

# **INTERIOR TOWNSHIP**

## **RURAL ZONING ORDINANCE**

### **Interior Township Ontonagon County, Michigan**

**Adopted: March 9, 1999**

**Amended: May 13, 2003**

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## **INTERIOR TOWNSHIP**

### **RURAL ZONING ORDINANCE**

#### **Interior Township, Ontonagon County, Michigan**

##### Ordinance Number

An ordinance to establish zoning districts and regulations in the unincorporated portions of Interior Township, Ontonagon County, Michigan, in accordance with the provisions of Act No. 184 of the Public Acts of Michigan, 1943, the Township Rural Zoning Act, as amended: to provide for current and/or upgrading the future uses of land, buildings, and structures; to provide for its administration, including penalties for the violation thereof; to provide for a Board of Appeals, and for amendments.

The Township of Interior, Ontonagon County, Michigan, ordains:

#### **ARTICLE ONE -- PREAMBLE**

##### Section 1.01 Name

This Ordinance shall be known and cited as the Interior Township Rural Zoning Ordinance.

##### Section 1.02 Purpose

The fundamental purpose of this Ordinance is to protect the public health, safety, morals, and general welfare of the inhabitants of the township as authorized under the above mentioned Act.

##### Section 1.03 General Procedure

To achieve the purpose of this Ordinance, the unincorporated portions of the township have been divided into zoning districts of varied shapes, kinds and areas; and regulations adopted for each such districts, taking into account its peculiar suitability for particular purposes, the conservation of the property values and natural resources, and the general trend and character of the land, buildings, and

population development as authorized under the provisions of the above cited Act.

Section 1.04 Limitations of Ordinance

1.04A Existing Use of Land, Buildings, and Structures.

At the discretion of the property owner the lawful use of any dwelling, building, or structure, and of any land or premises as existing and lawful on land or lot descriptions recorded in the County Register of Deeds Office on the date of enactment of this Ordinance may be continued, even though such use and/or recorded property size may not be in conformity with the provisions of this Ordinance.

1.04B Exemption of Existing Undersized Land Parcels and Lots.

Parcels of land, or lots, whose descriptions are recorded in the County Register of Deed Office on the date of enactment of this Ordinance, will be exempt from minimum area and width requirements as established in Limitations Chart 9.01A. They will, however, be subject to all other regulations of the Zoning District in which they are located, and all other provisions of this Ordinance. All contiguous ownership is considered one parcel of land.

1.04C Exemption of Fences ~~Accessory Buildings and Structures.~~

The provisions of this Ordinance shall not apply to the erection or repair of ~~any accessory building or structure, such as barns, sheds, pens, and fences,~~ provided, however, that no ~~building or structure other than open~~ fences other than one through which there shall be a clear vision, shall be erected or moved to less than twenty-five (25) feet from any abutting roadway right-of-way line. *Amended -- May 13, 2003*

**ARTICLE TWO -- ZONING DISTRICTS**

Section 2.01 Classification of Districts

To achieve the purpose set forth in the Preamble, the unincorporated area of Interior Township, Ontonagon County, Michigan, is hereby divided into the following zoning districts:

- (a) Commercial-Residential District One (C-R)1

- (b) Commercial-Residential District Two (C-R)2
- (c) Agriculture-Residential District (A-R)
- (d) Forestry-Recreation District (F-R)
- (e) High Density Residential District (HDR)
- (f) Industrial and Heavy Commercial District (I-HC)
- (g) Lake-Residential District (L-R)

### Section 2.02 Zoning Districts Map

The location of the areas included in each zoning district are depicted upon the zoning map of Interior Township, Ontonagon County, Michigan and are available for public inspection in the Township Office.

## **ARTICLE THREE -- COMMERCIAL-RESIDENTIAL DISTRICT ONE (C-R)1**

### Section 3.01 Purpose

The purpose of creating Commercial and Residential District One, is to provide areas dedicated primarily for commercial and residential uses, and to require setback from the public thoroughfare to facilitate safe exit from the entrance to the premises.

The requirements are intended to protect and stabilize the basic qualities of such district, and to provide suitable and safe conditions for residential living. Such district is established in conformity with existing residential and commercial developments including areas in which it appears desirable that further development take place.

