

VILLAGE OF ALANSON ZONING ORDINANCE

emmet county, michigan

VILLAGE OF Alanson
ZONING ORDINANCE
September 3, 1993

ADOPTED:
By the Alanson village Council August 5, 1991

EFFECTIVE DATE
August 26, 1991

READERS NOTE:

The reader is cautioned that the provisions and map of the incorporated village of Abandon Zoning ordinance are subject to amendment and may, therefore, change from time to time as provided by law. Anyone having questions on final or pending zoning amendments are hereby advised to check with the zoning administrator for the Village of Abandon.

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VILLAGE OF ALANSON
STATE OF MICHIGAN

TITLE

An Ordinance enacted under act 207, Public Acts of 1921, as amended, governing the incorporated Village of Alanson, Michigan, to regulate and restrict the location and use of buildings, structures and other specified uses; and to regulate and limit the height and bulk of buildings and other structures; to regulate and determine the size of yards and open spaces; to regulate and limit the density of population; to regulate the proper use of natural resources; and for said purposes to divide the Village into districts and establishing the boundaries thereof; providing for changes in this Ordinance defining certain terms; providing for enforcement; establishing a Board of Appeals; and imposing penalties for the violation of this Ordinance.

PREAMBLE

Pursuant to the authority conferred by the Public Acts of the State of Michigan in such case, made and provided and for the purpose of promoting and protecting the public health, safety, peace, morals, comfort, convenience and general Welfare of the inhabitants of the Village of Alanson, by protecting and conserving the character and social and economic stability of the residential, commercial, industrial and other use areas; by securing the most appropriate use of land; preventing overcrowding of the land and undue congestion of population; providing adequate light, air and reasonable access; and facilitating adequate and economical provisions of transportation, water, sewers, schools, recreation and other public requirements, and by other means, all in accordance with a Comprehensive Plan now therefore:

ENACTING CLAUSE

The Village of liaison Ordains:

ARTICLE I - SHORT TITLE

SECTION 100. SHORT TITLE:

The Ordinance shall be known and may be cited as the VILLAGE OF ALANSON ZONING ORDINANCE.

ARTICLE II - CONSTRUCTION OF LANGUAGE AND DEFINITIONS

SECTION 200. CONSTRUCTION OF LANGUAGE

The following rules of construction apply to the text of this Ordinance:

1. The particular shall control the general.
2. In case of & difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
3. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
4. A "building" or "structure" includes any part thereof.
5. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for" or "occupied for".
6. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
7. Terms not herein defined shall have the meaning customarily assigned to them.

SECTION 201. DEFINITIONS (For the purpose of this Ordinance):

ACCESSORY USE, OR ACCESSORY: An accessory users is a use which is clearly incidental to, customarily found in connection with and located on the same zoning lot as, the principal use to which it is related.

ALTERATIONS: Any change, addition or modification in construction or type of occupancy, or in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed"

APARTMENTS: A suite of rooms or a room in a multiple-family building arranged and intended for a place of residence of a single-family or a group of individuals living together as a single housekeeping unit.

BASEMENT: That portion of a building which is partly or wholly below grade, but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. 1 basement shall not be counted as a story.

BUILDING: Any structure, either temporary or permanent) having a room supported by columns or walls, and intended for the shelter or enclosure of persons, animals, chattels or property of any kind.

BUILDING HEIGHT: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the

deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

BUILDING LINE: A line formed by the face of the building. A minimum building line is the same as a front setback line.

CLUB: A nonprofit organization of persons for the promulgation of sports, arts, sciences, literature, politics or the like.

CONVALESCENT OR NURSING HOME: A structure with sleeping rooms where persons are housed and furnished with meals, nursing and medical care.

DEVELOPMENT: The construction of a new building or other structure, on a zoning lot, the relocation of an existing building on another zoning lot or the use of open land for a new use.

DISTRICT: 1 portion of the incorporated area of the Village of Alanson within which certain regulations and requirements or various combinations thereof apply under the provisions of the Ordinance.

DRIVE-IN: A business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.

DWELLING UNIT: A building, or portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.

DWELLING, ONE-FAMILY: A building exclusively by one (1) family.
DWELLING, MULTIPLE-FAMILY: A building or portion thereof, designed exclusively for occupancy by three (3) or more families living independently of each other.

ERECTED: Built, constructed, altered, reconstructed, moved upon, or any of “physical” operations on the premises which are required for construction. Excavation, fill, drainage, and the like, shall be considered a part of erection.

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance by public utilities or municipal departments of underground, surface, or overhead; gas, electrical, steam, fuel or water transmission or distribution system, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants, and similar equipment in connection herewith, but not including buildings, which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety or welfare.

EXCAVATION: Any ground care, and plantations. breaking of ground, except common household gardening, soil tilling related to agricultural production or tree plantations.

FAMILY: one or two persons or parents, with their direct lineal descendants and adopted children (and including the domestic employees thereof) together with not more than two persons not so related, living together as a single housekeeping unit. Every additional group of two or less persons in a dwelling unit shall be considered a separate family.

FARM: Structures, facilities and lands for carrying on of any agricultural activity or the raising of livestock or small animals as a source of income. Farms include the general as well as the specialized (furs, dairy, horses, fruits, vegetables, etc.) on sites of ten (10) acres or more.

FLOOR AREA, USEABLE (FOR THE PURPOSE OF COMPUTING PARKING): That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Floor area used or intended to be used for the storage or processing of merchandise, hallways or for utilities or sanitary facilities, shall be excluded for the computation of "Usable Floor Area". All floor levels shall be counted.

GARAGE, PRIVATE: Accessory building space designed or used solely for the storage of motor-driven vehicles, owned and used by the occupants of the building to which it is accessory.

GASOLINE SERVICE STATION: A place primarily operated and designed for the dispensing, sale or offering for sale of motor fuels directly to users of motor vehicles, together with the sale of minor accessories.

GRADE: For the purpose of regulating the number of stories and the height of buildings, the building grade shall be the level of the ground adjacent to the palls of the building. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the dwelling.

GREEN BELT, SCREENING: A strip of land of definite width and location reserved for the planting of shrubs and/or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of the Zoning ordinance.

GREEN BELT, SHORELINE: When bordering bodies of water, an undisturbed area of land paralleling the water's edge to a depth of the required zoning setback distance if not otherwise stipulated, which is retained in a natural condition and is essentially void of any structural improvements. Beaches and/or vegetated areas shall be defined as shoreline green belts.

GUEST HOUSE; A guest house is an accessory and maintained for the convenience of housing occupied by a main residence. Occupancy of a dwelling unit constructed guests visiting a premises guest house shall be of short duration and shall not include rented or leased dwelling space, as with tourist housing or apartments. Hobble homes, travel trailers, and motor homes shall not be used for guest houses.

HONE OCCUPATION: A permissible accessory use of any residential premises by the occupant which may be carried on for gain, provided that the use does not take on the character of a business or industrial use in terms of signs, open storage, parking bays, visible display, traffic, noise, vibration, smoke, dust, odor or other and/or similar nuisances, and further the activity does not conflict with or operate out of character with any surrounding or adjacent uses.

JUNK YARD: An open area where waste, used or second hand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled including, but not limited to scrap and other metals, paper, rags, rubber tires, and bottles. A junk yard's includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of Junk, but does not include uses established entirely within enclosed buildings.

HOTEL: see definition "MotorInn".

KENNEL, COMMERCIAL: Any lot or premise on which three (3) or more household pets are either permanently or temporarily boarded and/or where household pets are bred or sold.

LOADING SPACE: An commercial vehicle off-street space for the temporary parking of a While loading and unloading merchandise or materials.

LOT: A parcel of land occupied or intended to be occupied, used or intended to be used. A lot may or may not be specifically designated as such on public records.

LOT, CORNER: A lot where the interior angle of two adjacent sides at the intersection of two streets is less than one hundred and thirty-five (135) degrees. A lot abutting upon a curved street shall be considered a corner lot if the arc is of less than one hundred fifty (150) feet and the tangents to the curve, at the two points where the lot lines meet the curve or the straight line extended, form an angle of less than one hundred thirty-five (135) degrees.

LOT, THROUGH: Any interior lot having frontage on two more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all sides of said lots adjacent to streets shall be considered frontage and front yards shall be provided as required.

LOT, ZONING: A contiguous tract of land which at the time of filing for a Zoning Permit or Building Permit is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control. A Zoning Lot may not coincide with a lot of record, but may include one or more lots of record.

LOT COVERAGE: That portion of the lot occupied by main and accessory buildings.

LOT DEPTH: The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

LOT LINES: The lines bounding a lot as defined herein:

- a. **Front Lot Line:** Is that line which creates the abutting street right-of-way line.
- b. **Rear Lot Line:** That lot line opposite the front lot line. In the case of a lot pointed at the rear (pie shaped), the rear lot line shall be an imaginary line at least ten (10) feet long, parallel to the front lot line but inside the side lot lines.
- c. **Side Lot Line:** Any lot line other than the front lot line or rear lot line.
- d. **Side Lot Line Construction:** Side lot lines on waterfront properties shall be constructed as continuous straight lines from the water's edge to the access road. Any such line which deflects more than 45 degrees from straight in any 100 foot segment, shall only be permitted if approved by the Zoning Administrator for reasons of lot shape, limiting topography, or regulated wetlands.

LOT OF RECORD: A parcel of land, the dimensions of which are shown on a document or map on file with the County Register of Deeds or in common use by County officials, and which actually exists as so shown.

LOT WIDTH: The horizontal distance between the side lot lines, measured at the two points where the building line, or setback line intersects the side lot lines.

In cases where the side lot line is not at a right angle to the abutting road right-of-way line, then the lot width shall be measured on a line constructed perpendicular from the side lot line.

MAIN BUILDING: A building in which is conducted the principal use of the lot upon which it is situated.

MAIN USE: The principal use to which the premises are devoted and the principal purposes for which the premises exist.

MASTER PLAN: The Village Comprehensive Plan as may be amended or updated, including graphic and written proposals indicating the general location for streets, parks, schools, public buildings and other physical development features.

MOBILE HOME: Any structure designed and pre-manufactured as a complete and transportable housing unit to be used as a place of residence for one family. Under the terms of this Ordinance, mobile homes but shall not include licensed travel trailers.

MOBILE HOME - PERMANENT: Mobile homes shall be considered "permanent" dwellings when the unit is mounted on a continuous masonry foundation or on a foundation of solid masonry pilings spaced to meet at least the minimum manufactures specifications. Further, the permanent mobile home shall meet the minimum floor area requirements for one family dwellings, be securely anchored to the ground, and be taxable as real estate on the local assessment roll. When masonry piling supports are used, the mobile home shall be skirted with durable weather resistant materials as recommended by mobile home builders or as specifically manufactured for use as mobile home skirting, and all such skirting to be maintained in place as designed.

Skirting is required around permanent mobile homes not in mobile home parks, and said skirting shall be of an all weather durable material as approved for use and installation by the building official administering Building Codes in the jurisdiction of location.

MOBILE HOMES - TEMPORARY: Any permanent mobile home having no with wheels or permanent mobile home having no foundation; but which may be equipped with wheels or other devices for transporting from place to place.

MOBILE HOME OR TRAVEL TRAILER pass: Any plot of ground upon which three (3) or more mobile homes or trailers occupied for dwelling or sleeping purposes are located. unit other than a travel trailer or foundation; but which may be equipped transporting from place to place.

MOTEL: A series of attached, semi-detached or detached rental units, not over two stories, to provide for temporary overnight lodging.

MOTOR INN OR HOTEL: A building or part of a building with a common entrance or entrances in which the dwelling units or rooming units are used primarily for transient occupancy. The hotel or motor inn is distinguishable from a motel in that it is more than two (2) stories above the surface of the ground. : hotel or motor inn may contain a restaurant, cocktail lounge and conference center facilities.

NON-CONFORMING BUILDING: : building or portion thereof lawfully existing at the effective date of this ordinance or amendment thereto and that does not conform to the provisions of the ordinance in the district in which it is located.

NURSERY, PLANT MATERIALS: A space, building or structure or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery does not include space used for the sale of fruits, vegetables, gifts, lawn furniture and gardening or farm equipment.

NUISANCE FACTORS: An offensive, Annoying, unpleasant or obnoxious thing or practice, a cause or source of Annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human

being, or the generation of an excessive or concentrated movement of people or things, such as: a) noise, b) dust, c) smoke, d) odor, e) glare, f) fumes, g) flashes, a) vibration, i) heat, j) electronic or atomic radiation, k) objectionable effluent, l) noise of congregation of people,

particularly at night, and m) passenger traffic.

OFF-STREET parking LOT: : parking area off the street, which may require drives and aisles for maneuvering, for the parking of four (4) or more vehicles.

PARKING SPACE: An area of definite length and width, exclusive of drives, aisles or entrances giving access thereto and fully accessible for the storage or parking of permitted vehicles.

PLANNED UNIT DEVELOPMENT: ; form of development guided by a comprehensive site plan usually characterized by larger site areas, and which. emphasizes residential use, provides for cluster building, includes dedicated common open space, and promoted an efficient layout of public utilities: all in accordance with a unified architectural theme.

The PUD may provide for mixed land uses and variety in building types. It permits the planning of a project and the calculation of densities over the entire development rather than on an individual lot-by-lot basis.

PUD is also a process, mainly revolving around site plan review, in which public officials share involvement in determining the nature of the development. It includes aspects of subdivision and zoning regulation and may be implemented through a Special Use Permit or by District rezoning.

PUD standards are commonly used for housing developments, but may also be applied to other forms of development such as shopping centers, industrial and office packs, and to mixed use developments which may be in any combination, depending on ordinance standards. Planned Unit Development encourages a more desirable and attractive development based on comprehensive site planning principles.

PLANNING commission: The official constituted planning body of the Village of Alanson, created per Act 285 of 1931, the Municipal Planning Act.

PUBLIC UTILITY: A person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under Federal, State or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

RECREATION CAMPS, LODGES & RESORTS: A recreational facility normally operated for gain, which provides overnight lodging and one or more of the following activities: golf, skiing, dud ranching, so called, recreational farming, snowmobiling, pack trips, boating and related. A resort has a minimum site of ten (10) acres.

ROADSIDE STAND: An accessory and temporary farm structure operated for the purpose of selling local agricultural products raised or produced by the proprietor and his employees on the same premises.

R00M: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom equal to at least eight (8) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage.

SETBACK: The distance required to obtain front, side or rear yard open space provisions of this Ordinance.

SHOPPING CENTER: A group, cluster or complex of retail stores within a single architectural plan, and occupying a site under single ownership, management or control. At least three (3) retail stores and services, so arranged or planned, shall qualify as a shopping center for zoning purposes.

SIGN: The use of any words, numerals, figures, devices, designs or trademarks by which anything is made known such as are used to show an individual, firm, profession or business and are visible to the general public.

SIGN, ACCESSORY: A sign which is accessory to the principal use of the premises and located on the same lot as the principal use.

STORY: That part of a building, except a mezzanine and/or basement, between the surface of one floor and the surface of the next floor, or if there is no floor above, than the ceiling next above. A story shall not be counted as a story when more than fifty (50) percent, by cubic content, is below the grade level of the adjoining ground.

STORY, HALF: An uppermost story lying under a sloping roof having an area of at least two hundred (200) square feet with a clear height of seven feet six inches (7'6"). For the purposes of this Ordinance the useable floor area is only that area having at least four feet (4') clear height between floor and ceiling.

STREET: A public dedicated right-of-way, affording the principal means of access to abutting property (excludes alleys).

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

TEMPORARY USE OF BUILDING:

periods of construction of events.

Use of building permitted to exist during the main building or use, or for special TRAVEL

TRAILER AND CAMPER: Any trailer coach, motor home, tent camper, demountable camper or unit designed as a vacation unit for short-term seasonal occupancy, which measures eight (8) feet or less in width and designed to be operated on highways.

USE: The principal purpose for which land or a building is arranged, designed or intended: or for which land or a building is or may be occupied.

Yarns: The open spaces on the same lot with a main building, unoccupied and unobstructed from the ground upward except as otherwise provided in this ordinance, and as defined herein:

- a. Front Yard: An open space extending the full width of the lot which is the minimum horizontal distance between the front lot line and the nearest point of the main building.
- b. Rear Yard: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage.
- c. Side Yard: An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is tie horizontal distance from the nearest point on the side lot line to tie nearest point of the main building.

ZONING EXCEPTIONS AND VARIANCES:

- a. EXCEPTION: an exception is a use permitted only after review of an application by the Legislative Body, the Plumbing Commission, or the Administrative Officer, such review being necessary because the provisions of the ordinance covering conditions, precedent or subsequent, are not precise enough to all applications without interpretation, and such review is required by this ordinance. An Exception is also the same as a Special Use Permit.
- b. VARIANCE: A modification of the literal provision of the Zoning ordinance which would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.
- c. The exceptions that are found in this ordinance appear as conditional, or special permit uses by the Planning Commission, legislative Body or Administrative Officer. These land uses could not be conveniently allocated to one district or another, or the affects of such uses could not be definitely foreseen as of a given time because of one or more of the following:
 - i. large area
 - ii. Infrequency
 - iii. Unusual traffic volume
 - iv. Obnoxious or hazardous character
 - v. Necessity for public safety and convenience

ARTICLE III - ZONING DISTRICTS AND MAP

SECTION 300. DISTRICTS:

For the purpose of this Ordinance, the Village of Alanson is hereby divided into the following Districts:

RESIDENTIAL DISTRICTS

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

NONRESIDENTIAL DISTRICTS

- B-1 Local-Tourist Business
- B-2 General Business
- P-T Parking Transition

OTHER DISTRICTS

- FF-I Farm and Forest
- PUD Planned Unit Development

SECTION 301. BOUNDARIES:

The boundaries of these Districts are hereby established as shown on the Village 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 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-IB ONE FAMILY
RESIDENTIAL DISTRICTS:

PREAMBLE:

These residential districts are designed to provide for one-family dwelling sites and the residentially related uses in keeping with the Master Plan of residential development in the Village. 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. PRINCIPAL 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.
2. Permanent mobile homes may be used for dwelling purposes in the R-IB District, but not in the R-1A District. (See SEC. 402)
3. Publicly owned recreational lands and facilities.

SECTION 401. PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL
CONDITIONS:

The following uses shall be permitted upon approval of the Planning Commission subject to the conditions herein imposed for the use, the Conditional Review Standards in Section 1701, and the approval of the Site Plan:

4. Utility and public service facilities and uses except open storage, when operating requirements necessitates the locating of said facilities within the district.
5. Public buildings (except public works garages and storage yards), churches, public schools, private schools and their local supporting service uses, provided:
 - a. All sites for uses permitted, herein, shall maintain a minimum open space area equal to fifty (50%) percent of the site area (excluding road right-of-way). Open spaces shall not include buildings, patios, parking lots, driveways and/or other impervious surfaces, except pedestrian walks or bike paths.
 - b. The arrangement of property uses shall consider the impact on scenic views, and if feasible, the site design shall endeavor to mitigate negative impacts related to building size, noise, lighting and traffic.

