and other non-public recreational lands and facilities (Section 601. 4.) shall NOT apply to accessory shoreline recreational uses on single lots serving individual occupant families.

For recreational uses defined in this Section, which have inland lake frontage, limitations on the extent, number and location of uses or facilities shall be established as follows:

- a) Camping: Not permitted except as an accessory use to a larger resort complex as may be permitted by prevailing zoning regulations.
- b) Vehicle Parking: Permitted only as necessary to afford a reasonable level of access convenience for the type of uses approved per Site Plan, and when in scale with uses on adjacent properties.
- c) Docks: 1-Per 150 ft. of horizontal lot width (not shoreline distance). Location to respect swimming beaches and docks on the same property or on adjoining properties.
- d) Boat slips/Mooring: Not more than three watercraft per 150 ft. of horizontal property width, up to a maximum of fifteen (15) total watercraft. No facilities for launching watercraft from the site shall be permitted.
- e) Swim Raft: One (1) raft up to 150 sq. ft. in floor area per recreation or park site.

- f) Recreation Apparatus: As approved per site plan, but not permitted in a required setback or greenbelt area.
 - g) Club House/Gazebo: Only as an accessory use to a larger development and only when there is at least 600 ft. of horizontal lot width, a minimum setback of 150 ft. from any property boundary, and only for the exclusive use of occupants and their guests.
5. Public, private or semi-private schools or educational programs offering courses in general, graduate, or professional education and such schools or education programs shall be conducted only on a non-profit basis with no such use to be established on sites measuring less than 150 acres in area. The Planning Commission may require the applicant to establish the educational value of the school or program by producing documentation from a state or local educational department or an accredited department or an accredited educational institution.
 6. Churches provided the site does not front on a lake or river that appears on the Zoning Map.
 7. Accessory buildings which are customary and incidental to any of the above conditional uses. Accessory buildings shall not be used as a dwelling and shall not contain any sleeping facilities.

SECTION 602. ADDITIONAL REQUIREMENTS FOR DWELLING UNITS

All dwelling units constructed in RR Districts shall comply with the ADDITIONAL REQUIREMENTS FOR DWELLING UNITS in the R-1A District as stated under Section 402.

The following performance standards shall apply to all dwelling units constructed in or placed in the R-1A One-family Residential District, RR Recreational District, and the WR or HR Overlay Areas, and shall be in addition to the requirements of other codes, ordinances, or provisions of this Ordinance. These requirements are to assure a degree of structural comparability between site built dwellings and pre-constructed or factory built housing intended for one (1) family occupancy. On-site construction modifications may be necessary and shall be permitted to attain the standards of comparability.

1. The minimum building width across any front and any side elevation shall be twenty (20) feet on an unbroken building line, excluding garages and accessory buildings.
2. Every detached dwelling unit shall provide useable accessory storage space in the amount of ten percent (10%) of gross floor area, but not less than 100 sq. ft. of storage space. Basements, attics, closets, or separate accessory structures shall count as storage space.
3. Foundation supports shall extend below the prevailing frost line.
4. Dwellings units moved onto any lot in the District shall have its wheels removed. Towing devices or hitches shall be removed or be totally obscured from view.
5. Modular or manufactured home units shall not be structurally attached to one another or placed together unless specifically designed and engineered at the site of manufacture to be attached.
6. All factory assembled dwelling units constructed prior to June 15, 1976 shall not be placed on or moved upon a lot or parcel unless all minimum code requirements for site built housing are in compliance.

The requirements of paragraphs 1 thru 6 of this Ordinance Section shall not apply to factory built housing or manufactured homes sited within legally established manufactured home developments.

SECTION 603. SPECIFIC DEVELOPMENT STANDARDS in RR district

1. **Parcel Size:** 45,000 sq. feet minimum
2. **Lot Width:** 100 feet minimum
3. **Maximum Height:** Principal Use – 30 ft. maximum from uniform finished grade to average height between eaves and ridge
Accessory Use – 10 ft. maximum height to eave in front and side yard; 14 ft. maximum height to eave in rear yard
4. **Minimum Floor Area:** Principal Building – 720 square ft.

5. **Max. Ground Floor Area:** Accessory Use – 1,000 sq. ft. if in front or side yard;
1,400 sq. ft. if in rear yard

6. **Maximum Percent of Lot Coverage by the area of buildings:** 30%

7. Minimum Yard Setback:

- a) Front (faces road) 30 feet
- b) Sides 10 feet
- c) Rear houses, 35 feet non-waterfront; 60' waterfront, except for pump recreational docks, storm water and erosion measures, benches, picnic tables, stairways and walkways up to 4' wide.

8. **Waterfront Lots** 40' wide greenbelt yard or strip from the ordinary high water mark or edge of any wetland that is contiguous to any stream, river, creek or lake {See Section 1808 for more details}

9. **Accessory Buildings** Shall not be used as a dwelling and shall not contain any sleeping {Section 1800} facilities. One (1) detached accessory residential building up to the maximum allowable size per zoning lot of five (5) acres or above five (5), one (1) additional accessory building up to the maximum allowable size may be permitted, but not more than four (4) such buildings. In addition to the above allowed accessory buildings, one additional accessory building not exceeding 200 square feet may be permitted for such use as tool shed, wood storage equipment housing, animal shelter and the like, plus one pump house

Residential accessory building sizes shall be regulated as follows:

<u>Location on Property</u>	<u>Maximum Gd Floor Area</u>	<u>Maximum Height to Eave</u>
Front Yard	1,000 Sq. Feet	10 Feet
Side Yard	1,000 Sq. Ft	10 Feet
Rear Yard	1,400 Sq. Ft	14 Feet

10. **Pump Houses** One pump house up to a maximum size of 12 square feet and up to 3' in height is allowed per lot