### Section 3.02 Property Uses

Except as provided by Section 1.04, no premises shall hereafter be used, and no building or structures erected, used or altered for other than the following purposes.

#### 3.02A Primary Uses (Without Special Approval)

1. One single family dwelling, other than seasonal mobile home, including a private garage.

2. Public owned parks and playgrounds.
3. Customary home occupations such as dressmaking, hairdressing, real estate and insurance sales, accounting services, or office of physician, dentist, chiropractor, osteopath, attorney, engineer, architect, and similar recognized professions.
4. Lodging, boarding and tourist facilities.
5. Retail stores and shops including antique shops, when conducted primarily within buildings having four walls and a roof.
6. Personal service shops, such as beauty parlors, barber shops, tailor shops, shoe repair, and the like.
7. Restaurants and food services.
8. Banks, show rooms, undertaking establishments.
9. Public buildings.
10. Mobile homes, which meet the requirements as residential dwellings, as set forth in Section 13.10, Mobile Home.
11. Agricultural uses, as set forth in Section 5.02,(4) &(5) which do not conflict with the primary Commercial and Residential character of this district, subject to the following restrictions: in no case will an agricultural use be allowed which is a demonstrable nuisance, or a health or safety hazard, to other property owners in the surrounding area.

3.02B Uses by Special Approval, as provided by Sec. ~~9.06~~ 9.05.

1. Nursery schools, Day Nurseries and Child Care.
2. Churches and other buildings of a religious nature including tents or other temporary structures.
3. Greenhouses.
4. Civil, social, and fraternal buildings.

5. Gasoline stations, garages, motor vehicle and repair shops.
6. Parking lots. Used car lots.
7. Drive-in establishments.
8. Veterinary services and hospitals; but not including dog Kennels.
9. Dry cleaning. Self-service laundries.
10. Dance halls and bars.
11. Transformer stations or substations, including service or storage yards.
12. Warehouses. Storage buildings.
13. Primary and secondary schools.
14. Adult Foster Care Homes and Nursing Homes.
15. Planned unit developments, as defined in section 16C ACT184 as amended through 1978 being section 125.286C of the Michigan Compiled Laws.

#### 3.02C Accessory Uses.

Accessory buildings, structures and incidental uses which do not alter the primary character of the district, but not including any additional structure for dwelling purposes either temporarily or otherwise.

#### 3.02D Vehicular Parking.

Vehicular parking regulations for this District are provided for in Appendix A.

## **ARTICLE FOUR -- COMMERCIAL-RESIDENTIAL DISTRICT TWO (C-R)2**

### Section 4.01 Purpose

In all locations where public sewers are accessible and required, a 15,000 square foot minimum with 100 foot frontage will apply. This will be known as the C-R2 District.

### Section 4.02

All sections in Article Four will read the same as sections in Article Three except for the following changes:

### Section 4.03 Accessory Buildings

All attached accessory buildings and structures, including garages, open porches and breeze ways, shall be considered a part of the main building in determining yard requirements (but not floor area). All unattached buildings shall be located not less than that specified on the schedule 9.01 from the side yard lot line, and not less than the required set-back of the main building on the premises.

### Section 4.04 Use of Yard Space

No yard encompassing a dwelling shall hereafter be used for the open-air storage, wrecking, parking, dismantling, accumulation or abandonment, either temporarily or otherwise, of any disused, furniture, appliance, junk, similar property, or any vehicle remaining un-licensed for one year (unless stored in a substantial building or similar property).

## **ARTICLE FIVE -- AGRICULTURE AND RESIDENTIAL DISTRICT (A-R)**

### Section 5.01 Purpose

The lands included in the A-R District are completely rural in character. Outside of logging in the included and surrounding forests, and the related sawmill work, the only economic activity during the early decades of settlement in this district has been farming - in the clearings made for this purpose. In recent years farming activity has declined, as more outside employment became available, but the lands in this district retain their fundamentally excellent suitability for farming

and forestry operations, and the regulations of this District are designed to preserve this suitability. If serious fluctuations of business conditions reduce future opportunities for outside employment, the only sustaining economic activity of any importance will depend on this farming and forestry base.

Although some farming and forestry activity continues, the dominant land use pattern in this District under present day conditions of readily available outside employment and income is that of rural residence. This can harmonize well with the primary goals set forth in the preceding paragraph, and the regulations following provide for this.