- c. No such use shall locate on or have access from a subdivision street unless the subdivision (or similar type of development) contains dedicated sites for such uses.
 - d. In R-1A and R-1B Districts all such uses shall be limited to serving the geographic area of the immediate neighborhood, local congregation, or Village and its immediate area.
 - e. 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.
6. Cemeteries when developed on sites of ten (10) acres or more.
 7. 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.
 8. Non-public recreational areas and facilities when not operated for a profit.
 9. Nursery schools, day nurseries and child care centers.
 10. 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.

SECTION 402. ADDITIONAL REQUIREMENTS FOR DWELLING UNITS:

The following performance standards shall apply to housing constructed in or placed in the R-1A One-family Residential District, 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, or otherwise satisfy building code requirements.
4. All roofs shall be designed, rated, constructed or over-built to achieve a live snow load of

forty (40) lbs. per square foot.

5. Pre-constructed housing 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.
6. Modular or mobile 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.
7. 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 7 of this Ordinance Section shall not apply to factory built housing or mobile homes sited within legally established mobile home parks.

ARTICLE V - R-2A, GENERAL
RESIDENTIAL DISTRICT

PREAMBLE:

The General residential District is 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-2X District is further intended to serve a transition use function, and it 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. PRINCIPAL 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. All principal uses and special approval uses permitted and as regulated in the R-1A over R-IB Districts.
2. Two-family dwellings and duplexes.
3. Multiple family dwellings, townhouses and housing for the elderly.

SECTION 501. PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL
CONDITIONS.

The following uses shall be permitted upon approval of the Planning Commission, subject to the conditions herein imposed for each use, the Conditional Review Standards in Section 1701, and the approval of the Site plan:

1. Rooming houses, apartment houses and group quarters, subject to County Health Department approval and compliance with construction code standards.
2. The following uses may be permitted in R-2B Districts, provided there is direct access to a County Primary Road or State Trucking Highway or Village thoroughfare, as opposed to a Village local road or street:
 - a. Motels, tourists homes, motor inns provided there is a minimum lot width of 150 feet at the road line.
 - b. Professional offices, real estate sales offices, administrative offices, credit unions, and savings and loan associations.
 - c. Fraternal lodge halls, sportsmen associations, athletic clubs and related uses, upon approval of the Planning Commission herein imposed for each use, the 1701, and the approval of the
 - 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, provided that the primary service or product is produced or provided on the same premises, and that there is no visible outdoor display except for a decorative artifact.

ARTICLE VI - SAVE FOR FUTURE USE

ARTICLE VII - FF-1 FARM AND FOREST DISTRICT

PREAMBLE:

The FF-Farm and Forest Districts are designed to promote the use of wooded and undeveloped areas in the village 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 rural-like areas for agriculture and forestry purposes.

SECTION 700. PRINCIPAL USES PERMITTED:

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

1. One-family detached dwellings and permanent mobile homes provided that the uses have direct access to a public street or thoroughfare.
2. Hunting and fishing cabins, trappers cabins, summer homes and/or vacation cottagers including temporary mobile homes.
3. Farms and agricultural operations of all kinds.
4. Tree farms, forest production and forest harvesting operations including portable sawmills, log storage yards and related.
5. Golf Courses, country Clubs and Sportsmen Associations or Clubs.
6. Public parks, playgrounds, recreation areas, camping grounds, hunting grounds, fishing sites and wildlife preserves.
7. Utility and public service facilities and uses, including public buildings and institutional or educational uses.
8. Existing cemeteries and related interment facilities.

SECTION 701. PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

The following uses shall be permitted upon approval of the Planning Commission subject to the conditions herein imposed for each use, the Conditional Review Standards in Section 1701, and the approval of the Site Plan:

1. Private and semi-private recreation lands when not operated for profit, and when in the character of publicly owned and operated recreation areas.
2. Resorted resort hotels, recreation farms, vacation lodges, motor inns, motels and other tourist lodging facilities, provided any use permitted herein shall be developed on sites of no less than ten (10) acres in area, with a minimum property Width of 600 feet.

3. Travel trailer courts, tenting areas and general camping grounds provided that:
 - a. The minimum State of Michigan health requirements governing travel trailer courts and camping areas are complied with.
 - b. The use is developed on a site of at least ten (10) acres and no less than 600 feet of lot or property width.
 - c. No person shall occupy any travel trailer, tent or house car unit for more than six (6) months in any one year.
 - d. The use is effectively screened from public streets and thoroughfares both a natural or planted green-belt.
4. Portable roadside stands for the sale of agricultural products raised on the premises when properly established with respect to vehicle access and parking off the street.
5. Nothing in this Ordinance shall be interpreted to exclude temporary and itinerant sawmill operations on FF zoned property where the timber harvesting involves only those resources found on the same property. No permit shall be required where the operation involves a period of less than six (6) months on the same property or zoning lot.
6. Portable and temporary uses including sawmills, mining operations, hot mix plants, solid waste processing equipment and similar uses may be operated in any FF-I District without a Permit; provided, the use: is active for periods of less than ninety (90) days on one parcel; is not nearer than 100 feet from any off premises dwelling; and is in compliance with State and Federal regulations governing pollution control and environmental protection.
7. Authentic historical environmental restoration projects as regulated in the R-1A & R-IB One-Family Residential Districts.

ARTICLE VIII - B-1 LOCAL-TOURIST BUSINESS DISTRICT

PREAMBLE:

The B-1 Local-Tourist Business District is designed to give the village a Business District that is more select: than a General Business District, to provide for the establishment of neighborhood shopping, personal services and professional offices that are compatible with and of service to Village residential uses. Tourist services are also included as being in character with the District.

SECTION 800. PRINCIPAL 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. Office buildings for any of the following occupations: executive, administrative, professional, governmental and sales offices.
2. Medical and dental offices, clinics, funeral homes and mortuaries.
3. Banks and financial institutions.
4. Any generally recognized retail business which supplies such commodities as: groceries, meats, dairy products, baked goods, other foods and beverages, hardware, drugs, dry goods, sporting goods, sundries, and flower shops.
5. Any personal service establishment which performs such services as, but not limited to: shoe repair, tailor shops, beauty parlors, barber shops, interior decorators, photographers, dry cleaners and self service laundries, studios for instructing dance, physical exercise, or musical arts.
6. Restaurants and dining establishments where patrons are seated within the building, and where beverages may be served, but only as an accessory service to the food service.
7. Churches, private clubs and lodge halls.
8. Motels, cabin courts, tourist lodging facilities, travel trailer courts, gift shops, museums and any accessory residence.
9. Utility and public service facilities and uses when operating requirements necessitates the locating of said facilities within the District in order to serve the immediate vicinity.
10. Existing dwellings and dwellings structurally attached to a part of a B-1 District use.
11. Existing Industrial uses.

SECTION 801. PRINCIPAL USES SUBJECT TO SPECIAL CONDITIONS:

The following uses shall be permitted upon approval of the Planning commission subject to the conditions herein imposed for each use, the Conditional Review Standards in Section 1701, and the approval of the Site Plan:

1. Gasoline service stations for sale of gasoline, oil and minor accessories provided further that gasoline pumps , air and water hose aids and other appurtenances shall be set back not less than fifteen (15) feet from all street right-of -day lines .
2. Business schools or private schools operated for profit .
3. Offices and show rooms of plumbers, electricians, decorators or similar trades. The ground floor premises facing upon and visible from any abutting streets shall be used only for entrances, offices or display. All storage of material or any incidental repair shall be within the confines of enclosed buildings or otherwise obscured from view.
4. Commercial printing shops, newspaper offices, and similar publishing enterprises.
5. Wholesale uses with accessory storage space, but not warehousing, provided:
 - a. All incidental or accessory storage is within the confines of an enclosed building. Wholesale: uses shall also include space for administrative offices, customer services, and interior display.
 - b. Any loading docks or semi-trailer sized overhead doors shall not face upon a public road, or if no practical option is demonstrated, loading doors shall be setback at least seventy (70) feet from the front lot line or be structurally obscured from view.
 - c. Wholesale uses shall not occupy property bordering lakes, or rivers as defined by Act 346 of 1972, the Inland Lakes and Streams Act.
 - d. Sites proposed for wholesale uses may be rejected by the Planning Commission based on determination that the use is improper or out of character with adjoining uses, by reason of:
 - i. Breaking the continuity of a planned retail shopping center.
 - ii. Having direct visual exposure to tourist lodging facilities or other uses serving tourist markets.
 - iii. Sharing common road frontage with residential uses.

6. Plant materials sales centers, greenhouses, and nurseries including accessory garden equipment, primarily for use by home occupants on their residential lots.
7. Lawn and garden tractors along with accessory equipment, but not farm implement dealers or contractors equipment sales.
8. Marinas and boating facilities, including docks, boat storage facilities, and/or space for selling water craft with accessory repair services.
9. Drive-in type restaurants, and/or take-out food service establishments or taverns and/or lounges where beverages are served as a primary business activity.

ARTICLE IX - B-2 GENERAL BUSINESS DISTRICT

PREAMBLE:

The B-2 General Business District is designed to provide sites for diversified business types and are located so as to serve passer -by traffic.

SECTION 900. PRINCIPAL 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. All principal uses permitted in the B-1 Local-Tourist Business District.
2. Wholesale uses and storage uses when in a completely enclosed building.
3. Theaters, assemble halls and similar places of assembly.
4. Bottling works and food packaging.
5. Auto laundries when completely enclosed in a building.
6. Automobile, trailer, mobile home and boat sales.
7. Restaurants, supper clubs and taverns.
8. Bowling alleys, pool or billiard parlor or club, video game centers and related.
9. Commercial printing and newspaper office.
10. Uses similar in character to the above listed uses.

SECTION 901. PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

The following uses shall be permitted upon approval of the Planning Commission subject to the conditions herein imposed for each use, the Conditional Review Standards in Section 1701, and approval of the Site Plan:

1. Lumber yards dealing primarily in pre-planned or finished lumber for wholesale or retail markets, and including other building materials, along with accessory hardware, plumbing, and electrical supplies and/or equipment, provided:
 - a. The site is of a configuration as to be compatible with adjoining uses, having at least 150 feet of frontage on a public road, or part of a planned development having 150 feet of frontage, when outdoor display/storage is included.

- b. Accessory outdoor storage shall be effectively obscured from public view by fences, green-belt, structures, and/or other devices as approved by the Planning Commission.
 - c. The outdoor display of model homes, trusses, garages, store sheds, etc., shall only be allowable upon Planning Commission approval of the specific location on the site, and may be prohibited where site characteristics and adjoining uses would be incompatible with such a display.
 - d. Building material centers may include, incidental operations involving fabrication and processing, but only within limits set forth on an approved Site Plan.
2. Gasoline service stations and/or vehicle repair garages:
- a. Major engine and body repair, steam cleaning and undercoating when conducted on the site shall be within a completely enclosed building. The storage of damaged or wrecked automobiles on the site shall be obscured from public view, and no vehicle of any kind shall be stored in a front or side yard for a period exceeding two (2) weeks.
 - b. Gasoline Pumps, air and water hose stand and other appurtenances shall be setback not less than fifteen (15) feet from all street right-of-ways.
 - c. Muffler shops, brake services, and/or rust proofing garages, may be required to have overhead service doors or bays to the rear or side property lines in order to protect roadside views and create harmony with adjacent businesses.
3. Commercially used outdoor recreational space for amusement parks, carnivals, rebound tumbling facilities, miniature golf, driving ranges, subject to the following requirements:
- a. Children's amusement facilities must be fenced on all sides with a minimum four foot and six inch (4'6") protective wall or fence.
 - b. All manufacturers specifications for safety are complied with as well as any additional safety measures that may be prescribed by the Planning Commission.
 - c. When discontinued or abandoned, the site shall be left in a reusable condition, free of hazards related to dangerous structures, pits, pools, excavations, electric circuits and similar features.

4. Farm equipment and/or farm implement sales, provided the major portion of the property entails the sale and servicing of new equipment, and/or new vehicles and implements.

ARTICLE X - PT PARKING TRANSITION DISTRICT

INTENT:

The Parking Transition District is intended for application in those land use situations where Nonresidential Districts and Residential Districts face or may face across a common fronting street, and the nonresidential uses have access from another street or road on double frontage lots. The PT District provides for limited business uses and establishes minimum transition standards.

SECTION 1000. PRINCIPAL 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. Off street parking lots and accessory loading areas.
2. One-family homes as family dwellings as regulated in the R-IB District and/or multiple regulated in the R-2A District.
3. Public buildings, churches, schools, parks, parkways and play lots, but not commercial amusement uses.
4. Home occupations operated in residential buildings by the occupant thereof, but including up to three off-premises employees.
5. Any use that is an expansion of an existing business bordering the PT District, as regulated in that district.
6. Any B-1 District use on lots that may face across a common fronting street from any nonresidential zoned property or PT District zoned property.

SECTION 1001. PRINCIPAL USES permitted SUBJECT TO SPECIAL CONDITIONS:

(SECTION RESERVED FOR FUTURE AMENDMENTS)

SECTION 1002. REQUIRED CONDITIONS:

Parking lots occupying PT District properties shall maintain a minimum of 15 feet of setback when such parking faces or is across from residential zoned property. The 15 foot yard shall be planted with satisfactorily screening materials, fences and/or otherwise treated so as to obscure or break-up the view of parked vehicles.

ARTICLE XI - PUD-PLANNED UNIT DEVELOPMENT DISTRICT

SECTION 1100. PREAMBLE:

The Planned Unit Development District is structured and designed to advance the following goals:

1. To encourage a more imaginative planned community through the application of comprehensive land use planning techniques at the Project level.
2. To provide for a controlled mix of land use types when coordinated into an overall property use plan without the incidence of spot zoning.
3. To allow clustering of intensive uses to reduce development costs and provide more protection for natural features and open spaces.
4. To coordinate development on larger tracts of land and encourage efficiency within the project with respect to roads, pedestrian-ways and utility services.
5. To encourage a necessary balance between physical improvements, community needs, and site amenities such as scenic views, open space, recreation areas, and environmentally sensitive areas.
6. To allow more flexibility in land development with respect to building setbacks, building densities and other standard zoning requirements.
7. To encourage a unified and hence potentially more desirable development of large areas of land based on a Project Master Plan.
8. Provide a forum for communication between the developer, community officials, and the public concerning PUD projects.

SECTION 1101. DEFINITION, PRELIMINARY PROJECT MASTER PLAN:

A generalized Master Plan of the Project Area, drawn to scale, and indicating all lands under the control and/or ownership of the applicant or persons representing the owner, if he is not the applicant. The Preliminary Project Master Plan should be sufficiently detailed to show the arrangement of land uses over the entire project area in a clear and concise manner, but need not show specific building shapes or sizes. A Preliminary Project Master Plan should be detailed with respect to existing and proposed land uses, property boundaries, delineation of natural features, roads, easements, utilities, a vicinity or location map, and other major interest features on or near the project that may impact the plan.

SECTION 1102. DEFINITION, FINAL PROJECT MASTER PLAN:

The Final Project Master Plan shall contain all of the elements prescribed for the Preliminary

Project Master Plan, defined in this Ordinance, except that the Final Project Master Plan shall include details concerning the following: specify building locations, the height of buildings, the specific arrangement of uses, public and/or private roads, identification of permanent open spaces, a contour map, recreation areas, and environmentally sensitive areas. An evaluation of the impact on public utilities including sewer, water, solid waste, and related community services such as schools, roads, fire and police protection.

Detailed information concerning densities of all proposed uses shall be included: such as the number of single family and multiple family dwelling units, design capacities of hotels and/or motels, number of commercial units, and acreage of proposed open space/recreation areas.

SECTION 1103. PROCEDURES FOR PLANNED UNIT DEVELOPMENT DESIGNATION:

All applications for Planned Unit Development (PUD) projects shall be in accordance with the procedures outlined herein for: (1) reapplication Conference, (2) Preliminary Master Plan, and (3) Final Master Plan.

1. PRE-application CONFERENCE:

The applicant is urged to schedule a Pre-Application Conference with the Zoning Administrator to review the basic requirements of the Zoning Ordinance as well as to review the procedures and design standards for a PUD. As one option, the applicant may schedule an informal informational meeting with the planning Commission, but no official action on the PUD may be taken at such meeting.

2. PRELIMINARY PROJECT MASTER PLAN REVIEW - PUD:

Following the Pre-application Conference, the applicant may file a request with the Zoning Administrator seeking Planning Commission review of a Preliminary PUD master Plan for the subject property. Preliminary review shall not imply final approval of the Master Plan Project of the mud but it is a directional step to show levels of agreement or disagreement under existing conditions and with the information available at the time of preliminary review.

a. FILING REQUIREMENTS

- i. Filing of the plan with the Zoning Administrator at least twenty (20) days prior to the date of the Planning Commission meeting, at which a Public Hearing on the plan is to be scheduled.
- ii. At least eight (8) copies of all maps, and graphic documentation shall be submitted at the time of filing.
- iii. At least seven (7) days published notice shall be given in a newspaper of general circulation in the community.
- iv. Map scale and identification information as prescribed for Site Plans under Sec. 1906 of this Ordinance.

b. PLAN REQUIREMENTS:

The Preliminary PUD Project Master Plan must contain sufficient information to give a general picture of site conditions, the rationale for the particular use arrangement selected, the identification of special site features recognized in the design, and pertinent density or quantity data to reflect demands on community services.

Evidence should be given that a: least a preliminary effort has been made to coordinate with health laws, drain laws, environmental laws, as well as rules governing road construction. Local fire protection agencies should also be contacted in the preliminary phase.

Specific items to include on or with the plan include: total number of acres in the project for which mud designation is being sought, the number of residential units, the type and character of nonresidential uses, the acreage to be allotted to each use type, any known deviations from ordinance provisions or items requiring a variance, the number of acres devoted to on-site open space and/or recreation uses, and any natural features or resources to be preserved.

c. REVIEW FOR DECISION:

The Planning Commission, upon a review of the Preliminary Master Plan and all supporting documentation, shall act to approve, conditionally approve or reject the plan. Any conditional approval shall include a listing of conditions necessary to attain approval, and any rejection shall enumerate the reason for rejection.

Approval of the Preliminary Project Master Plan authorizes the applicant to proceed with the preparation of the Final PUD Master Plan.

3. FINAL MASTER PLAN REVIEW - PUD:

No PUD plan can be approved until a Final Project Master Plan has been reviewed and given final approval by the Planning Commission. The Village Council shall be the review agency for final approval when a Mixed Use mud is proposed, provided the Planning Commission recommendations accompany the final mud plan.