The specific intent is to facilitate the proper use of lands best suited to agriculture and forestry through.

1. Preventing the admixture of urban and rural use which creates incompatibility and conflict.
2. Places unbalanced tax loads on agricultural lands to help pay for urban services.
3. Contributes to the premature loss of agricultural capability.

This District is also designed to prevent health hazards brought about by the illogical placement of inappropriately high residential densities in the otherwise open countryside.

Commercial and industrial development is specifically excluded from the A-R District.

Although the demand for other uses in this District may ultimately outweigh its use as zoned, any such zoning changes should be made cautiously with the realization that adequate food supply is essential to the health and welfare of the township, county, state and nation.

#### Section 5.02 Property Uses. (Without Special Approval).

No land or premises in the A-R District shall hereafter be used, and no building or structure erected, used or altered for other than the following purposes.

1. One single family dwelling, including mobile homes, as per definition, as

provided by Section 13.10.

2. One single family dwelling, in addition to that provided in Section 5.02 (1) above, as living quarters for hired help or family partnership members, such as a tenant house, mobile home, apartment or room for persons employed on premises. This constitutes an exception to the provision of Section 9.02B.

3. Small family business efforts, excluding farming, in the sale of goods and services, such as would ordinarily be conducted in the home, garage, or other accessory building, but subject to the following restrictions:

A. No such small family business(es) shall be conducted with more than four (4) part-time employees, including family members.

B. Such businesses as gasoline stations, drive-in theaters and eating establishments, etcetera, which depend directly upon a high volume of vehicle traffic, are specifically excluded. These belong in the township's commercial district.

4. Farms, including (but not limited to) the production of all field, fruit, truck and hay crops, domestic livestock, pasture, wood lots, and farm forestry.

5. All farm buildings and structures customarily utilized in the farming operations.

6. In addition to normal family recreational pursuits, a trailer coach, as defined in Section 13.11, may be located in close proximity to any single family dwelling, subject to the following conditions:

A. This trailer coach is for use as living quarters for a family member, who through circumstances of accident, health, age, or other such infirmity, requires help with his or her day to day living needs.

B. May be continued on a temporary basis only, while the need for such help exists.

7. The owner(s) are permitted to lease out a single acre with a notarized lease from their property to any individual or family of their choice, for the

purpose of a seasonal cottage, hunting cabin, mobile home or trailer coach. The permitted use for such cottage, cabin, mobile home or trailer coach is seasonal and recreational only; its permitted use does not include permanent dwelling purposes.

8. Accessory buildings, structures and uses customarily incidental to any of the above, but not including any building or structure for dwelling purposes.

## **ARTICLE 5A. LAKE RESIDENTIAL (L-R)**

### Section 5A.01 Purpose

The purpose of creating a lake residential district is to provide areas dedicated primarily for residential use surrounding Bond Lake, and to require setback from the public thoroughfare to facilitate safe exit from the premises.

These requirements are intended to protect and stabilize the basic qualities of such district, and to provide suitable and safe conditions for residential living. Such district is established in conformity with existing residential and commercial developments including areas in which it appears desirable that further development take place.

### Section 5A.01a General Requirements For All Lake Residential Dwellings

No dwelling or structure which can be used as a dwelling shall be constructed or placed in the LR district unless said dwelling or structure meets the following requirements:

1. Said dwelling shall have a minimum finished living area of no less than 500 (five hundred) square feet.
2. Said dwelling shall be permanently connected to septic and water supply system, as required and approved by the Western UP Health District, and shall have an approved permanent electrical connection. Common private water and sanitary waste disposal system is permitted, if the method and location is approved by the District Health Department and/or the Michigan Department of Environmental Quality, whichever has jurisdiction.
3. Outdoor storage of garbage and refuse will be contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring

properties.

4. Exterior lighting will be of low wattage, with motion activation where possible.
5. Fencing will be allowed provided the fencing is consistent with the surrounding rustic scenic area.
6. Boardwalks will be allowed in wet areas where a walking trail is located.
7. Neighborhood Monument-style Entry Signs will be aesthetic to landscaping and lighting that point toward the ground/sign and away from any residence, buildings, or right-of-way.

#### Section 5A.01b. Lakeshore Access

None of the lands covered by this ordinance border on Bond Lake, but are rather adjacent to privately owned lands, with uses of said land being regulated by agreement between the private landowner and the Federal Energy Regulatory Commission (FERC). This land is hereinafter referred to as "Project Land". Consequently, the Township recognizes that all use of said Project Land is subject to existing agreements between the landowner and FERC.

1. Public access to the Project Land shall be maintained on non-project land via various access points as approved by the Review Committee\* ("Approved Public Access Points").
2. New roads built for public use will be built to County Road Commission standards, and inspected and approved by the County Road Commission with any fees to be paid by the developer. This does not constitute an automatic acceptance of the road by the County Road Commission.
3. No restriction of public access to the Project Land shall be imposed by the permanent or temporary closing of roadways (except as may be required for public safety, construction or maintenance of such roadways) to Approved Public Access Points.
4. Each Approved Public Access Point shall have a minimum of 3600 square feet devoted to parking area, and shall include at least one handicapped parking

space.

5. No permanent structure, including storage buildings for private property (piers, watercraft, etc) is permitted on Project Land.

6. Seasonal docks will be allowed, not to exceed the requirements set forth in Appendix H, number 2, page 68 of the Standard Land Use article, UPPCO license.

\*--All layout plans, type of structures, permits, and land use will be reviewed for approval, approval with conditions, or denial by the township committee consisting of the Zoning Administrator, one member of the Planning Commission, one member of the Township Board, and the local Township Assessor. This committee is hereinafter referred to as "Review Committee".

a) The Review Committee will provide for a public viewing of the Reviewed Site Development.

b) Appeal on a decision by the Review Committee may be taken to Circuit Court.

## Section 5A.02. Property Uses

Except as provided by Section 1.04, no premises shall hereafter be used, and no building or structures erected, used or altered for other than the following purposes.

### 5A.02a Primary Uses (without special approval)

1. One single family dwelling including a private garage.

2. Public-owned parks and playgrounds including customary buildings and structures.

3. Customary home occupations such as dressmaking, hairdressing, real estate and insurance sales, accounting services, computer consulting or office of physician, dentist, chiropractor, osteopath, attorney, engineer, architect and similar professions shall be limited to within the residential dwelling, and shall not be pursued in an accessory building on the premises. Said activities shall show no external indication of such use nor change the external appearance of the primary dwelling.

4. Public buildings.
5. Mobile homes, which meet the requirements as residential dwellings.
6. Agricultural uses, as set forth in Section 5.02, 4 and 5 which do not conflict with the primary residential character of this district, subject to the following restrictions: in no case will an agricultural use be allowed which is a demonstrable nuisance, or a health or safety hazard, to other property owners in the surrounding area.

5A.02B Uses by special approval, as provided by Section 9.06 or the Review Committee

1. Nursery schools, day nurseries and child care.
2. Churches and other buildings of a religious nature, not including tents or other temporary structures.
3. Greenhouses
4. Civil, social and fraternal buildings.
5. Parking lots.
6. Drive-in establishments, restaurants and other retail stores and shops, when conducted primarily within buildings having four walls and a roof.
7. Dog kennels.
8. Bars and dance halls.
9. Transformer stations or substations, including service or storage yards.
10. Warehouses and storage buildings.
11. Primary and secondary schools.
12. Adult foster care homes and nursing homes.
13. Caretaker or guesthouse.

14. Planned unit developments, as defined in section 16C ACT184 as amended through 1978 being section 125.286C of the Michigan Compiled Laws. Encourage conservation layout design that accommodates single family dwellings while protecting and buffering sensitive lands such as wetlands, flood plains, sand dunes, steep slopes, lakes, rivers, and streams, and using trees, other vegetations, hills, and other open space to buffer the new residential site from the contiguous public road, and any development on abutting property. In addition, all lots or separately described areas created shall have sufficient area to meet District Health Department requirements for septic waste disposal, unless the site is served by an approved neighborhood sewer system and/or water system

All new lots created for residential, commercial, or other use, must be buildable, and must meet the requirements of the Land Division Act PA 288 of 1967, as amended.