The Final Project Master Plan shall be in basic accord with the approved Preliminary Project Master Plan and shall be detailed with respect to the following:

A definitive Use Plan for the entire land area intended to be approved for a mud project.

Use plans need not show exact dimension or shape of buildings, unless their detail for certain specific buildings is critical to the approval of the Final PUD Master Plan. Land allocations for each use area shall be defined.

All arrangements for design, construction, maintenance and operation of utility systems shall have been finalized, although working drawings need not be completed for this element.

The PUD's ownership, management, and construction have been determined and documented, and Where to be phased, a plan to demonstrate development continuity shall be presented.

All common open space areas, green-belt, transition areas, and setback areas shall be documented on the plan, and no use of these areas other than those identified on the plan shall be permitted without a formal revision of the plan.

On-site circulation routes for vehicles, pedestrians, bicycles, and the like shall be included as specific elements of the plan as well as the ingress and egress points from bordering public/private roads.

a. **FILING REQUIREMENTS**

- i. The Final Project Master Plan shall be filed with the Zoning Administrator at least twenty (20) days prior to the date of the planning commission meetings at which a public hearing on the Plan and PUD designation is to be scheduled.
- ii. At least eight (8) copies of all maps and essential graphic documentation shall be submitted at the time of filing.
- iii. Review procedures and graphic requirements shall be the same as that prescribed for the Preliminary Project Master Plan.

b. **REVIEW FOR DECISION:**

The planning Commission, upon a thorough review of the final Project Master Plan and all essential supporting documentation shall act to approve conditionally approve, or reject the final plan.

In the case of Hexed Use bud's the planning Commission shall recommend its approval, conditional approval, or rejection to the Village Council.

With the approved Final PUD Plan the Applicant may proceed With the preparation of Site Plans as provided for in Ordinance Section 1906, and subsequent thereto, seek the necessary Building and Environmental Permits for Construction.

4. PUD PLAN REVISIONS:

Changes or revisions to an approved Final Project Master Plan may be initiated by the applicant. Requests for revisions shall follow the procedures set forth for final Project Plan approval, including the filing, hearing, graphic requirements.

To add flexibility, the Zoning Administrator, with the approval of the Planning Commission, may approve minor working changes to the PUD Master Plan as follows:

- a. Reorientation of buildings provided; no such structures is moved more than twenty-five (25) feet from the original plan location: the move is determined to be necessary based on site conditions not previously known, and the intent, concept, objectives of the put are not circumvented, and no greater impact is exerted on adjacent properties.
- b. Redistribution of the dwelling units among the proposed structures, provided building height is not increased, and the dwelling unit density is not increased.
- c. Realignment of roads, pedestrian ways, and/or parking lots based on the need to respect site features (topography, soils, bedrock, (vegetation)); or respond to minor reorientations of buildings.

5. SHORT PROCEDURE ALTERNATIVE:

It is recognized that smaller and/or less complicated PUD project plans may benefit from a more simplified procedural alternative. Projects deemed to qualify as smaller and less complicated by the applicant, may elect to by-pass the Preliminary Project Master Plan step, and proceed directly to Final Master Plan review. In exercising this election, tie applicant shall schedule a Pre-application Conference with the Zoning Administrator and given the presentation of sufficient detailed information and documentation, the Zoning Administrator shall advise the applicant as to whether or not the preliminary procedural step may be waived.

The Planning Commission may overrule the Zoning Administrator if in its opinion, it feels that the Preliminary PUD step should not be waived.

6. Expiration, repeal AND renewal:

The expiration, repeal and renewal of a PUD Project, whether Preliminary or Final shall be in accord with the following standards:

- a. An approved final mud Master Plan shall automatically expire after 24 months, following the effective approval date, if one or more of the following apply:

- i. No earthwork or construction activities are in evidence, and no valid construction hermits are in effect.
- ii. The project appears to be abandoned, there is no apparent interest in continuing the PUD as established, and no applications for renewal have been received.
- iii. No apparent effort is being made to market the PUD project or operate it as an active development.

b. RENEWAL:

To forestall automatic expiration, the PUD owner shall request renewal of the PUD prior to the expiration date. Renewal shall be by formal action of the Planning Commission, or Village Council in the case of a Mixed Use PUD. Renewal requests shall be filed at least seven (7) days prior to the scheduled meeting date of the review body, but no formal public hearing is required. Renewals shall be for periods not to exceed 12 months, and only two such renewals shall be permitted.

7. FEES:

Fees for pad Project Master Plan review shall be set from time to time by the Alanson village Council.

SECTION 1104. PERMITTED LAND USE STANDARDS:

The Planned Unit Development (PUD) District shall permit uses and services on lands and in buildings according to the following standards:

- 1. As a minimum, the uses permitted in the PUD District shall involve those uses listed in the R-IA One Family Residential District, as regulated therein. If the regulations of the PUD District are more severe or restrictive, than the standards of the add District shall apply.
- 2. The PUD Project shall include only those uses and services identified on or in the approved final "Project Master Plan". All permitted uses, therefore, are Special Permit Uses and may be approved in a PUD, as follows:
 - a. The applicant can demonstrate by plan or by supporting documentation that there are sound functional reasons for all of the identified uses. If a shopping center is proposed, it is necessary only to identify the use as shopping center's but must state the intended market and level of service (PUD area, local community, regional area). Similar use group identification may be made for other functional complexes within a mud, so long as there is a full identification of the usage.
 - b. The applicant can demonstrate that specific uses or use complexes are desired or necessary to the project's success and/or would have : desired benefit to the village.

- c. All essential services, public buildings, public or private utilities, and related facilities needed to support the project or the political unit of its location are available.
- 3. Non residential uses which are permissible in a Residential mud include: accessory site services, polls, recreation buildings and grounds, accessory maintenance garages and yards, essential services, and accessory utility buildings and structures.
- 4. Based on site features of topography, scenic view plains, surface water and vegetation; and based on neighborhood characteristics related to road capacity, prevailing architectural design, adjoining land uses and essential community services; the Planning Commission may limit a mud cluster housing development to no more than four (4) dwellings per cluster. If appropriate, a mixture of cluster housing, one story garden apartments and single family detached housing may be required to attain a compatible land use transition with adjoining properties.
- 5. The proposed uses are determined to be in compliance with the Project Master Plan, and would not be contrary to the goals or objectives of any Village Comprehensive Land Use Plan.

SECTION 1105. MIXED LAND USE OPTION AND STANDARDS:

An applicant for the Planned Unit Development (PUD) Project may apply for a mixed land use plan, ice. a PUD plan that provides for any use permitted in the zoning Ordinance, provided:

- 1. The Announced public hearing specifies that the applicant is seeking a Mixed Use PUD Project.
- 2. All uses are regulated and permitted as Special Permit Uses, and documented as appropriate to the PUD as stipulated in Sec. 1104-1.

On the basis of the Public Hearing, specific site conditions, community land use plans, and the applicant's intent in establishing nonresidential uses, the Village Planning Commission may reject a Mixed Use Plan as not being in accord with the land use goals of the community, and or as is not being appropriate for the specific property under consideration.

SECTION 1106. DESIGN STANDARDS:

Projects proposed to be designed and developed as Planned Unit Developments shall comply with the following design standards:

1. Perimeter SETBACKS

All PUD projects shall establish and maintain a perimeter setback of fifty (50) feet, except where more severe zoning setback standards may apply on Mater impacted sites. The setback area shall be maintained as open space in lawns or be landscaped, or wooded areas, but shall exclude paved surfaces, parking areas, or buildings of any kind. Pathways and trails may occupy a perimeter setback Area, and such space may be used for storm water management, snow storage, and/or drainage systems.

2. DWELLING UNTT DENSITY

The density of residential units within a designated PUD Project shall not exceed a gross density that equals the minimum lot size for dwelling units in the R-IA One Family Zoning District classification as follows:

GROSS DWELLING UNIT DENSITY PER ACRE		
ZONING DISTRICTS	NO SEWERS	SEWERS
R-1A and R-IB	1.980 Units/Acre	3.00 Units/Acre

Gross site density shall exclude calculation on lands which are proposed for non-residential uses, such as hotels, shopping centers, commercial amusement, and the like. Accessory uses of club houses, Maintenance garages, golf courses, and similar community service uses may be counted in the acreage for gross allowable density.

Any lands dedicated to the community for public use or public service (perks, fire halls, schools, etc.) may be counted in the project for density calculation purposes at two times (double) the allowable density, provided such lands are determined to be as suitable for development and use (consider slope, water table, soils, bedrock, useable shape, etc.).

Land included in the calculation of dwelling unit density shall exclude natural bodies of surface water and any lands designated as or determined to be wetlands by the State of Michigan.

In the case of need to interpret the facts of whether or not the property has wetlands for the purpose of this Section, the planning Commission shall make the interpretation and may enlist the expertise of recognized outside agencies, such as, the United States Soil Conservation Service, the Michigan Department of Natural Resources, or other professionals in the field.

3. BUILDING HEIGHT, BULK and ARRANGEMENT

The height, bulk, and arrangement of structures are declared to be critical elements of a PUD Project, because of the following objectives:

Remain in scale with fire protection equipment and services that are within a reasonable response time of the project.

Avoid overshadowing adjacent properties and/or adjacent buildings, a reflection of mutual respect for property values.

Keeping in scale with the community as a whole recognizing the role of community image in tourism recreation: industrial attraction, and other aspects of economic development.

To the extent feasible or practical, respect scenic views from adjacent parcels, other on-site buildings, and tourist travel routes.

a. STRUCTURE HEIGHT

The intended height of all structures proposed to exceed a height of thirty (30) feet shall be indicated at the time of filing a Preliminary PUD Project Master Plan. Approval of the taller structures shall satisfy the following:

- i. The applicant can demonstrate that by having taller structures, there will be more ground level space left in a natural condition or in open yard.
- ii. Buildings that are proposed to exceed 30 feet are determined to be good land use in terms of the arrangement of buildings, and open spaces, in relationship to other buildings and uses on the same property or on adjacent properties, and in terms of the specific location in the community.
- iii. If applicable, the taller buildings result in more protection of on-site environmental features including wildlife habitat, wetlands, farmlands, forest stands and the like.
- iv. The project site area is large enough to be in scale with the specific height of proposed taller structures.
- v. A taller structure request may be denied or scaled back if the surrounding lands are evolving as a single family neighborhood, or otherwise would suffer potential devaluation.
- vi. The height increase can be shown to satisfy the stated objectives for regulating height as listed in this ordinance section, Par. 3 above.

b. BULK, arrangement AND SPACING

The bulk and arrangement of buildings may be critical to the mud being satisfactorily sited within the community. In reviewing the mud Master Plan, the Planning Commission may require building spacing and building mass to be modified or altered in order to:

- i. Comply with the stated objectives in this Article and in this Section; Building Height, and Bulk, and Arrangement.
- ii. Discourage long, unbroken building walls where scenic view resources are involved, or where it could detract from aesthetic values in the specific PUD location.
- iii. Arrange uses within the PUD Project to serve use transition objectives, where such may be necessary to harmoniously blend the PUD into the specific community.

Buildings shall be spaced a minimum of thirty (30') feet apart. Add an additional two feet of separation for each foot of approved height above thirty feet.

4. OTHER ZONING STANDARDS THAT MAY APPLY

The design standards of the PUD District shall apply to all PUD projects. Any mud Project proposing or requiring standards not specifically included in the PUD section, shall be subject to the standards in the zoning ordinance which apply to the particular design element. These include, but are not necessarily limited to, fencing, green belts, and related standards.

5. SITE CONSOLIDATION FOR COORDINATED DEVELOPMENT

The PUD process may be applied for the purposes of consolidating several properties under separate ownership to encourage a coordinated planned development as though the properties were a single parcel. The use of PUD permissions under this subsection will permit adjoining properties to establish a more desirable plan because the two or more parcels may vary in area, width, depth, and shape. By cooperating on a PUD which consolidated two or more ownerships, the following advantages occur:

- a. Joint planning for the most opportune building sites.
- b. Promote architectural unity.
- c. Provide for an integrated road system, including service roads, and/or integrated utility easements and facilities.

A PUD Project Master Plan for site consolidation for coordinated development shall be binding upon the two or more properties over which projected roads and/or utility improvements have been slammed.

6. MODIFICATION TO DESIGN STANDARDS

It is declared that the design if any given mud is strongly influenced by the specific characteristics of each individual site, and that a universal application of adopted design standards may not be in the best interest of the community and/or the applicant. The Planning Commission is therefore granted authority, in specific bases, to modify and/or alter the mud design standards where it can be demonstrated that a strict application of those standards would have no good or practical purpose, because of one or more of the following:

- a. Unusual shape or dimension of the site or to encourage the joint planning of adjacent parcels.
- b. Presence of limiting conditions relating to soils, topography, bedrock, or other natural conditions that would inhibit good design.
- c. The need to respond appropriately to the influence of adjacent land uses, transportation services, or utility needs.
- d. Typical applications of setbacks, lot dimensions within the mud Project may be walked or modified as determined to be appropriate: within the mud Project boundaries.

In granting any modification to the standards for PUD developments it shall be determined that a better PUD plan can be put into place because of the modification, particularly in terms of the bud's impact on the adjacent non-PUD properties and on the community as a whole.

Modifications shall not be granted if they are found to be contrary to the spirit and intent of the zoning ordinance, or would be contrary to the principles and objectives of any Village Comprehensive Land Use Plan.

Modifications shall not be permitted to the basic standards of dwelling unit density.

ARTICLE XII - SIGNS AND OUTDOOR ADVERTISING

An Ordinance to permit such signs in the Village of Alanson as will not, by reason of their size, location, confuse or mislead traffic, obstruct vision necessary for stealth or safety; and further, to regulate such permitted compatible with future land use objectives and projections and to prevent such signs from causing annoyance or disturbance to the citizens and residents of the village.

The Village of Alanson ordains:

SECTION 1. DEFINITIONS:

As used in this Ordinance, the following words set forth in this Section: shall have the meanings

ABANDONED SIGN: A sign which was erected on property in conjunction with a particular use which has been discontinued for a period of one hundred twenty (120) days or more, a sign the content of which pertains to a time, vent, or purpose which no longer applies.

ACCESSORY SIGN: A sign which is incidental to or found in connection with and located on the same lot as the principle sign mounted, temporary, interior, directional, address signs, and signs on accessory structures.

ADDRESS SIGN: 1 sign identifying a numerical designation commonly used to indicate the location of a building on a given street.

CONSTRUCTION SIGN: A temporary freestanding or wall sign erected on the site of construction of a new building or for renovation of an existing building, which advises the public of pertinent facts regarding the construction, management, and leasing of the new building.

DIRECTIONAL SIGN: A sign whose content tells the location of or route to a use or occupancy. A sign whose content indicates the names and locations of at least five (5) businesses, as well as the location of related customer convenience services and facilities.

ELECTRONIC MESSAGE SIGN: An electrical sign utilizing lights going on and off periodically for conveyance of information.

EXTERIOR BUSINESS SIGN: A sign which is outside the walls of a building.

FLASHING SIGNS: Any lighted or electrical sign which emits light in sudden intermittent bursts. On/off time and temperature signs and non- commercial message signs are not considered flashing signs for the purpose of this Ordinance.

FREESTANDING (OR GROUND SIGNS): A sign supported by permanent uprights or braces in the ground.

FUEL PRICE SIGN: Signs indicating the price per unit of fuel.

GROUND FLOOR WALL AREA: Shall be computed by multiplying the width of the wall times a ground floor height of fifteen feet.

HEIGHT: The permitted height of signs shall be measured from the existing or finished grade.

ILLUMINATED SIGN: Means any sign which is directly lighted by an electrical source, internal or external.

INTERNAL BUSINESS SIGN: A sign within the Walls of a building utilizing window and/or door display area for exterior viewing.

NON-CONFORMING SIGNS: A sign erected or displayed prior to the effective date of this Ordinance or subsequent amendments thereto which does not conform with the standards of this Ordinance.

OFF-PREMISE SIGN: Any sign which is located on property and transmits a message pertaining to a product, use, occupancy, or function which is not located on the same property as the sign.

OVERHANGING SIGN: A sign which is affixed to any building or structure other than a marquee and any part of which extends beyond the building wall and the sign surface is perpendicular to projecting nameplates based upon restrictions as to permitted zoning districts, size, height, and location.

PERMANENT SIGNS: Signs of a durable material anchored or secured to a building, accessory structure, or the ground.

POLITICAL SIGN: A temporary sign which refers only to a political candidate, political party, or the issues involved in any upcoming political election.

PORTABLE SIGN: A sign not permanently affixed, anchored, or secured to the ground or a structure on the lot it occupies, including trailered signs, tripod, and sandwich board signs.

PRINCIPLE SIGN: The nameplate, wall mounted, free-standing or overhanging sign for the premises which identifies the principal use of the premises.

PROJECTING NAMEPLATE: A sign indicating only the name and/or logo of a resident or business and which is perpendicular to the building wall.

ROOF MOUNTED SIGN: A sign which is located upon or over the roof of a structure, or in the case of a building with a mansard roof, a sign which is above the deck line of the mansard roof.

SIGN: A sign is a structure, including its base, foundation and erection supports upon which is displayed any words, letters, figures, emblems, symbols, designs, or trademarks by which any such message or image is afforded public visibility from out of doors, on behalf of or

for the benefit of any product, place activity, institution, profession, association, business, individual, firm, or organization.

SIGN AREA: The sign area shall be defined as the maximum height multiplied by the maximum width of the sign components including any frame or other material or color or open spaces forming an integral part of the display or used to differentiate such sign from the background against which it is placed: excluding the necessary supports or uprights on which such sign is placed. Both sides of a sign structure may be used for sign purposes, provided the notices have a one hundred and eighty (180) degrees back to back relationship. In the case of a broken sign (as sign with open spaces between the letters) the total surface area shall be measured by multiplying the height of the individual letters or combination of letters by the distance between the outer edges of two (2) furthestmost letters.

TEMPORARY SIGN: Any sign intended to be erected or displayed for a limited period of time.

WALL MOUNTED SIGN: A display sign which is attached directly to a building wall and/or marquee and the sign surface is parallel to the building wall.

WINDOW AREA: The area of a window as measured by the perimeter of the window glass, including glass windows in doors.

SECTION 2. PROHIBITION

A sign not expressly permitted is prohibited. Specific prohibitions are set forth in Section 4.

SECTION 3. PERMITTED SIGNS

The following types of signs (illuminated or un-illuminated) shall be permitted within the limits of the Village of Alanson in accordance with the following regulations:

1. Signs of a branch of local, state, or federal government including traffic or similar regulatory devices, or signs required to be maintained or posed by law or governmental order, rule or regulation.
2. Flags or emblems of governmental, civic, philanthropic, educational, or religious organizations.
3. Memorial plaques, cornerstones, historical markers or tablets, and the like.
4. Four (4) freestanding directional signs per lot, none of which shall exceed three (3) square feet in surface area, displayed strictly for the direction, safety, or convenience of the public, including signs which identify rest rooms, parking area entrances or exits, visitor parking, clearance, freight entrances or the like. The maximum height of entrance and exit signs for driveways and/or parking areas shall be five (5) feet.

5. Permanent signs on accessory structures such as gas pumps, cooler, or storage sheds indicating only the name, contents or service of such devices. The total sign area per each device may not exceed 20% of the mounting wall of the structure or device.
6. Warning signs such as “No Trespassing” , “No Hunting” , “Danger “, "Beware of Dog" and "Private" not exceeding four (4) square feet in area and no more than two (2) signs per one hundred (100) foot of frontage.
7. Fuel Price Signs: A gasoline service station shall be permitted additional signs erected upon supports for existing freestanding signal light posts, and similar structures on the site. These permanent signs indicating the price of fuels or accessory products or services sold on the site must be set back at least eight (8) feet from surfaced edge or curb of right-of-key. Such signs may be doubled-faced with a maximum area of all fuel price signs not to exceed twenty-four (24) square feet and no individual sign shall exceed twelve (12) square feet in area.
8. Interior Business Signs. A business shall be permitted interior signs which occupy not more than 25% of the total window area of each floor level of said business.
9. Temporary Signs in accordance with the following regulations.
 - a. All must be non-illuminated.
 - b. Real estate signs used for advertising land or buildings for sale, rent or lease only on the land or buildings intended to be sold, rented or leased not more than 10 square feet in area and 6 feet in height.
 - c. Political signs may be erected no sooner than 30 days prior to an election and shall be removed within 10 days following the election.
 - d. Garage sale (yard sale, estate sale, moving sale) signs not more than 10 square feet in area are permitted for a period not to exceed five (5) days. Off-premise garage sale signs shall be removed by the sponsor of the sale within forty-eight hours after the end of the sale.
 - e. Organization banners for no more than 20 days preceding a community event only over a village or state right-of-way and limited to non-profit organizations or service groups advertising functions taking place in the village limits. Prior approval of the Planning Commission is required.
 - f. Construction signs with a total area of 50 square feet and a minimum height of 10 feet pertaining to identification of a construction project which shall be removed within thirty (30) days after occupancy.

10. Permanent On-premise Signs in accordance with the following regulations:
 - a. Projecting name-plate signs extending no more than four feet from the building wall and three square feet in area.
 - b. Overhanging signs: one for each commercially used building with a maximum 24 square feet in area for each sign.
 - c. Wall mounted signs not to exceed 25% of the ground floor wall area of the mounting wall.
 - d. Free-standing signs identifying a business or service but limited to one such sign per lot in the front yard of the lot and not exceeding 12 feet in height and 10 square feet in area.
 - e. Roof signs only on commercially used buildings with a maximum 24 square feet in area subject to approval of the Village Planning Commission.

11. Permanent Off-premise Signs in accordance with the following regulations:
 - a. No off-premises signs shall be erected or maintained within 50 feet of the edge of the right-of-way of any public highway in the village.
 - b. Off-premise signs shall have a maximum area of 54 square feet and a maximum height of 12 feet.
 - c. Off-premise signs shall be required to have prior approval of the Village Planning Commission.

SECTION 4 SIGNS PROHIBITED.

1. The following signs shall not be permitted, erected or maintained in any part of the Village.
 - a. Signs which incorporate in any manner any flashing or moving lights. Provided however, time and temperature signs which show both time and temperature simultaneously on each face, or time only, or temperature only on each face are permitted.
 - b. Banners, pennants, spinners, and streamers, except for special events by permit of the Village Planning Commission.
 - c. String lights used in connection with commercial premises for commercial purposes other than holiday decorations. All holiday decorations shall be permitted for a period not to exceed seventy-five (75) days.

- d. Any sign which has any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including intermittent electrical pulsations, by action of normal wind currents, by any other means.
- e. Any sign or sign structure which (1) is structurally unsafe, or (2) constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment, or (3) is not kept in good repair, or (4) is capable of causing electrical shocks to persons likely to come in contact with it.
- f. Any sign which, by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to drivers, or by obstructing the vision or visibility of any traffic sign or control device on public streets and roads, signs which make use of words such as "Stop " "Look" "Danger" or any other words, phrases, symbols or characters, in such a manner as to interfere with, mislead or confuse traffic.
- g. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
- h. Any sign or other advertising structure containing any obscene, indecent, immoral or slanderous matter.
- i. Any sign unlawfully installed, erected or maintained.
- j. Any sign now or hereafter existing which no longer advertises a bona fide business conducted or a product sold.
- k. Portable signs except where expressly permitted in this Ordinance.
- l. Any existing sign which no longer advertises a presently conducted business or which is not accessory to the premises.
- m. Real Estate signs no longer valid due to sale, rental or lease of the property.
- n. Billboard type signs or structures are not permitted within the Village of Alanson.

SECTION 5. Permits

- 1. Permits Required. It shall be unlawful for any person to erect, alter, relocate or maintain within the Village any sign or other advertising structure as defined herein, (except as specifically exempt within this Ordinance), without first obtaining a permit there for from the Village Zoning Administrator making payment of Fee provided for in the Ordinance.

2. Application for Erection Permit. Application for erection permits shall be made upon forms provided for by the clerk, and shall contain or have attached thereto the following information:
 - a. Name, address and telephone number of the applicant.
 - b. Location of building, structure or lot to which the sign is to be attached or erected.
 - c. Position of the sign in relation to nearby buildings, structures and property lines.
 - d. Two (2) drawings of the plans and specifications and method of construction and attachment to the building or in the ground.
 - e. Copy of stress sheets and calculations, if deemed necessary showing the structures as designed for dead load and wind pressure in accordance with regulations adopted by the administrator.
 - f. Name and address of the person, firm, corporation or association erecting the structure.
 - g. Any electrical permit required and issued for said sign.
 - h. Insurance policy or bond as required herein.
 - i. Such other information as the Administrator may require to show full compliance with this and all other applicable laws of the Village of Alanson and the State of Michigan.
 - j. In the discretion of said Administrator, when in his/her opinion the public safety requires it, the application containing the aforesaid material shall, in addition bear the certificate of seal of a registered architect or engineer as a condition to the issuance of a permit.
 - k. In all applications for entranceway signs, the Administrator shall require that appropriate provisions have been made to assure continued maintenance of the sign.
3. Permit Fee. A permit fee in the amount of \$_____ shall be made payable to the Village Clerk for each permit required by this Ordinance.

SECTION 6. NON-CONFORMING SIGNS

1. It is the intent of the section to recognize that the eventual elimination, as expeditiously as is reasonable, of existing signs that are not in conformity with the provision of the ordinance, is as much a subject of health, safety and welfare as is the prohibition of new

signs that would violate the provisions of this Ordinance. It is also the intent of this section that any elimination of non-conforming signs shall be effected so as to avoid property rights.

2. No non-conforming sign:
 - a. Shall be changed to another non-conforming sign;
 - b. Shall have any changes made in the words or symbols used or the message displayed on the sign unless the sign is designed for periodic change of message;
 - c. Shall be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type, or design of the sign;
 - d. Shall have the face or faces changed when such sign is of a type of construction to permit such a complete change of face;
 - e. Shall be re-established after the activity, business or usage to which it relates has been discontinued for ninety (90) days or longer; and
 - f. Shall be re-established after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the appraised replacement cost as determined by the Planning Commission.
3. The Village may acquire by condemnation or purchase an interest in privately-owned non-conforming signs for the purpose of elimination of such signs in accordance with the laws of the State of Michigan.

SECTION 7. VARIANCES

1. The Village Council shall have the power to authorize a variance from the strict application of the Ordinance where such application will result in practical difficulties or having the beneficial use of the property or sign for which a variance is sought. Any variance shall be subject to such conditions as the Council may require to preserve and promote the purpose of the Ordinance. A variance may be allowed by Council when the evidence in the official record of the appeal supports all the following affirmative findings.
 - a. That the alleged hardships or practical difficulties, or both, are peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the Village.
 - b. Because of special conditions applicable to the sign, building, or property in question, the provisions of the section, if strictly applied, would result in unnecessary hardship, and

- c. The granting of an exception would not be contrary to the public health, safety, and welfare,-and
- d. The granting of an exception would result in substantial Justice to the property owner, the owners of the property in the area, and the general public.

2. APPEALS PROCEDURE

- a. Appeals shall be commenced by a person filing a written notice of appeal with the Clerk accompanied by an appeal fee of \$25.00. The notice of appeal shall be signed. It shall also specify the requirements from which a variance is sought and the nature and extent of such variance.
- b. The Council shall fix a reasonable time, not to exceed thirty (30) days, for the hearing of appeals and in the case of variance requests, shall give due notice thereof to all the adjacent owners real property to the premises in question, such notice to be delivered by mail addressed to the respective owners at the address given in the last assessment roll.

SECTION 8. VIOLATION AND PENALTIES

It shall be unlawful for any person, firm or corporation to erect construct, maintain, enlarge, alter, move or convert any sign in the Village of liaison, or cause to permit the same to be done on his property contrary to or in violation of any of the corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction of any such violation, shall be punishable with a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Every day on which a violation exists shall constitute a separate violation and a separate offense.

SECTION 9. REPEAL

All Ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

ARTICLE XIII - RESERVE FOR FUTURE USE

ARTICLE XIV RESERVED FOR FUTURE USE

ARTICLE XV - SCHEDULE OF REGULATIONS

SECTION 1500 - LIMITING HEIGHT, BULK, DENSITY AND AREA BY LAND USE:

USE DISTRICT	Minimum Lot Size Per Unit or Used		Maximum Height of Structure	Minimum Yard Setback Per Lot in Feet Sides				Maximum Percent of Lot Coverage Area	Minimum Floor Area in Square Feet ¹
	Area in Sq. Ft.	Width in Feet		Front	Least one	Total of Two	Rear		
R-1A & R-1B One Family Residential	15,000	100	30 (F)	25 (G)	10 (A) (H)	20	25	30%	600
R-2A General Residential	(C)	(C)	30 (F)	30 (G)	20 (A) (B)	40 (D) (C)	35 (C)	35%	
FF-2 Farm Forest	20,000		30 (F)	30 (G)	20	40	35	35%	600
B-1 Local-Tourist Business		100	30 (F)	25 (E) (G)	10	20	10		
B-2 General Business		100	30 (F)	25 (F) (G)	10 (E)	20 (E)	20		
P-T Parking Tran.			30 (F)	See text ³	5 (E)	10 (E)	20		
PUD Planned Unit Development	See ARTICLE XVII								

1. For permanent dwelling units and not cottage, cabins, motels or similar uses.
2. These provisions shall not apply to structures four (4) feet in heights or less.
3. Refer to Article XI, Sec. 1102 for setback standards in PT-Districts.
4. Refer to Par. G in Notes to Article XV.

NOTES TO ARTICLE XV, SEC. 1500 - SCHEDULE OF REGULATIONS:

- a. In the case of a rear yard abutting a side yard of an adjacent lot, the side yard abutting a street shall not be less than the required front yard of that district.
- b. For the purpose of applying yard regulations, multiple dwellings shall be considered as one (1) building occupying one (1) lot. When more than one multiple dwelling building occupies one lot, the two or more structures must be separated by at least 20 feet when end to end and fifty (50') feet when face to face or back to back for structures up to two stores.

These isolation distances shall be increased by eight (8') feet for each story above the first two stories.

- c. Multiple-family and/or apartment buildings, including row houses, town houses and the like, shall not exceed a density expressed in dwelling units per acre as follows:
 - i. Where detached single family units are constructed, apply the R-1 One-family District lot standards.
 - ii. **MULTIPLE FAMILY DENSITY SCHEDULE; R-2A DISTRICTS**

TYPE OF UNITS IN R-21 DISTRICTS	MINIMUM LAND AREA PER DWELLING UNIT EXCLUDING PUBLIC ROADS	NET DENSITY IN UNITS PER ACRE
Efficiency	6,000 sq. ft.	7.260
One Bedroom	6,000 sq. ft.	7.260
Two Bedroom	8,500 sq. ft.	5.125
Each Additional Bedroom, Add	+4,000 sq. ft.	

DENSITY NOTES;

- (a) A "den" or "library" or "extra room" shall count as a bedroom for the purposes of computing density.

(b) In a rooming house, boarding house, group quarters, or residential care facility, every three (3) persons of occupancy shall count as being equivalent to one (1) bedroom for purposes of computing density.

iii. Storm water problems shall be anticipated and resolved to the satisfaction of the Village planning Commission, subject to review by the County Drain Commissioner or other official responsible for managing storm water run-off.

d. Side yards may be omitted for common party walls which abut a side yard, provided the adjoining building is constructed at the same time. Pedestrian access ways may pass through party walls, if constructed to meet all codes. On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the side abutting the Residential District.

Driveways, sidewalks, parking areas, and loading zones shall not occupy required side yards..

e. Parking may be permitted in the front yard, provided there is at least a ten (10) foot buffer area between the road right-of-way and the off-street parking lot. The ten (10) ft. front buffer may be waived for parking if the front property line is fifty (50) feet or farther from the road centerline, but no parking in the right-of-way.

f. Subject to a Public Hearing and the conditions outlined in this Note, the planning Commission may approve controlled height increases above the maximum in All districts without an upper limit. The conditions for approving taller structures are as follows:

i. It is determined by the Planning Commission that the added height will not significantly interfere with line-of-sight scenic views.

ii. The density of the use that exceeds the maximum limitations, shall not exceed the maximum allowable under the permitted height as stated in the "Schedule Of Regulations."

iii. The percent of lot coverage for all buildings, parking lots and other impervious construction surfaces, shall not exceed fifty (50%) percent.

- iv. If Applicable, the added height will retain or establish more open space areas for wildlife habitat, wetlands, woodlands, farmlands, shorelines and other resource features or will involve the reconstruction, duplication or restoration of historic buildings as so recognized by local historical authorities.
- v. The applicant can demonstrate that the added height will result in more ground level open space through the lot toward the scenic view to compensate for higher structures or otherwise demonstrate to the Planning Commission that the added height will result in a better use of the premises from the standpoint of the arrangement of parking areas, buildings, open spaces and relationship to adjacent buildings and uses.
- g. On nonconforming residential lots measuring 60 feet in width, or less, one side yard setback may be reduced to five (5) feet for one accessory residential building.
- h. Where two or more main buildings are on the same side of the road and located in the same block (or within 200 feet) and have less than the required front yard depth, then the front setback need not be greater than the average depth of the front yards of such buildings, except that in R-1A, R-1B, R-2A, SR-I and FF-I Districts no such front yard shall be less than 15 feet.

SECTION 1501. SUBDIVISION OPEN SPACE PLAN:

Subject to a Public hearing, clammimg Commission may approve Open Space Subdivision Plans intended to preserve on-site open space, to protect natural resources, and to encourage site planning concepts that interrelate building sites and resource amenities in a freer pattern than that permitted by conventional subdivision techniques.

In reviewing and approving the Open Space Subdivision Plan, the following requirements shall apply as permitted modifications to the standards as outlined in the SCHEDULE OF REGULATIONS:

1. Provided the densities stated on the SCHEDULE OF regulations are maintained (allow for the initial lot size reduction for utilities), the lots used for dwelling purposes may be reduced as stated in the following TABLE. Corresponding reductions on lot width may also be permitted, but no lot shall be less than 80 feet wide.

**TABLE: OPEN SPACE LOT VARIANCES
MINIMUM LOT SIZES BY AVAILABLE COMMUNITY UTILITIES**

DISTRICTS	No Utilities Health Dept. Approval Required	Water or Sewer Services	Both Water and Sewer Services
R-1 and R-2	None	None	9,600
FF-I	20,000	12,000	9,600

2. Rear yards may be reduced to fifty (50) feet when such lots border on land dedicated for park, recreation and/or open space purposes, provided that the dedicated land shall not be less than fifty (50) feet across when measured at the point at which it abuts the rear yard of the adjacent lot.
3. Under the provisions of this Section for each square foot of land gained within a subdivision through the reduction of lot size below the minimum requirements as outlined in the SCHEDULE OF REGULATIONS, at least equal amounts of land shall be dedicated to the common use of the lot owners of the subdivision.
4. The land area necessary to meet the minimum requirements of this Section shall be of a useable shape and dimension and further shall not include the calculation of bodies of water, swamps or lands that normally would not be developable. The entire area may, however, be located in a flood plain.
5. This plan for reduced lot sizes, shall be permitted only if it is mutually agreeable to the Legislative Body of the Village and the sub-divider or developer.
6. Under this planned unit approach, the developer or sub-divider shall dedicate the total open space at the time of filing of the final plat on all or any portion of the plan, and indicate the use on the Preliminary Plat or on a site condominium if there is no plat.

SECTION 1502. RESIDENTIAL BUILDING CLUSTERING PLAN:

Subject to a Public Hearing, the Planning Commission may consider Cluster Housing Plans, subject to the following conditions:

1. The gross dwelling unit density shall not exceed the maximum allowable for detached single family homes in the same District.

2. Common open space areas dedicated for the use of residents in the development shall be shown on the Site Plan and the full extent of planned uses in the open space shown.
3. Based on site features of topography, scenic view plains, surface water and vegetation; and based on neighborhood characteristics related to road capacity, prevailing architectural design, adjoining land uses, and essential community services; the Planning Commission may limit a cluster housing to no more than four (4) dwellings per cluster. If appropriate, a mixture of cluster housing, one story garden apartments and single family housing may be required to attain a compatible land use transition with adjoining properties.
4. As determined by the Planning Commission, on the basis of existing subdivisions, proposed subdivisions, existing homes, the level of road services, and any Village plans for the area, the development does not break-up an established or evolving one family detached housing pattern.
5. Because of the nature of cluster housing units and their greater demand for community type structures, including, but not necessarily limited to; club houses, swimming pooled tennis courts, carport, garages and maintenance buildings, and the like, the Planning Commission may specifically rule on the height, bulk, and/or location of buildings and all accessory facilities on the property, to harmonize with and be in character with uses on adjacent sites. The Planning Commission may exclude such accessory facilities where the Planning Commission determines such facilities would conflict with uses on adjacent sites.
6. A site proposed for the cluster housing option shall have a contiguous area (not divided by an existing public road) of at least four (4) acres, exclusive of existing road right-of-ways, and shall have at least 150 feet of frontage on a public road. Smaller and narrower sites may be approved by the Planning Commission in allowable Districts if one or more of the following apply:
 - a. It borders R-2A, B-1 or B-2y zoned properties and would be a suitable transition use with detached housing areas.
 - b. It abuts an existing cluster housing development and would be a suitable location for additional cluster housing uses in the opinion of the Planning Commission.
 - c. It borders a State Trunk-line Highway.
7. The applicant or developer can construct a sanitary sewer system and domestic water system that will pass Health Department or Village requirements.