15. All separately described areas of land to be used under the Condominium Act, PA 59 of 1978 shall meet the requirements of that act, as amended. In addition, all lots or separately described areas created shall have sufficient area to meet District Health Department requirements for septic waste disposal, unless the site is served by an approved neighborhood sewer system and/or water system.

#### 5A.02C Accessory Uses

1. Accessory buildings, structures and incidental uses which do not alter the primary character of the district but not including any additional structure for dwelling purposes either temporary or otherwise.

2. Keeping of domestic pets in reasonable numbers. No animal or animals shall constitute a nuisance to the neighborhood by reason of noise, odor, sanitary conditions or trespass.

3. Storage of not more than one unoccupied trailer coach or one boat and trailer parked in a rear yard with due regard to yard requirements. The one boat and trailer restriction does not apply to small fishing craft normally used on small inland lakes.

#### 5A.02D Vehicular Parking

Vehicular parking regulations for this district are provided for in Appendix A.

## **ARTICLE SIX -- FORESTRY AND RECREATIONAL DISTRICT (F-R)**

### Section 6.01 Purpose

The purpose of this district is to promote the proper use, enjoyment, and conservation of the water, land, topographic and forest land resources of the Township of Interior, particularly adapted to recreational and forest uses.

### Section 6.02 Property Uses

No land or premises in the F-R District shall hereafter be used, and no building or structure erected, used or altered for other than the following purposes:

#### 6.02A Primary Uses (Without Special Approval)

1. Forest production and forest harvesting operations.
2. Hunting and fishing cabins, for seasonal use, provided:
  - (a) No public utilities or access roads will be provided by the township.
3. Trailer coaches, for seasonal use.
4. Accessory buildings and uses customarily incident to any of the above permitted uses, but no use of such accessory buildings for dwelling purposes shall be permitted.

#### 6.02B Uses by Special Approval

1. Forest industries, such as sawmills, peeling operations, and veneer-mill operations.
2. Quarries, sand and gravel pits, provided they are screened from view of public access roads by year-round vegetation, and provided that no use of such quarries, or pits shall be permitted unless the banks thereof are sloped at an angle not greater than 30 degrees from level surface. It is further required that developers and proprietors make a commitment to plant vegetation on the premises upon the abandonment of such enterprises to restore the area as nearly as

practicable to its original condition. Neighboring lands must be protected from erosion caused by gravel pit excavations and deposits of gravel pit run-offs.

3. Hydro-electric plants, dams, and flowage areas.

#### 6.02C Accessory Uses

Accessory buildings and uses customarily incident to any of the above uses, except that no use shall be made of the accessory buildings for dwelling purposes.

#### 6.02D Setback Requirements

1. Buildings or structures: Fifty (50) feet from any stream or existing roadway.

### **ARTICLE SEVEN -- HIGH DENSITY RESIDENTIAL DISTRICT (HDR)**

#### Section 7.01 Purpose

The High Density Residential District is established to provide for, and regulate, the development of Mobile Home Parks, Multi-family housing units, and single family dwellings. It is not anticipated that in a township of such pronounced rural character as Interior, that any substantial demand for this type of development will arise. Yet the thrust of Michigan court decisions indicates clearly that, if legitimate and lawful township interests are to be protected, then such development must be specifically provided for. Accordingly, the regulations herein established are designed to minimize the cost of, and provide the maximum efficiency in, necessary public services; to promote the public health, safety and welfare; and to lay out a zone where family values, youth values, and the blessings of quiet seclusions and clean air make the area sanctuary for people.

#### Section 7.02 Mobile Home Parks

Regulations governing the establishment and operation of Mobile Home Parks are provided in the MOBILE HOME COMMISSION RULES dated October 1985 by the Corporation and Securities Bureau of Michigan, Department of Commerce, P.O. Box 30222, Lansing, Michigan, 48909. These rules are adopted

in their entirety.

### Section 7.03 Multi-family Housing Units

Multi-family housing units are defined as all those designed to provide living quarters for two or more families.

#### 7.03A Permitted Uses

by Special Approval, as Provided by Section 9.06

1. Multi-family housing units, together with accessory equipment and structures.
2. The construction, and operation, of Multi-family housing units will conform to all applicable State, County, and Township Building Codes and Laws.
3. Single family dwellings.