8. The Site Plan contains an engineered plan for the control of storm water run-off. Drainage ways, sedimentation ponds or similar water control measures shall be illustrated as applicable.
9. A Site Plan is submitted according to the terms of Section 1906 Site Plan Review.

ARTICLE XVI - GENERAL PROVISIONS, PERFORMANCE USES

SECTION 1600. NON-COHFORMITIES:

1. INTENT

It is recognized that there exists within the districts established by this Ordinance or by amendments, lots, structures and uses of land, belch were lawful before this Ordinance was passed or amended, which would be prohibited or restricted under the terms of this Ordinance or future amendment.

It is the intent of this Ordinance to permit these nonconformists to continue until they are removed but not to encourage their survival.

2. BOARD OF APPEALS VARIANCE

Although it is the intent of this ordinance to restrict the expansion and perpetuation of nonconforming uses of land and/or buildings, the Board of Appeals, subject to a Hearing, may allow an expansion or enlargement, provided that it is conclusively shown that such extension or enlargement:

- a. Will not further reduce the value or otherwise limit the lawful use of adjacent premises.
- b. Will essentially retain the character and environment of abutting premises.
- c. Will not materially increase or perpetuate the nuisance aspects of the use upon adjacent uses (noise, glare, traffic congestion and land overcrowding and related).

3. Nonconformist LOTS

A permitted single-family dwelling and customary accessory building may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance, even though such lot may fail to meet the district requirements for area or width or both. Yard dimensions and other requirements not involving area or width or both shall conform to the regulations of the district in which such lot is located. Variances to yard requirements shall be obtained through the Board of Appeals.

4. NONCONFORMING USE OF LAND AND/OR STRUCTURES

- a. No nonconforming use of land shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date.
- b. No such nonconforming use of land or building shall be moved in whole or in part to any other portion of the lot or parcel occupied.

- c. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.
- d. Should such structure be destroyed by any means to an extent of more than eighty (80) percent of the usable cubic space or floor area of the principal structure, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
- e. Any nonconforming use may be carried on throughout any parts of a building which were manifestly arranged or designed for such use, but no such use shall be extended to occupy any land outside such building.
- f. any nonconforming use of a structure, land or structure and land, may be changed to another nonconforming use provided that the proposed use is equally or more appropriate to the district than the existing nonconforming use.
- g. any structure or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located and the nonconforming use may not thereafter be resumed. Changes in tenancy and ownership of nonconforming premises is permissible.
- h. When a nonconforming use of land, structure, or structure and land in combination, is discontinued or ceases to exist for twelve (12) consecutive months, the structure or structure and premises in combination, shall not thereafter be used except in conformance both the regulations of the district in which it is located.
- i. Removal or destruction of the use and/or structure shall eliminate the nonconforming status of the land (premises).

5. REPAIRS AND MAINTENANCE

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

6. USES UNDER EXCEPTION PROVISIONS NOT NONCONFORMING USES

Any use for which a general exception or special condition or Special Permit Use is permitted as provided in this Ordinance shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in such district.

SECTION 1601. ACCESSORY BUILDINGS:

1. ACCESSORY RESIDENTIAL BUILDINGS SETBACKS AND FLOOR AREA

Accessory residential buildings shall be regulated as to size and setback according to the following standards:

- a. Accessory residential buildings shall be subject to the side and front setback requirements as regulated by District in Article XV, Section 1500, but no accessory building both 600 sq. ft. or less floor area, need be farther from a lot line in the rear yard than ten (10) feet. This setback provision shall not apply to lots fronting on a lake, river or stream.
- b. Residential accessory building sizes shall be regulated as follows:

ZONING DISTRICT	LOCATION ON THE PROPERTY	MAXIMUM GROUND	MAXIMUM HEIGHT TO
R-1A, R-1B, R-2A	Front Yard	1,000 Sq.	10 Ft.
	Side Yard	1,000	10
	Rear Yard	1,200	14
FF-I Farm Forest	Front Yard	1,200 Sq. Ft.	14 Ft.
	Side Yard	1,200	14
	Rear Yard	2,000	14
B-1 & B -2	N/A	N/A	N/A

*Note: On a corner lot, i.e. with two front yards, the Zoning Administrator may approve one yard to qualify for an accessory building that meets the size standards for a rear yard accessory building.

- c. Accessory buildings shall be exempt from the floor area limitations, when legally constructed in connection with an approved main use that is other than residential. Farm use buildings, in the conventional sense, are exempt from these provisions, as are garages and carports in multiple family housing developments.

2. ACCESSORY BUILDINGS AS A MAIN USE

Customary accessory residential buildings may be constructed without the requirement for a main building subject to a Hearing and approval of the Site Plan by the planning Commission when the following conditions are met:

- a. The structure is sited in such a manner as to permit the construction of a legal main use at a future time, but shall be subject to the size limitations stated in Sec. 1601-1B. For these regulations, rear yard shall refer to a location seventy (70) feet or deeper from the front property line, which is also the road right-of-way line.
- b. The structure is constructed of materials and is of a design that is not so at variance with existing dwellings in the immediate vicinity as to have a devaluing influence, in the opinion of the Planning Commission. The applicant shall provide elevation sketches and floor plans of the proposed structure in order to assist in the determination of architectural variance.
- c. The structure may be required to locate in such a manner as to attain natural screening by existing vegetation, or plantings may be required to at least partially screen the use from the view of adjoining properties and/or public roads.
- d. All uses of the property must be in keeping with the residential or recreational use character of other properties in the immediate vicinity.
- e. The applicant shall file an affidavit With the Register of Deeds stating the proposed use of the building.

3. ADDITIONAL ACCESSORY BUILDINGS AND USES

Properties are not limited from having more than one accessory building or accessory use such as gazebos, pool houses, garden tool shelters, wood storage sheds. Such additional uses, however, shall be in keeping with the definition of accessory uses and further shall be in keeping with the spirit and intent of Section 1601.

4. GUEST HOUSE

Guest Houses may be permitted as an accessory use in a Residential or Farm-Forest District provided sufficient zoning lot area can be provided so that the guest house can meet the lot size and yard requirements of the District.

5. EXCEPTIONS

Where it can be demonstrated to the Planning Commission by the applicant that no good purpose would be served by a strict compliance with the provisions of this Section 1601, the Planning Commission may waive or modify said standards subject to a public hearing and notifications to adjoining property owners within 300 feet.

SECTION 1602.

PARKING REQUIREMENTS:

There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile off-street parking space with adequate access to all spaces.

1. Off-street parking for other than residential uses shall be either on the same lot or within four hundred (400) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot.
2. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.
3. In the instance of dual function of off-street parking spaces where operating hours of uses do not overlap, the Board of Appeals, subject to a hearing may grant an exception by reducing the total number of spaces required.
4. The storage of merchandise, motor vehicles for sale, trucks or the repair of vehicles is prohibited on required off-street parking lots.
5. Residential off-street parking spaces shall consist of a driveway, parking strip, parking bay, garage, carport or combination thereof.
6. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the Board of Appeals considers as being similar in type.
7. For the purpose of computing the number of parking spaces required, the definition of USEABLE FLOOR AREA shall govern.
8. The referral of off-street parking spaces may be allowable on a premises that at the time of submittal, the applicant does not know his future parking demands and he may, therefore, wish to determine actual parking needs by experience and research prior to investing in physical improvements. In allowing a referral the Planning Commission does not waive its rights to require providing the full number of spaces at a future time.

The number of off-street parking spaces required by this Ordinance shall be considered the minimum required, however, the Planning Commission, subject approval of the Site Plan, may defer until a future time the construction the full number of parking spaces based on the following:

- a. The Site Plan shall indicate that the legal number of spaces required per Sec. 1602 can be physically provided to serve the use.
- b. The Planning Commission may rule to defer the actual construction of up to 50% of the required parking space for the following reasons:
 - i. The proprietor/owner can demonstrate to the Planning Commission that providing 100% of the required parking would not be necessary to serve the level of the property use.
 - ii. The land proposed for the full amount of parking would better serve the community or the use as landscaped yard or other on-site open space use.

At such times as the intensity of vehicle access to the use increases and/or the planning Commission determines that the deferred parking spaces are needed to prevent congestion on adjacent streets, increase safety, and/or maintain patron convenience, the Planning Commission shall order that all or part of the deferred parking space shall be constructed at the earliest possible time.

Based on any determined construction limitations, the Planning Commission and the applicant shall establish and agree on a construction timetable within which any deferred off-street parking spaces will be completed. The construction schedule shall consider time limitations caused by weather-climate conditions; soils, land area, and site conditions; and the nature of the construction and steps involved in construction.

- 9. Where it is determined that no other practical or feasible option exists, the Planning Commission may waive off-street parking requirements for uses located in the Village Central Business district, which shall be defined as that area of the village along US-31, bound by: May, Milton, West street, and the back (East) lot lines of those properties fronting on US-31 between West Street and M-68 and those B-2 zoned properties fronting on either side of River Street between US-31 and Bass Street.
- 10. The minimum number of off-street parking spaces by use shall be in accordance with the following schedule:

	USE	NUMBER OF MINIMUM PARKING SPACES PER unit BY MEASURE
A	RESIDENTIAL	
1	Residential; One-Family Two-Family and Multiple-Family dwellings	Two(2) for each dwelling
2	Mobile Home Parks and Trailer Courts	Two(2) for each mobile home or trailer unit
3	Housing for the elderly	One (1) for each three (3) dwelling units
4	Rooming houses	one (1) for each two beds

B	PUBLIC & QUASI-PUBLIC	
1	Studios specializing in the instruction of dance, physical exercise and musical arts	one (1) for each two hundred (200) square feet of useable floor area
2	Churches, temples, theaters, stadiums, auditoriums and assembly buildings	one (1) for each three seats in the main unit, plus one for each two (2) buildings employees
3	Elementary and Junior	one (1) for each teacher, employee and administrator
4	High school and college or university	-one (1) for each teacher, employee, administrator and one (1) for each ten students
5	Private clubs or lodges	one (1) for each four (4) members or one (1) for each one hundred (100) sq. ft. of useable floor area whichever is the greater
6	Regulation golf course	Six (6) per green
7	Par "3" or mini-golf	Four (4) for each golf hole

C	COMMERCIAL & BUSINESS	
1	Bank, Business offices or nonmedical professional offices	one (1) for each two hundred (200) sq. ft. of useable floor area
2	Offices of doctors, dentists or similar professions	for each fifty (50) sq. ft. of useable floor area in the waiting room, plus one (1) for each examining room or dental chair

3	Retail stores except as otherwise specified	one (1) for each one hundred (100) sq. ft. of useable floor area
4	Furniture and appliance, hardware stores, house- hold equipment, repair shops, showroom of a plumber, decorator electrician or similar trade shoe repair and other similar use	-one (1) for each eight hundred (800) feet of useable floor area, plus one (1) for each two (2) employees
5	Planned commercial shopping center by sq. ft. of floor area:	Spaces per sq. ft. of useable floor area:
	1 sq. to 15,000 sq. ft.	one (1) space per 100 sq. ft.
	15,001 sq. ft. to 45,000 sq. ft.	one (1) space per 125 sq.
	45,001 sq. ft. and larger	one (1) space per 150 sq.
6	Beauty parlor or barber shop	Three (3) for each service shops service chair
7	Laundromat	one (1) space for each three (3) wash and dry units.
8	Mortuary establishments	Three (3) for each one hundred (100) sq. ft. of useable floor area
9	Motor vehicle sales and service establishments	one (1) for each two hundred (200) sq. ft. of useable floor area of sales room, plus one (1) for each auto service stall in the service room
10	Pool hall, private club dance hall or places for the consumption of food or beverages	one (1) for each two (2) persons of the legal capacity as established by health, fire or building officials
11	Bowling alleys	five (5) for each bowling lane
12	Hospitals	one (1) for each one (1) bed
13	Homes for the aged and convalescent	one (1) for each three (3) beds
14	Hotels and motels	one and one half (1 1/2) for each rental unit
15	Auto service stations	Two (2) for each service rack or pit; and one (1) for each (1) single or dual gasoline pump, but not less than six (6) spaces
16	Auto Wash	Five (5) for each washing stall plus one (1) for each employee

D	INDUSTRIAL & WHOLESALE	
1	Industrial or research establishments	five (5), plus one (1) for each employee in the largest Working shift
2	Wholesale establishments and storage buildings	-Five (5), plus one (1) for every employee in the largest working shift or one (1) for every seventeen hundred (1700) sq. ft. of useable floor space, whichever is greater

11. Parking Space Dimensions.

All required off-street parking spaces shall meet the following dimensional standards:

Parking Pattern	Maneuvering Lane width	Parking Space Width	Parking Space Lengths
0° (parallel parking)	12 ft	8 ft	23 ft
30° to 53°	12 ft	9 ft	20 ft
54° to 74°	15 ft	9 ft	20 ft
75° to 90°	20 ft	10 ft	20 ft

May include a maximum two (2) foot unobstructed vehicle parking area at the front of the parking space to account for normal vehicle overhang.

SECTION 1603. OFF-STREET LOADING and UNLOADING:

On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, space for standing, loading and unloading in order to avoid undue interference with public use of dedicated streets or alleys.

Applicants must demonstrate that loading and unloading can be accomplished without using the abutting road right-of-way for maneuvering space. A registered professional engineer's certification of a loading/unloading plan may be required to assure compliance.

SECTION 1604. SANITARY PROVISIONS - SEWERAGE AND WATER FACILITIES:

Per requirements of the County Sanitary Code or any applicable Village, State or Federal requirements, for water and/or sanitary sewage.

SECTION 1605. PLANT MATERIALS:

Wherever in this Ordinance a green-belt or planting is required, it shall be planted within eighteen (18) months from the date of issuance of a Building Permit and shall thereafter be maintained with permanent plant materials to provide a screen to abutting properties.

SECTION 1606. SIGNS AND BILLBOARDS

Refer to the Sign Ordinance, Village of Alanson.

SECTION 1607. FENCES (GENERAL)

Fences designed to enclose property in any district shall be subject to the following conditions:

1. Fences in any platted subdivision or lot of record shall not contain barbed wire or be electrified.
2. No fence shall obscure the vision of drivers of vehicles at any driveway entrance or exit, street intersection or other pedestrian or vehicle property access point.
3. No fence located in a front setback area shall be taller than four (4) feet, and no fence shall project into a public street or alley.

SECTION 1608. GREEN-BELT, WALLS OR FENCES (PROTECTIVE AND SCREENING)

For nonresidential uses, except farms, which abut a permitted residential use, or which are adjacent to a Residential District boundary, there shall be provided and maintained green-belts, fences or walls as required below. These requirements do not apply whenever the use, storage area, etc. is more than 200 feet from an adjacent Residential District boundary.

Specific Nonresidential	Green-belt Fence or Wall Height	Protective	Primary Functions s) Screening or
Drive-in restaurants, gasoline station &	4 to 6 ft.	X	
Institutional and school playground	4 to 6 ft.	X	
Parking lot accessory to	4 to 6 ft.		X
Hospital and Funeral home service	4 to 6 ft.		X
Utility buildings	4 to 6 ft.	X	
Junk Yards	8 feet	X	
Open storage areas larger than 200	4 to 6 ft.		X

All plans for green-belts, fences or walls must be approved by the Zoning Administrator for construction specifications and shall be designed and maintained to fulfill the primary function of protection and/or screening.

The Planning Commission shall be empowered to modify green-belt, fence or wall requirements as deemed necessary by conditions affecting a particular development or to waive requirements where no good purpose would be served by compliance with these standards.

SECTION 1609. OUTDOOR LIGHTING

All outdoor lighting, whether for illuminating parking areas, buildings, signs and/or other structures shall be shielded, shaded, designed and/or directed away from all adjacent residential districts and uses; and further shall not glare upon or interfere with persons and vehicles using public streets.

Outdoor lighting for nonresidential uses in Residential Districts shall be of the box design with a flush lens.

SECTION 1610, OUTDOOR SOUND DEVICES

Uses requiring outdoor speakers, outdoor public address systems or similar sound devices shall not operate said equipment so as to constitute a public nuisance, and if any permanent installations are proposed, the Planning Commission shall review the plans for appropriateness.

ARTICLE XVII - GENERAL PROVISIONS, SPECIAL USES

SECTION 1700

INTENT:

To provide for the review, upon application, special or Conditional Land Uses, where because of their operational characteristics, such uses may not be functionally compatible in one use district or another, without special conditions and/or special review procedures.

SECTION 1701. CONDITIONAL USE AND special APPROVAL USE REVIEW STANDARDS (ALSO SPECIAL USE PERMIT.)

In reviewing all requests for Principal Uses Subject to Special Conditions and Conditional Uses Authorized by Special Permit, Planning Commission or Zoning Administrator shall require compliance with any of the following as may reasonably apply to the particular use under consideration:

1. Non detrimental impact upon the surrounding uses in the District, particularly as related to traffic generating potential, servicing by trucks, hours of operation and pedestrian traffic.
2. Site size to accommodate the use, its future expansion, customary accessory uses and utility services.
3. Storm water drainage systems are addressed, as may require approval by the County Drain Commissioner if the proposed use impact an adjacent property with storm runoff, grade changes, and related.
4. Entrance drives to the use and off-street parking areas shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from the boundary of a different Zoning District.
5. The use does not conflict with the principles, goals, or objectives of the village Comprehensive Plan.
6. Suitability of access to the use, assuring that minor residential streets are not used to serve uses that have larger area-wide patronage.
7. Allowance is made for vehicles to enter and exit the use safely and no visibility impediments to drivers are created by signs, buildings, land uses, plantings, etc.

SECTION 1702. SPECIAL USE PERMIT - TERMINATION:

A special or conditional use permit shall the approved permitted use continues in be valid for as long as accordance with the stated terms. A special use permit shall expire or be discontinued by one or more of the following conditions:

1. When a special use replaces or supersedes the original special use on a property, provided however, that the Planning Commission may approve two or more special uses as appropriate to occupy a site simultaneously.
2. When the original special use is replaced by a Principal Permitted Use, and the applicant does not include the special use on his site plan.
3. When the applicant requests the rescinding or removal of the Special Use, and a hearing is held to document the planned rescinding.
4. When after 48 months, from the date of a signed permit, and based on evidence of vacating, abandoning and/or moving to another location, the Planning Commission by public hearing declares a special use to be null and void for reasons stated.
5. When, after 12 months from the date of a signed permit, the specific terms of the Special Use Permit have been violated and are not in compliance. Notice of the expiration shall be given to the applicant in Writing.

Once granted a Special or Conditional Use Permit becomes a Permitted Use within the district in which such use is located, provided:

1. Such permit was issued in conformity with the provision of this ordinance.
2. Such permit shall be deemed to effect only the lot or portion thereof and uses thereupon for which the Special Use Permit shall have been granted.
3. Such permit authorizes a use which is subsequently built, operated and maintained in compliance With the Ordinance, and All conditions established at the time of its approval.
4. The Special or Conditional use has not expired or has not been terminated as provided for herein.

The general standards and regulations of this Section are applicable to all uses authorized by Conditional or Special Use Permit in this Ordinance, except in PUD Districts.

SECTION 1703. CONDITIONAL USES AUTHORIZED BY SPECIAL USE PERMIT

Any special or conditional use herein after referred to shall be prohibited from any Districts not specifically listed. These uses require special consideration since they may service large areas, require sizeable land areas and/or may create problems of control with reference to abutting use Districts.

1. OUTDOOR THEATERS

- a. Outdoor theaters shall be permitted in the B-2 Districts, upon approval by the Planning Commission after a Hearing. Outdoor theaters shall further be subject to the following: a) Point of ingress and egress shall be from streets and roads capable of serving the use, but shall not impair the use of abutting properties, especially residential uses.
- b. All vehicles, waiting or standing to shall be provided off-street waiting enter the facility, space.
- c. The area shall be so laid out as to prevent the movie Screen from being viewed from residential areas or adjacent major thoroughfares.

2. COMMERCIAL TELEVISION AND RADIO TOWERS AND PUBLIC UTILITY MICROWAVES AND PUBLIC UTILITY T.V. TRANSMITTING TOWERS

Radio and television towers, public utility microwaves public utility T.V. transmitting towers, shall be permitted by the palling Commission after a Hearing in B-2, FF and mud Districts, provided said use shall be located centrally on a contiguous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line. The setback standard may be reduced by up to fifty (50%) percent, if in the construction plan, the tower, and its guying/anchoring systems are Certified by a Registered Professional Engineer as being safe from the hazard of falling onto public roads or adjoining properties. All guy wires/cables and anchors shall meet the zoning setback standards of the district.

No antenna or similar sending/receiving devices appended to the tower, following its approved construction, shall be permitted if it exceeds the engineered design capacity of the tower thereby jeopardizing the towel's structural integrity.

Any private or individual television-radio reception tower or other transmitting-receiving devices shall be so constructed and placed that there is no danger of the structures falling on adjacent properties or off-premises electric power lines and further the operation of any such facilities shall not interfere with normal radio-television reception in the area.\

3. RACE TRACKS (INCLUDING MIDGET AUTO aid CARTING TRACTS)

Because race tracks develop a concentration of vehicular traffic and cause noise levels which project beyond the property, race tracks shall be permitted only in the B-2 District subject to the following conditions and such other controls as the Planning Commissions after holding a hearing deems necessary to promote health, safety and general welfare in the Village:

- a. All parking shall be provided as off-street parking within the boundaries of the development.
- b. All access to the parking areas shall be provided from major travelled roads. Approval of ingress and egress points by the police or sheriff authority having Jurisdiction in the community.
- c. All sides of the development except access points shall be provided with a twenty (20) foot wide green-belt planning so as to screen from view all activities within the development.

4. RIDING ACADEMIES OR STABLES

Commercial facilities for horseback riding may be allowed in the B-2, mud and FF Districts, subject to the review and approval of the Planning Commission, who shall find that animal housing facilities are located at least 100 feet from any off-premises residential structure. Riding facilities in R-1 and R-2 Districts may be allowed on farms or on a temporary permit basis, subject to a finding by the Planning Commission that there is protection for developing residential uses including seasonal home areas.

5. RECREATION CAMPS, RECREATION LODGES AND RESORTS

Recreation camps, recreation lodges, campgrounds and resorts for either profit or non-profit, may be permitted to locate in the or, FF and PUD Districts by the Planning Commission, provided the following conditions are met:

- a. The use is established on a minimum site of ten (10) acres, having a minimum parcel width of at least 600 ft.
- b. All outdoor activities areas, parking lots, main buildings and accessory buildings are located at least 50| feet from all property lines. The resulting 50| foot yard shall be maintained as a buffer area wherein all natural tree-shrub cover is retained in a healthful growing conditions. Planted green-belts may be required by the Planning Commission as deemed necessary.
- c. The use does not locate within the confines of a platted subdivision intended for single residential occupancy or parcels which are deemed by the planning Commission to be a logical extension of such a platted area.

6. MOBILE HOMES AND MOBILE HOME PARKS

Mobile home parts intended for residential occupancy may be permitted in the R-2A, FF and mud Districts, after a Hearing by the Planning Commission provided the following conditions are satisfied:

- a. Mobile home parks for the parking of three (3) or more mobile homes shall be developed pursuant to state laws and regulations governing mobile home parks, and specifically including act 419 of 1976, the Mobile Home Commission Act.
- b. The land parcel being proposed for mobile home parks shall be of such area as to provide a minimum of twenty (20) mobile home sites or pads.
- c. No mobile home shall be nearer to a mobile home park boundary line or property line than the minimum required setback in the District where located.
- d. Mobile home sites within a mobile home park shall contain a minimum area of at least 5,000 square feet, exclusive of service drives, facilities, and recreation space.
- e. The permitted setback areas of a mobile home park shall be in lawn, or landscaped, or kept in a natural wooded state as applicable.
- f. Recreation space and other improvements within a mobile home park shall be in accordance with the laws and rules of Act 419 of 1976, the Mobile Home Commission Act.

7. OTHER USES OF MOBILE HOMES AND TRAILERS.

Mobile homes, travel trailers and motor homes may be used as follows:

- a. As temporary dwellings in any District until the owner or occupant thereof completes the construction of a conventional housing unit for which a Building Permit has been issued. The temporary dwelling may be included on the Building Permit, and maintained as long as diligent progress is being made on the main property use, and shall be removed upon issuance of an Occupancy Permit for the main use.
- b. As a watchman or caretakers office in B-1 and B-2 Districts, but only as an accessory use to the main use of the premises.
- c. As a temporary contractors office and/or equipment shed in any district when in connection with a construction project authorized by Zoning and Building Codes.
- d. Other temporary uses of mobile homes, travel trailers, or motor homes for a period not to exceed 24 months upon review and approval by the planning Commission, provided it is determined that the use is consistent with the spirit and intent of the Zoning Ordinance and would not be detrimental to any surrounding uses or properties.

- e. The unoccupied storage of a motor home or travel trailer on any residential property by the owner thereof on his own property, shall be allowable as a permitted accessory use of the premises where there is a main use, provided such storage is confined to the rear yard When the rear yard is accessible. If the rear yard is not accessible, then storage in the side yard is permissible, if no nuisances, hazards, or blocking of views are created for the adjoining property.

8. HOSPITALS AND NURSING HOMES

General hospitals, nursing and convalescent homes, medical care facilities and similar uses may be established in R-2A, B-1, B-2, FF and PUD Districts on sites of at least three (3) acres, subject to approval by the planning Commission.

9. VETERINARIAN HOSPITALS AND KENNELS

May be permitted in B-2 and FF Districts, provided all facilities for housing, treating and keeping of animals are located at least fifty (50) feet from a residential district boundary and provided further that the location is approved by the Planning Commission and all animals on the premises shall be housed within a completely enclosed building between the hours of 10:00 p.m. and 8:00 a.m.

10. RESOURCE MINING, EXTRACTION OR FILL

INTENT:

The location of mining and extractive operations are dependent in large part, upon the sites which contain natural deposits of material having economic value, particularly to the construction industry. Sites nearest to the built-up areas are generally more viable economically, but they would be more sensitive environmentally, because of their close proximity to homes and smaller building sites. The treatment of extractive operations as a special use (conditional) is necessary to build-in the flexibility needed to permit these activities where the resources are found, and at the same time, to afford protection to adjoining properties to the extent necessary with each particular site. Public agencies, government units, and private operations are included.

SITE PLAN REQUIREMENTS

Site plans for Special Use Permits shall be in accord with the site plan requirements of Section 1906 as applicable to the particular site, and shall in addition show:

- a. Proposed location, area, extent depth of excavation or fill.
- b. Pertinent time schedules for starting and concluding dates of the proposed operation per Permit.

- c. Location of spoils dumps, sediment basins, earth stockpiled and any permanent or temporary machinery or buildings to be used.
- d. Roads to be used by any hauling equipment and show all planned ingress/egress points to the excavated area, stockpiled resources, and on-site equipment.
- e. A statement on general ground water conditions, including levels and any possible impact on wells in the area.
- f. A statement outlining the type of material to be extracted or deposited, the type of mining operation and processing equipment to be used and measures to control noise, pollution, run-off and any steps to relieve any adverse effects to adjoining properties and the environment.
- g. Plans and statements outlining all work to be done on site reclamation, assuring that sufficient steps are taken to blend into the surrounding landscape or neighborhood as applicable.

The map scale of the site plan shall be commensurate with the size of the excavation on site, but shall be sufficient to show the site operating details as required by each Permit.

No site plan reviews shall be required for normal earth change projects in connection with a valid building or construction permit, or for property landscaping and site preparation, incidental to the use of the property.

PERFORMANCE STANDARDS

The following shall apply to all proposed extraction, mining, operations:

- a. All excavations or extractive work shall maintain a minimum perimeter setback of 50 feet from road right-of way and all property lines. Controlled work in the 50 feet setback area may be permitted if spoils, over burden, or other earth fill material replaces the resources removed as the work progresses (in cases of a pit).
- b. The working face of an excavation shall maintain slope angles sufficient to prevent sloughing, erosion or earth disturbances of any kind on adjoining properties.
- c. Sufficient native topsoil shall be left on the site as a ready resource to be used in reclamation work following excavation/extraction activity, unless a guaranteed replacement plan is approved.
- d. Fences, terms, walls, and visual screening devices may be required, if necessary, to protect adjoining properties and/or persons in the vicinity of the site. Factors of safety and aesthetics shall be addressed.
- e. The operation of mechanical equipment of any kind may be limited by the day and/or the hour if the site is in a location that directly impacts homes, by creating an operating nuisance.
- f. All structures, equipment, and machinery of any kind shall be considered temporary and shall be removed from the site upon completion of the terms of the Special Use Permit.
- g. Air pollution, noise, and vibration factors shall be controlled within the limits governed by State and/or Federal regulations applicable to the facility.
- h. If necessary to protect the area, access routes serving the site may be limited as stated on the Permit or as illustrated on the site plan, it being the intent to minimize the exposure of residential streets to earth moving vehicles.
- i. The location of earth stockpiles, machinery, equipment and any buildings, shall be approved by Permit but only in terms to protect adjoining properties, and obtain the optimum use of the site. Topography, vegetation, screening devices, and physical isolation from residential properties shall be considered in locating site facilities and earth stockpiles.

SITE RECLAMATION

The final grading and land reclamation plan for each permitted excavation shall be in general accordance with the character of uses and natural features on adjoining lands to the extent practical. Excavations shall be finished with evenly contoured grades to blend in both the adjoining terrain. In Residential Districts, the final grade of an excavation may be required to be brought back to a level determined reasonable to continue future residential development, i.e. as along a common street or road with adjoining residential land.

- a. Reclamation and rehabilitation of mined areas shall be accomplished as soon as practicable following the mining or excavation of an area. Where possible, such rehabilitation and reclamation shall be accomplished concurrently with the mining or excavation operations. An alternate reclamation plan may be filed for cases Where continuous reclamation is not practical or feasible, and a surety bond is provided therewith.
- b. Excavations which encounter ground water or trap surface water, shall be treated in one or more of the following, as applicable to a particular situation:
 - i. Stagnant water conditions shall not be permitted to continue and back filling with approved materials may be required.
 - ii. Where water is to remain, either by planned re-use or because no other option exists, and the shoreline and bottomland grade shall be uniform at one ft. vertical to five ft. horizontal (1:5). The water depth shall be posted.
 - iii. Depending on the nearness of residential neighborhoods, and access by children, the created water body may be required to be safety fenced, posted for no trespassing, or similar safety precautions deemed appropriate for the site.
- c. The final banks of all excavations shall be sloped at a grade which is not steeper than one (1) ft. vertical to three (3) ft. horizontal (1:3) from the top to the pit bottom, or otherwise be established to blend in with the adjacent terrain and/or stabilize at the soils natural angle of repose.
- d. Top soil of a quality equal to that occurring naturally in the area shall be replaced on excavated areas not covered by water, except where streets, beaches, or other planned improvements are desired. Where used, top soil shall be applied to a depth sufficient to support vegetation.
- e. Vegetation may be required to be restored by seeding of grasses or sodding and/or the planting of trees and shrubs.

- f. Upon cessation of mining operations, and within a reasonable period of time not to exceed 24 months thereafter, all structures, buildings, and equipment shall be removed, except for that necessary to manage on-site stockpiled materials. This does not preclude a restart at another time upon permit renewal.

Specific site reclamation requirements may vary somewhat depending on the location of the site in terms of its exposure to view, physical isolation, influence on residential areas, sensitivity to the natural environment and/or re-use potential (or plan). The Planning Commission shall rule on such variations with reasons stated.

SPECIAL USE PERMIT

Nonconforming mining operations, those which are active or have been active within the last 24 months, and established as a business operation, shall not require a permit, provided such operations do not increase their nonconformity relative to the performance standards of this Ordinance, and no hazardous site conditions are maintained.

Permits shall contain the full extent of the operation as specified in each Permit, and any deviation or enlargement of the scope of operation shall require a separate Permit.

PERFORMANCE guarantees (Extraction/Fill)

In those instances, where in the opinion of the Planning Commission or Zoning Administrator, a resource excavation/fill operation entails extensive reclamation work and/or safety precautions, financial guarantees or assurances as prescribed in Sec. 1906-6 of the Zoning Ordinance may be required as a condition to issuing a Special Use Permit under the terms of this Ordinance.

In lieu of a bond requirement or financial guarantee, the Planning Commission may substitute a staged or phased excavation program wherein performance on reclamation shall be substantially completed prior to undertaking the next phase.

11. HOME OCCUPATIONS

Home occupations that are operated in accordance with the Definition in Section 200, may be approved by the planning Commission subject to the following conditions:

- a. Any structural additions to the home for purposes of operating said occupation shall be of an architectural style that is comparable with the architecture of the existing home, or surrounding boxes, and further, is designed so that the addition can readily be used for housing purposes if the occupation is discontinued.

- b. Only the occupant or family living on the premises shall conduct the home occupation and no off-premises person(s) shall be employed in connection with the home occupation.
- c. If an accessory building is to be used for a home occupations the building shall be sited, designed, and located on the property in such a manner as to avoid the appearance of 8 retail store or industrial building, and it shall be readily re-useable for residential purposes if no longer used for the home occupation. Accessory building space for home occupations shall not exceed a total floor area of 600 sq. and shall not exceed one per parcel.
- d. The Planning Commission shall deny a Special Use Permit for a home occupation in those instances where it is determined that the proposed would:
 - i. Lack an occupied residence on the property.
 - ii. Conflict with the residential character of the neighborhood or surrounding area, because of the type of use proposed, or hours of operation, and/or number of vehicles attracted to the site.
 - iii. Have Parking, traffic or loading demands that would exceed the carrying capacity of the property, serving streets, or utilities.
 - iv. Require vehicles, machinery, mechanical devices, or equipment that would generate operational nuisances in direct conflict with homes in the vicinity.
 - v. Require physical design, display sign or vocational features that are inconsistent with the residential character of the area.
- e. There shall be no open display of goods, materials or services in connection with a home occupation, and no off-street parking shall be permitted within the setback area.
- f. Home occupations shall only be approved on the basis of individual merit and the special conditions stated in the permit. The permit shall automatically be revoked upon the sale, lease, or rental of the premises to a party other than the applicant, and/or the conditions of the permit having been violated, either by intent or by the unforeseen nuisance conditions arising from its operation.

ARTICLE XVIII - GENERAL EXCEPTIONS

SECTION 1800. AREA, HEIGHT and USE EXCEPTION:

The regulations in this Ordinance shall be subject to the following interpretations and exceptions:

1. ESSENTIAL SERVICES

Essential Services shall be permitted as authorized and regulated by law and other Ordinances of the Village, it being the intention hereof to exempt such essential services from the application of this Ordinance.

2. VOTING place

This Ordinance shall not be construed to interfere with the temporary use of any property as a voting place in connection with a public election.

3. HEIGHT LIMIT

Height limitations shall not apply to farm silos, chimneys, church spires, flag poles or public monuments; provided, however, that the Planning Commission may specify a height limit for any such Structure when such structure requires authorization as a use permitted on special condition or a use permitted in the Section **CONDITIONAL USES AUTHORIZED BY SPECIAL PERMIT** of this Ordinance.

4. YARD REGULATIONS

When yard regulations cannot reasonably be complied with, as in the case of a planned multiple family development, or where their application cannot be determined on lots existing and of record at the time this Ordinance became effective and on lots of peculiar shape, topography or due to architectural or site arrangements, such regulations may be modified as determined by the Board of Appeals.

5. PROJECTIONS INTO REQUIRED OPEN SPACES

- a. Outside stairways, fire escapes, vestibules, balconies, bay windows and similar projections from the face of a building extending more than four (4) feet above the established grade shall be considered part of the building and shall not extend into any required yard or open space.
- b. For lots which have less than add feet of widths architectural features such as, but not limited to window sills, cornices, eaves and bay windows may extend or project into a required side yard not more than four (4) inches for each one (1) foot of width of such side yard; and may project or extend into a required front yard or rear yard not more than three (3) feet. Architectural features shall not include those details which are normally demountable.

- c. Unenclosed paved areas, patios and other surfaced areas may occupy a required yard.

ARTICLE XVIX - ADMINISTRATION

SECTION 1900. ENFORCEMENT:

Except where herein otherwise stated, the provisions of this ordinance shall be administered by the Zoning Administrator or by such deputies of his department as the Zoning Administrator may delegate to enforce the provisions of this ordinance.

SECTION 1901. DUTIES OF ZONING ADMINISTRATOR

The Zoning Administrator shall have the power to grant Zoning Compliance permits and to make inspections of building or premises necessary to enforce the provisions of this ordinance. It shall be unlawful for the Zoning Administrator to approve any plans or issue any Permits for the excavation or construction until he has inspected such plans in detail and found them to conform with this ordinance.

The Zoning Administrator shall record all nonconforming uses existing at the effective of this ordinance for the purpose of carrying out the provisions of the Section "Nonconformities".

The Zoning Administrator shall under no circumstances be permitted to make changes to this ordinance or to vary the terms of this ordinance in carrying out his duties as Zoning Administrator.

the Zoning Administrator shall not refuse to issue a Permit when conditions imposed by this ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may occur upon the granting of said Permit.

SECTION 1902. PLOT PLAN

The Zoning Administrator shall require that all applications for Zoning Permits shall be accompanied by plans and specifications including a Plot Plan, drawn to scale, showing the following:

1. The shape, location and dimensions of the lot, drawn to scale.
2. The shape, size and location of all buildings or other structures to be erected, altered or moved and of any building or other structures already on the lot drawn to scale.
3. The existing and intended use structures upon it, including, dwelling units the building is of the lot and of all such in residential areas, the number of intended to accommodate.
4. Such other information concerning to: lot or adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed.

SECTION 1903. ZONING PERMIT

The following shall apply in the issuance of any Permit:

1. PERMITS FOR HEW USE OF LAND

No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a Zoning Permit is first obtained for the new or different use.

2. PERMITS FOR new USE OF BUILDINGS

No building or structure or part occupied by a use of a different Permit is first obtained for the thereof, shall be changed to or class or type unless a Zoning new or different use.

3. PERMITS REQUIRED

No building or useable exterior parts thereof shall hereafter be erected, moved or expanded or diminished in floor area unless a Zoning Permit shall have been first issued for such work. Permits shall also be required for the erection of farm buildings.

4. PERMIT VALIDITY

Zoning Permits shall be valid for a period not to exceed twenty-four (24) months from the date of issuance.

SECTION 1904. FEES

Fees for inspection and issuance of Permits or copies thereof required or issued under the provisions of the Ordinance may be collected by the Zoning Administrator in advance of issuance. The amount of such fees shall be established by resolution of the Alanson Village Council.

SECTION 1905. INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of the public health, safety, convenience, comfort, morals, prosperity and general welfare.

SECTION 1906. SITE PLAN REVIEW

1. USES REQUIRING APPROVAL

Except for one family or two family dwellings or multiple family dwellings involving only one building on one site, for seasonal or permanent occupancy, a complete Site Plan shall be submitted to the Village Planning Commission for the approval of:

- i. Any special approval, conditional, or exceptional use for Which a Site Plan is required be this Ordinance.

- ii. Any use requiring off-street parking as stated in the off-street parking schedule of this Ordinance.
- iii. Major utility service facilities, including the transporting, generating processing, storing, or transmitting, petroleum, electricity, sanitary sewage, aid water, etc.; including towers, right-of-ways, subsections, pumping stations, regulator stations and similar appurtenances.

2. GRAPHIC REQUIREMENTS FOR SITE PLANS

Site Plans submitted in compliance with this Ordinance shall be presented in terms of the following:

- a. A map scale that is appropriate for the property in question and results in a clear readable map so as to facilitate zoning review.
- b. Date, north point, scaled property dimensions, street names, and necessary identification information.
- c. All existing and all proposed structures on the subject property, including signs and lighting, other structures adjacent to the subject property, ingress drives, roads and parking areas; and indicate the height of all structures.
- d. All existing easements, utility lines, rights-of-way and other services within and bordering the subject property.
- e. Topography information based on USGS datum, or selected on-site elevations. More detailed information may be required where the Planning Commission determines that the site and use warrant a more critical review of topography.
- f. Generalized soil analysis data, which may include data prepared by the Emmet County Soil Conservation District regarding the soils and their adaptability to the use. More detailed information may be required where the Planning Commission determines that the site and use warrant a more critical review of soils.

3. IMPACT STATEMENT

The statement shall address itself to the following as applicable to the type of use:

- a. A description of the proposed development including: area of the site, the number of lots or units; and the number and characteristics of the population impact such as density, elderly persons, school children, tourists, family size, income, and related as applicable.
- b. Expected demands on community services, and how these services are to be provided, to specifically include: school classroom needs, volume of sewage for treatment, volume of water consumption related to ground water reserves or community system capacity, change in traffic volume on adjacent streets and other factors that may apply to the particular development.

- c. Statements relative to the impact of the proposed development on soil erosion, shoreline protection, wildlife habitat , air allusion, water pollution (ground and surf ace) , noise and the P scale of development in terms of the surrounding environment .
- d. Topography information based on UGS datum, or selected on-site elevations. More detailed information may be required where the Planning Commission determines that the site and use warrant a more critical review of topography.
- e. Generalized soil analysis data, which may include data prepared by the Emmet County Soil Conservation District regarding the soils and their adaptability to the use. More detailed information may be required Where the Planning Commission determines that the site and use warrant a more critical review of soils.
- f. Surface water drainage, and the presence of any public or private drainage systems.

4. SITE PLAN REVIEW STANDARDS

In the process of reviewing the Site Plan, the Planning Commission shall consider:

- a. The location and design of driveways and entrances features with respect to vehicular and pedestrian traffic.
- b. The traffic circulation plan and off-street parking with respect to public safety, one-site uses and adjacent properties.
- c. Buffer techniques, screening, fences, walls, green-belts, and landscaping may be required by the Planning Commission in pursuance of the objectives of this Section and/or as a condition of the establishment of the proposed use.

5. APPROVAL

Following the submittal of a Site Plan in accordance with the requirements of this Section, and any other rules governing Site Plan submittals in the Village, the planning Commission shall approve, conditionally approve or reject the proposed development, with reasons stipulated. The Planning Commission shall commence formal review of the Site Plan at its next regularly scheduled meeting provided a complete Site Plan is submitted at least seven (7) days prior to that meeting.

No land use, zoning compliance, and/or building permits shall be issued except for uses that are in full compliance with the provisions and conditions specified in the Site Plan Review process.

6. IMPROVEMENT GUARANTEES

Any site improvements affecting screening devices, green-belt, drainage structures, or other special construction features that pertain to the Approval of the Site Plan, as either required by the Planning Commission or as proposed by the developer or proprietor; may be required to be guaranteed by a deposit with the Village Clerk, of cash, a certified check, certificate of deposit, or irrevocable bank letter of credit, whichever the proprietor selects, or a surety bond acceptable to the Village, to insure the faithful completion of the improvements specified. The Village shall release funds for the payment of work as it is completed, subject to the appropriate inspection and approval of the work. The amount of the deposit shall be set by the Village based on reliable estimates of the cost of completing the work.

SECTION 1907. BOARD APPROVAL

In cases where the Board of Appeals is empowered to approve certain uses or premises under the provisions of this Ordinance, the Applicant shall furnish such surveys, plans or other information as may be required by said Board for the proper consideration of the matter.

The Board of Appeals shall investigate the circumstances of each such case and shall notify such parties, who may in its opinion be affected thereby, of the time and place of an Hearing which may be held relative thereto as required under its rules of procedure.

Any approval given by the Board of Appeals, under which premises are not used or work is not started within twenty-four (24) months or when such use or work has been abandoned for a period of twenty-four (24) months, shall lapse and cease to be in effect.

SECTION 1908. CONDITIONAL USE REVIEW PROCEDURES - PLANNING COMMISSION

1. AUTHORITY TO APPROVE USES

Whenever in this Ordinance the lawful exercise or existence of a use requires the approval of the Planning Commission, such Commission is hereby authorized and directed to investigate the matter requiring such approval, to conduct a Hearing thereon where required, to make a determination, to either grant or refuse the request action and to do all things reasonably necessary to the making of such investigation and determination, subject to the provisions of this Ordinance.

2. HEARING NOTICE

Prior to conducting a Public Hearing, where required, or deemed necessary, public notice, stating to: time and place of Hearing, shall be published, at least seven (7) days prior to the Hearing date, in a newspaper of general circulation in the Village; and written notices at least seven (7) days prior to the Hearing date, to all adjoining owners of property, as listed in the latest assessment roll.

3. RULES OF PROCEDURE:

The Planning Commission is hereby authorized to adopt Rules Procedure consistent with the statutes of Michigan and the provisions of this Ordinance.

4. SURVEYS AND PLANS:

Where the Planning Commission is empowered to approve certain uses of premises under the provisions of this Ordinance, or in cases where the Commission is required to make an investigation, the applicant shall furnish such surveys, plans or other information as may be reasonably required by said Commission for the proper evaluation and consideration of the matter.

5. HEARING MATTERS TO BE CONSIDERED:

In making any recommendation or approval authorized by the provisions of the Ordinance, the Planning Commission shall consider:

- a. Whether or not there has been compliance with the provisions of this Ordinance.
- b. Whether or not there is proper yard space, parking facilities, loading space, percentage of lot coverage, green-belts, size of buildings, lot area and other conditions required by this Ordinance.
- c. Whether or not the use involved is in accord with the spirit and purposes of this Ordinance.
- d. Whether or not the use involved would constitute a public or private nuisance.
- e. Whether or not the use involved would disturb or interfere with the natural or planned development of the surrounding neighborhood.

SECTION 1909. CHANGES AND AMENDMENTS

The Village may from time to time, on recommendation from the planning Commission, or on petition, amend, supplement or change the District boundaries or the regulations herein or subsequently established herein pursuant to the authority and procedure established in Act 207 of the Public Acts of 1921, as amended.

In addition, an owner of property or his authorized agents or other petitioner, shall not initiate action for an amendment to the Zoning Map affecting the same parcel more often than once every twelve (12) months. An exception to this rule may be made in those cases where the Planning Commission determines that: (a) conditions affecting the request have changed substantially, thereby justifying a repetition before twelve (12) months have elapsed from the date of the present: petition.

SECTION 1910. VIOLATIONS AND PENALTIES

Any person, persons, firm or corporation or their agents violating any of the provisions of this ordinance shall upon conviction be subject to a fine of not more than one hundred (\$100.00) dollars and the costs of prosecution, or in default payments thereof, by imprisonment in the in discretion of the court. For each day that a violation is permitted to exist shall constitute a separate offense. The paying of any fine or serving of any Jail sentence shall not exempt the offender from meeting the requirements of this Ordinance.

SECTION 1911. COURT APPEARANCE TICKETS

Pursuant to the authority granted under State of Michigan Statue, being MCL 764.9f; M.S.A. 28.868(6), the Alanson Village Zoning Administrator and/or the Deputy or Assistant Zoning Administrator, are hereby declared to be public servants authorized by law or ordinance to issue "appearance tickets" as defined by MCL 764.9f; M.S.A. 28.868(6).

The Village Zoning Administrator and/or the Deputy or Assistant Zoning Administrator shall be empowered to issue court appearance tickets for observed viola/ions of any Section or Article of the Zoning Ordinance. The issuance of All appearance tickets and processing thereafter shall follow due process procedures as prescribed in statutory or case law, and under the advisement of proper legal counsel.

ARTICLE XX - BOARD OF APPEALS

SECTION 2000. CREATION AND MEMBERSHIP

There is hereby established a Board of Zoning appeals which shall perform its duties and exercise its power: as provided in Act 207 of the Public Acts of 1921, as amended and in such a way that the objectives of this ordinance shall be observed, public safety secured and substantial justice done. The Board shall be the Allison Village Council.

SECTION 2001. MEETINGS

Meetings of the Board of Appeals shall be held at the call of the Chairperson and at such other times as such Board may determine or specify in its rules of procedure. All hearings conducted by said Board shall be open to the public. The Board of Appeals shall adopt its own rules of procedure and keep a record of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating said fact; and shall file a record of its proceedings in the office of Village Clerk, and shall be a public record.

SECTION 2002. APPEAL

An appeal from the ruling of the Zoning Administrator concerning the enforcement of the provisions of this ordinance may be taken to the Board of Appeals within such time as shall be prescribed by said Board of Appeals by a general rule. Such appeal may be taken by any person, firm or corporation, or by any Officer, department, Board or Bureau of the Village. The appellant shall file with the Board of Appeals, on blanks or forms to be furnished by the Zoning Administrator, a notice of appeal specifying the grounds thereof.

The Zoning administrator shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken. The final decision of such appeal shall be in the form of a resolution either reversing, modifying or affirming, wholly or partly, the decision or determination appealed from.

An owner of property, or his authorized agent, shall not file an appeal for a zoning variance affecting the same parcel more often than once every twelve (12) months. An exception to this rule may be made in those cases where the Zoning Board of Appeals determines that: (a) conditions affecting the property have changed substantially, or (b) the nature of the request has changed substantially from the date of the previous petition for appeal.

SECTION 2003. STAY

An appeal shall stay all proceedings in furthering of the action appealed from unless the Zoning Administrator certifies to the Board of Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by the Circuit Court, on application, on notice of the Zoning Administrator and on due cause shown.

SECTION 2004.

JURISDICTION

The Board of Appeals shall have the following powers and it shall be its duty:

1. To hear and decide appeals on all land uses and/or on questions where it is alleged there is error of law in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this Ordinance.
2. In hearing and deciding appeals, the Board of Appeals shall have the authority to grant such variances there from as may be in harmony with their general purpose and intent so that the function of this Ordinance be observed, public safety and welfare secured and substantial Justice done, including the following:
 - a. Interpret the provisions of the Ordinance in such a way to carry out the intent and purpose of the plan, as shown upon the Zoning Map fixing the use districts, accompanying and made part of this Ordinance, where street layout actually on the ground varies from the street layout as shown on the map.
 - b. Permit the erection and use of a building or use of premises for public utility purposes and make exceptions there from to the height and bulk district requirements herein established which said Board considers necessary for the public convenience or welfare.
 - c. Permit such modification of the height and area regulations as may be necessary to secure an appropriate improvement of a lot which is of such shape, or so located with relation to surrounding development or physical characteristics that it cannot otherwise be appropriately improved without such modification.
 - d. Permit temporary buildings and uses for periods not to exceed two (2) years, but may be renewed upon request for not more than two (2) year periods each.
3. Where owing to special conditions, a literal enforcement of the use provisions of this Ordinance would involve practical difficulties or cause unnecessary hardships within the meaning of this Ordinance, the Board shall have power upon appeal in specific cases to authorize such variation or modification as may be in harmony with the spirit of this Ordinance and so that public safety and welfare be secured and substantial Justice done. No such variance or modification of the use provisions of this Ordinance shall be granted unless all of the following facts and conditions exist;
 - a. That there are exceptional or extraordinary circumstances or conditions applicable to the property or its use that do not apply generally to other properties or uses in the same district.

- b. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.
- c. That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the district in which the property is located.
- d. That the granting of such variance will not adversely affect the purposes or objectives of the Zoning Plan of the Village.

Nothing herein contained shall be construed to give or grant to the Board the power or authority to alter or change the Zoning ordinance or the Zoning Map, such power and authority being reserved to the Alanson Village Council.

SECTION 2005. EXERCISING POWERS

In exercising the above powers, the Board of Appeals may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Zoning Administrator from whom the appeal is taken.

SECTION 2006. NOTICE OF HEARING

The Board of Appeals shall make no recommendation except in a specific case and after a Public Hearing conducted by said Board. A notice of the time and place of such Hearing shall be published in a paper of general circulation in the Village at least fifteen (15) days previous to the Hearing.

SECTION 2007. MISCELLANEOUS

No order of the Board of Appeals permitting the erection or alteration of a building shall be valid for a period longer than two (2) years, unless a Zoning Permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

ARTICLE XXI - VESTED RIGHT

It is hereby expressly declared that nothing in this Ordinance shall be held or construed to give or grant to any person, firm or corporation any vested right, license, privilege or permit.

ARTICLE XXII - SEVERANCE CLAUSE

Sections of this Ordinance shall be deemed to be severable and should any section, paragraph, or provision hereof be declared by the Courts to be unconstitutional or invalid, such holdings shall not effect the validity of this Ordinance as a whole or any part hereof, other than the part so declared to be unconstitutional or invalid.

ARTICLE XXIII - CONFLICTING REGULATIONS

Wherever in the Village of liaison there are provisions in two (2) or more laws or Ordinances that have conflicting provisions, the law or Ordinance with the more stringent requirements shall govern, except as permitted under the provision of act 207 of 1921, the Municipal Zoning Enabling Act.

ARTICLE XXIV EFFECTIVE DATE

Public Hearing having been held herein, the provisions of this Ordinance are hereby declared to be immediately necessary for the preservation of the public health, peace and safety and are hereby ordered to take immediate effect after final passage. Made and passed this 26th day of August, 1990.

STATE OF MICHIGAN)
)SS
COUNT OF EMMET)

I, Clerk of the Village of liaison and Clerk of the Circuit Court for the County of Emmet, certify that I have compared the foregoing copy of the village ZONING ORDINANCE, adopted by the Village Council, on _____ with the original record thereof now remaining in my office, and that it is a true and correct transcript there from, and of the whole thereof. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal at Alanson, on this _____ day of _____, 1990.

(SEAL)

VILLAGE OF ALANSON REZONING AMENDMENTS

An Ordinance to amend the Village of Alanson Zoning Ordinance, adopted August 5, 1991, and effective August 26, 99!. All pursuant to the provisions of public Act 207 of 1921, as amended.

Date amended:	Tax parcel # (s)	Changed to:
April 4, 1996	24-17-10-200-018 24-17-19-400-017	FF-1 Farm Forest to B-2 General Business District
April 20, 1999	24-41-17-10-300-013	R1-B One Family to B-2 General Business

ORDINANCE CERTIFICATION

At a regular meeting of the Alanson Village Council, Emmet County, held in the Littlefield Alanson Community Building, located in Alanson Michigan, on Monday, Oct. 24, 2005, at 7:00 PM.

PRESENT: R. Weidenhamer, P. Rieck, C. Waterston, M. Blumke, C. Lloyd, J. Driscoll
 ABSENT: Kerry Hamilton

It was moved by C. Waterston and supported by C. Waterston that the following Ordinance be adopted.

(See attached Village of Alanson Ordinance)

Yes: 5
 No: 0
 Abstains: 1

ORDINANCE DECLARED ADOPTED

VILLAGE OF ALANSON

By: Richard Weidenhamer
 Richard Weidenhamer, President

I, the undersigned, the Clerk of the Village of Alanson, Emmet County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Alanson Village Council of said County at its regular meeting held on Oct. 24, 2005, relative to adoption of the ordinance therein set forth: that said meeting was conducted and public note of said meeting given pursuant to and in full compliance with the Open Meeting Act, being, Act 267, Public Acts of Michigan, 1976, and the minutes of said meeting were kept and will be made available as required by said Act: this ordinance was published in the Petoskey News Review on _____, 200__

Dated _____, 200__

Iris E. Lesh
 Iris E. Lesh, Clerk

ORDINANCE: 03 – 2005

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE VILLAGE OF ALANSON ZONING ORDINANCE ARTICLE VIII “B-1 LOCAL-TOURIST BUSINESS DISTRICT”. THE AMENDMENT TO ARTICLE VIII IS INTENDED TO ALLOW COMMERCIAL USES WITHIN THE SAME STRUCTURE AS A DWELLING UNIT AND TO PROVIDE FOR SINGLE AND MULTIPLE FAMILY DWELLINGS FOR THE HEALTH, SAFETY AND WELFARE OF CITIZENS OF THE VILLAGE OF ALANSON.

VILLAGE OF ALANSON, EMMET COUNTY, MICHIGAN HEREBY ORDAINS:

Item 1, ARTICLE VIII “B-I LOCAL-TOURIST BUSINESS DISTRICT” AMENDMENT. Article VIII; Section 800 “PRINCIPAL USES PERMITTED” of the Village of Alanson Zoning Ordinance will be amended by adding the following uses as Principal Uses Permitted.

SECTION 800. PRINCIPAL USES PERMITTED:

Add the following uses:

- 12 Dwelling units within the same structure as business establishments
- 13 Uses that are not listed above may be permitted by the Planning Commission if similar to other permitted uses. In determining similarity with the above listed uses the Planning Commission shall consider the following:
 - a. Size, nature and character of the proposed use
 - b. Traffic congestion or hazard that may be created
 - c. Is the proposed use harmonious with adjoining neighborhood
 - d. Necessity of the proposed use to serve the needs of the Village Citizens
 - e. Effect of the proposed use on the adjoining properties and surrounding area

Item 2. ARTICLE VIII “B-I LOCAL-TOURIST BUSINESS DISTRICT AMENDMENT. “ARTICLE VIII; Section 800 “PRINCIPLE USES PERMITTED” of the Village of Alanson zoning ordinance will be amended by deleting the following use as “Principle Use Permitted”

SECTION 800. PRINCIPLE USES PERMITTED

Delete the following:

- 11 Existing Industrial Uses

NOTE: There is an existing industrial use in the B-i district (“Karriger Engineering & Manufacturing Inc.). The “Karriger Engineering & Manufacturing Inc.” business is exempt from this above noted deletion as long as it remains Karriger Engineering & Manufacturing Inc. and continues to engineer and manufacture the same or similar products.

Item 3. ARTICLE VIII “B-1 LOCAL-TOURIST BUSINESS DISTRICT’ AMENDMENT. ARTICLE VIII; Section 801 “PRINCIPAL USES SUBJECT TO SPECIAL CONDITIONS” of the Village of Alanson Zoning Ordinance will be amended by adding the following uses as Principal Uses Subject to Special Conditions.

SECTION 801. PRINCIPAL USES SUBJECT TO SPECIAL CONDITIONS:

Add the following uses:

- 10 Boarding Houses
- 11 Adult foster care facility
- 12 Housing for the elderly
- 13 Single and Multiple -family dwellings
- 14 Parking structures

Item 4. ARTICLE VIII “B-I LOCAL-TOURIST BUSINESS DISTRICT” AMENDMENT.
Article VIII of the Village of Alanson Zoning Ordinance shall be amended by adding “Section 802 “DEVELOPMENT REGULATIONS” to read as follows:

SECTION 802. DEVELOPMENT REGULATIONS

Site Plan Review

- 1 Site plan review and approval is required for all B-I “local tourist business” uses
- 2 Required Conditions for Uses

Unless otherwise noted, buildings and uses in the Districts shall comply with the following requirements:

- a. All business, services, or processing, except off-street parking and loading, shall be conducted within a completely enclosed building or in an obscure area such as the back of the business building unless otherwise specifically permitted.
 - b. Outside display of goods and services, on business owned property, is permitted.
 - c. Displays shall be set back 3 from the property lines of the business or the road right of way and must clearly be, accessory to the principle use.
 - d. There shall be “no outside storage” of any goods, inventory, or equipment
 - e. A retail business, whose building front is located on the front property line, wishing to use a portion of Village sidewalks for the display of merchandise, installing benches for customer seating, or any other use, must apply to the Village of Alanson Zoning Commissioner for a permit to use a designated portion of the sidewalk directly in front of their business.
 - f. Displays of goods and services on Village sidewalks will be permitted only during regular business hours and after the business owner has obtained a permit.
 - g. Permits will be issued for “Specific Time Periods” (no longer than one year per issued permit)
- 3 Commercially used or licensed vehicles used in the normal operation of a permitted retail or service use, should be parked in the rear of the business except when not possible. This provision shall apply to operable vehicles that are moved on and off of the site on a regular basis.
 - 4 Parking or storage of damaged or disabled vehicles shall be prohibited. Vehicles parked on a site shall not be used principally for storage, sales, or advertising.

Item 5. CONFLICTS. In the event this ordinance conflicts with any other ordinance this ordinance shall apply.

Item 6. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

Richard Weidenhamer
Richard Weidenhamer, Village President

John E. Jank (Clerk)
John E. Jank, Village Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Alanson Village Council, Emmet County, held in the Littlefield Alanson Community Building, located in Alanson Michigan, on Monday, Oct. 24, 2005, at 7:00 PM.

PRESENT: R. Weidenhamer, P. Reichel, G. Waterson, M. Blumke, C. Lloyd, J. Druser
ABSENT: KEENE HAMILTON

It was moved by G. Waterson and supported by G. Waterson that the following Ordinance be adopted.

(See attached Village of Alanson Ordinance)

Yes: 5

No: 0

Abstain: 1

ORDINANCE DECLARED ADOPTED

VILLAGE OF ALANSON

By: Richard Weidenhamer
Richard Weidenhamer, President

ORDINANCE DECLARED ADOPTED

VILLAGE OF ALANSON

I, the undersigned, the Clerk of the Village of Alanson, Emmet County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Alanson Village Council of said County at its regular meeting held on Oct. 24, 2005, relative to adoption of the ordinance therein set forth: that said meeting was conducted and public note of said meeting given pursuant to and in full compliance with the Open Meeting Act, being, Act 267, Public Acts of Michigan, 1976, and the minutes of said meeting were kept and will be made available as required by said Act: this ordinance was published in the Petoskey News Review on _____, 200__

ORDINANCE: 04 – 2005

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE VILLAGE OF ALANSON ZONING ORDINANCE ARTICLE XV “ OF REGULATIONS”. THE AMENDMENT TO ARTICLE XV IS INTENDED TO REGULATE E HEIGHT, DENSITY AND SET BACKS FOR MULTIPLE FAMILY DWELLINGS IN THE B-I ZONING DISTRICT FOR THE HEALTH, SAFETY AND WELFARE OF CITIZENS OF ALANSON.

VILLAGE OF ALANSON, EMMET COUNTY, MICHIGAN HEREBY ORDAINS:

Item 1. ARTICLE XV “SCHEDULE OF REGULATIONS” AMENDMENT. Article XV; Section 1500 “LIMITING HEIGHT, BULK, DENSITY AND AREA BY LAND USE” of the Village of Alanson Zoning Ordinance will be amended by changing the regulations for the B-I Local Tourist Business District so that the regulations read as follows:

SECTION 1500. LIMITING HEIGHT. BULK DENSITY AND AREA BY LAND USE

Use Section	Lot Size		Maximum Building Height(Ft) From Street Level	Minimum Yard Setback			
	Area (sf)	Width (ft)		Front	Side	Side	Rear
B-1 Local-Tourist Business	15,000	100	30	5	0	0	10
Boarding Houses More than 3 Boarders	15,000	100	30	5	0	0	10
Multi-Family 3+ Units (see schedule)	15,000	100	30	5	0	0	10

Note 1) Please refer to Section 1500 of the zoning ordinance Item E and Item G

Item E, Parking may be permitted in the front yard, providing there is at least a (10’) buffer area between the road-right-of-way and the off-street parking lot.

Item G, On non-conforming residential lots measuring 60’ or less in width, one side yard setback may be reduced to (5’) for one accessory residential building.

Note 2) Existing businesses, business structures, and business lots “are exempt’ from the above designated lot size requirements.

Note 3) Side setbacks, adjacent to existing non-business properties will consist of a minimum 6’ wide greenbelt consisting of trees and shrubbery to mask the building from the adjacent property owner

Lot Area (In Square Feet) for Multiple-Family Dwellings: The minimum lot area for multiple family dwellings shall comply with the following:

Efficiency	1BR	2BR	3+BR
3,600	3,600	3800	4000

MINIMUM FLOOR AREA PER MULTIPLE FAMILY DWELLING UNIT

Dwelling Unit Size Minimum Floor Area

Efficiency Unit 700 sq. ft.

1 Bedroom Unit 800 sq. ft.

2 Bedroom Unit 900 sq. ft.

3 Bedroom Unit 1000 sq. ft.

4 or more Bedroom Unit 1100 sq. ft. + 100 sq. ft. for each additional bedroom

Access and Circulation

Multiple family and townhouse developments shall comply with the following requirements for access and circulation:

a. Access to Roads

Multiple family and townhouse developments shall have direct access to paved roads by at least (2) means of ingress and egress, with the exception of developments with ten or less units, where one (1) entranceway may be sufficient.

b. Emergency Access


All dwelling units, including those under construction, shall be readily accessible by fire and emergency vehicles from a paved public road, paved private access road, or other approved paved area. Private roads or driveways dedicated as fire lanes shall be posted with signs indicating "Fire Lane, No Parking." To facilitate emergency vehicle access, the following guidelines shall be complied with:

- 1 All roads shall be paved and bi-directional allowing for both ingress and egress. A boulevard may be utilized to provide bi-directional traffic movement, provided that the width of each paved moving lane in each direction is at least fifteen (15) feet.
- 2 Streets with no outlet shall be terminated with a cul-de-sac. Streets with no outlet shall not exceed seven hundred (700) feet in length. Cu de sacs are to be a minimum of 20' radius design

Item 2. CONFLICTS. In the event this ordinance conflicts with any other ordinance this ordinance shall apply.

Item 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.


Richard W. Wiedersheim, Village President


Susan E. Fisher, Village Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Alanson Village Council, Emmet County, held in the Littlefield Alanson Community Building, located in Alanson Michigan, on Monday, Jan. 2, 2006 at 7:00 PM.

PRESENT: R. Weidenhamer, G. Lloyd, G. Waterson, M. Blomke, I. Stearns
ABSENT: J. Dawson, K. Neumiller

It was moved by G. Lloyd and supported by G. Waterson that the following Ordinance be adopted.

(See attached Village of Alanson Ordinance)

Yes: 4

No: 0

Abstains: 1

ORDINANCE DECLARED ADOPTED

VILLAGE OF ALANSON

By: Richard Weidenhamer
Richard Weidenhamer, President

I, the undersigned, the Clerk of the Village of Alanson, Emmet County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Alanson Village Council of said County at its regular meeting held on Monday, Jan. 2, 2006, relative to adoption of the ordinance therein set forth: that said meeting was conducted and public note of said meeting given pursuant to and in full compliance with the Open Meeting Act, being, Act 267, Public Acts of Michigan, 1976, and the minutes of said meeting were kept and will be made available as required by said Act: this ordinance was published in the Petoskey News Review on Feb. 17, 2006.

Dated: Feb 17, 2006

Iris E. Lesh
Iris E. Lesh, Clerk

VILLAGE OF ALANSON
Ordinance No. 1 of 2006

AN ORDINANCE TO AMEND THE VILLAGE OF ZONING
ALANSON TO REZONE PROPERTY

THE VILLAGE OF ALANSON ORDAINS:

Section 1. Rezoning of Property.

The Village of Alanson Zoning Ordinance is hereby amended to rezone the following described property from R-1B to all B-1.

See legal description attached hereto and incorporated herein by reference as Exhibit "A"

Section 2. This Ordinance shall become effective twenty (20) day after its enactment.

By: Richard Weidenhamer
Richard Weidenhamer, President

By: Iris E. Lesh
Iris E. Lesh, Clerk

Liber/Page: 707-150

Legal Description:

PT OF SW 1/4 OF SW 1/4 OF SEC COM
1465.81 FT S OF W 1/4 COR, TH E 432.65
PT TO SW COR OF BLK 3, PLAT OF EVERGREEN
PARK FOR POB, TH N3°6'39"E 142.51 FT TO
S LN WEST ST, TH W 17.51 FT, N54°29'35"W 21.97 FT, TH S35°17'15"W 121 FT,
S54°29'35"E 14 FT, S35°17'15"W 231.93 FT, TH N54°42'45"W 114 FT TO S LN OF US 31
TH S35°17'15"W ALG SD HWY 70 FT, TH S54°42'45"E 114 FT, S41°1'53"E 250 FT TH
N45°27'48"E 110.15 FT, TH N3°19'8"E 310 FT TO SW COR OF BLK 3 OF EVERGREEN PARK
& POB. SECTION 10, T35N, R4W.

Parcel: 24-41-17-10-300-065

Property Address: 6238 WEST ST

ORDINANCE CERTIFICATION

At a regular meeting of the Alanson Village Council, Emmet County, held in the Littlefield Alanson Community Building, located in Alanson Michigan, on Monday, Jan. 2, 2006, at 7:00 PM.

PRESENT: R. Weidenhamer, G. Lloyd, G. Waterson, M. Blanke, I. Stearns
ABSENT: J. Dausen, K. Hamilton

It was moved by G. Lloyd and supported by G. Waterson that the following Ordinance be adopted.

(See attached Village of Alanson Ordinance)

Yes: 4

No: 0

ABSTAIN: 1


ORDINANCE DECLARED ADOPTED

VILLAGE OF ALANSON

By: Richard Weidenhamer
Richard Weidenhamer, President

I, the undersigned, the Clerk of the Village of Alanson, Emmet County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Alanson Village Council of said County at its regular meeting held on Monday, Jan. 2, 2006, relative to adoption of the ordinance therein set forth: that said meeting was conducted and public notice of said meeting given pursuant to and in full compliance with the Open Meeting Act, being, Act 267, Public Acts of Michigan, 1976, and the minutes of said meeting were kept and will be made available as required by said Act: this ordinance was published in the Petoskey New Review on Jan. 13, 2006.

Dated Jan. 13, 2006



Iris E. Lesh, Clerk

ORDINANCE: No. 2 – 2006

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE VILLAGE OF ALANSON ZONING ORDINANCE ARTICLE XV “SCHEDULE OF REGULATIONS”. THE AMENDMENT TO ARTICLE XV IS INTENDED TO REGULATE THE HEIGHT, DENSITY AND SET BACKS FOR MULTIPLE FAMILY DWELLINGS IN THE B-2 ZONING DISTRICT FOR THE HEALTH, SAFETY AND WELFARE OF CITIZENS OF ALANSON.

VILLAGE OF ALANSON, EMMET COUNTY, MICHIGAN HEREBY ORDAINS:

Item 1. ARTICLE XV “SCHEDULE OF REGULATIONS” AMENDMENT. Article XV; Section 1500 “LIMITING HEIGHT, BULK, DENSITY AND AREA BY LAND USE” of the Village of Alanson Zoning Ordinance will be amended by changing the regulations for the B-2 General Business District so that the regulations read as follows:

SECTION 1500. LIMITING HEIGHT. BULK DENSITY AND AREA BY LAND USE

Use Section	Lot Size		Maximum Building Height(Ft) From Street Level	Minimum Yard Setback			
	Area (sf)	Width (ft)		Front	Side	Side	Rear
B-1 Local-Tourist Business	15,000	100	30	5	0	0	10
Boarding Houses More than 3 Boarders	15,000	100	30	5	0	0	10
Multi-Family 3+ Units (see schedule)	15,000	100	30	5	0	0	10

Note 1 Please refer to Section 1500 of the zoning ordinance Item E and Item G

Item E, Parking may be permitted in the front yard, providing there is at least a 16 ‘buffer area between the road-right-of-way and the off-street parking lot.

Item G, On non-conforming residential lots measuring 60’ or less in width, one side yard setback may be reduced to (5’) for one accessory residential building.

Note 2 Existing businesses, business structures, and business lots “are exempt” from the above designated lot size requirements.

Note 3 Side setbacks adjacent to existing non-business properties will consist of a minimum (6’) wide greenbelt consisting of trees and shrubbery to mask the building from the adjacent property owner

Lot Area (In Square Feet) for Multiple-Family Dwellings: The minimum lot area for multiple family dwellings shall comply with the following:

Efficiency	1BR	2BR	3+BR
3600	3600	3800	4000

MINIMUM FLOOR AREA PER MULTIPLE FAMILY DWELLING UNIT

Dwelling Unit Size Minimum Floor Area

- Efficiency Unit 700 sq. ft.
- 1 Bedroom Unit 800 sq. ft.
- 2 Bedroom Unit 900 sq. ft.
- 3 Bedroom Unit 1000 sq. ft.
- 4 or more Bedroom Unit 1100 sq. ft. + 100 sq. ft. for each additional bedroom

Access and Circulation

Multiple family and townhouse developments shall comply with the following requirements for access and circulation:

a) Access to Roads

Multiple family and townhouse developments shall have direct access to paved roads by at least (2) means of ingress and egress, with the exception of developments with ten or less units, where one (1) entranceway may be sufficient.

b) Emergency Access

All dwelling units, including those under construction, shall be readily accessible by fire and emergency vehicles from a paved public road, paved private access road, or other approved paved area. Private roads or driveways dedicated as fire lanes shall be posted with signs indicating "Fire Lane, No Parking" To facilitate emergency vehicle access, the following guidelines shall be complied with:

- a. All roads shall be paved and may be bi-directional allowing for both ingress and egress. A boulevard may be utilized to provide bi-directional traffic movement, provided that the width of each paved moving lane in each direction is at least fifteen (15) feet.
- c) Streets with no outlet shall be terminated with a cul-de-sac. cu de sacs are to be a minimum of 20' radius design

Item 2. CONFLICTS. In the event this ordinance conflicts with any other ordinance this ordinance shall apply.

Item 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.


Richard Weidenhammer
Village President


Iris E. Kesh, Village Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Alanson Village Council, Emmet County, held in the Littlefield Alanson Community Building, located in Alanson Michigan, on Monday, Jan. 2, 2006 at 7:00 PM.

PRESENT: R. Weidenhamer, G. Lloyd, G. Weikson, M. Blumke, I Storm
ABSENT: J. Dausser, K. Hamilton

It was moved by G. Lloyd and supported by M. Blumke that the following Ordinance be adopted.

(See attached Village of Alanson Ordinance)

Yes: 5

No: 0

ORDINANCE DECLARED ADOPTED

VILLAGE OF ALANSON

By: Richard Weidenhamer
Richard Weidenhamer, President

I, the undersigned, the Clerk of the Village of Alanson, Emmet County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Alanson Village Council of said County at its regular meeting held on Monday, Jan. 2, 2006, relative to adoption of the ordinance therein set forth: that said meeting was conducted and public notice of said meeting given pursuant to and in full compliance with the Open Meeting Act, being, Act 267, Public Acts of Michigan, 1976, and the minutes of said meeting were kept and will be made available as required by said Act: this ordinance was published in the Petoskey News Review on Feb. 17, 2006.

Dated Jan 17, 2006

Iris E. Lesh
Iris E. Lesh, Clerk