## **ARTICLE EIGHT -- INDUSTRIAL AND HEAVY COMMERCIAL DISTRICT (I-HC)**

### Section 8.01 Purpose

The Industrial-Heavy Commercial District is established in different Zone areas, which are the sites of present and past installations in the township. They are the most desirable location in the township from the standpoint of any user, containing direct access to M-28 Highway, the nearby electric power line, public water supply and the existing public sanitary sewer. These locations are also the most desirable from the public standpoints of providing services, and traffic flow patterns. Accordingly, they are hereby placed in the Industrial-Heavy Commercial District, and protected from all other types of development. Any sound industrial or heavy commercial development is considered to be an asset to the community, adding to its tax base and providing employment to community residents. It is intended that these areas will enable the community to benefit from chances for development that may arise.

## Section 8.02 Regulation

The establishment and operation of industrial and heavy commercial enterprises will be regulated by all applicable State, County and Township Building Codes and Laws.

## **ARTICLE NINE -- GENERAL PROVISIONS**

### Section 9.01 Land, Yard, and Floor Requirements

#### 9.01A Lots of Record

Every dwelling, including permanent mobile homes hereafter placed, erected, or altered shall be located on a lot or premises, the description of the boundaries of which are on record at the office of the County Register of Deeds, or in the case of a land contract, on file and satisfactory to the Zoning Administrator as identifying the location of the premises.

#### 9.01B Area and Yard Limitations

No more than one dwelling shall be erected on any lot of record, and in conforming to land and yard requirements, no area shall be counted as accessory to more than one dwelling.

### Section 9.02 Non-Conforming Buildings and Structures

#### 9.02A Minor Repairs

Nothing in this Ordinance shall prevent such repairs of a non-conforming building existing on the date of enactment of this Ordinance as may be reasonably necessary to secure advantageous use thereof during its natural life, provided, that no such repair shall result in change or enlargement of use, and provided further, that the owner obtain a Certificate of Approval therefore as hereinafter provided.

#### 9.02B Reconstruction of Damaged Non-Conforming Buildings

Nothing in this Section shall be construed to prohibit rebuilding or improving of structures on substandard size lots.

## Section 9.03 Commercially Operated Junkyards

### 9.03A Minimum Land Area

No junkyard shall contain less than forty (40) acres, nor shall it be visible from other property in the vicinity of the junkyard, nor from the rights-of-way such as roads, streets, highways, and waterways.

### 9.03B Fencing

Except for gates and main buildings, the entire premises shall be completely enclosed by a tight, uniformly finished wood, brick, or metal wall not less than eight (8) feet in height, or by an evergreen hedge, not less than fifteen (15) feet wide to the same height, maintained in good condition at all times. All access gates to the premises shall swing inward and shall be closed when the premises are not open for business.

### 9.03C Setback

All buildings, fences, and green strips shall be set back not less than one hundred (100) feet from the front property line, or highway right-of-way line, as the case may be, and fifty (50) feet from any other property line.

### 9.03D Glare

Glare from any process, such as acetylene torch cutting, shall not be visible or constitute a hazard or nuisance beyond property lines of the premises.

### 9.03E Burning

All burning, including emission of smoke or offensive odor beyond the boundaries of the premises shall at all times be limited.

### 9.03F Application

Application for location of a junkyard shall be accompanied by written statement bearing the approval signatures of all owners of property located within thirteen hundred twenty (1320) feet of the perimeter of the

premises.

## Section 9.04 Outdoor Signs

The erection and use of all outdoor advertising, announcement and informational signs and media shall be subject to the following conditions, except as hereinafter provided.

### 9.04A Location

No sign shall be located in a position constituting a traffic hazard. Cluttering of signs is prohibited. The erection, posting, painting, or otherwise affixing signs to walls, trees, fences, or similar support is prohibited. The limitations in the use of walls shall not apply to commercial or industrial buildings, or to other buildings such as hospitals, schools, churches, libraries, community-center buildings and similar structures. Such exemptions shall not apply to dwellings, tourist lodgings, boarding homes, summer cottages, and the like, including applicable accessory buildings.

### 9.04B Use of Light

The use of all flashing, rotating, and oscillating signs shall be allowed only by special approval.

### 9.04C Setback

No sign shall be located within less than seventy-five (75) percent of the required setback for buildings on the premises and may be less with the approval of the Zoning Administrator.

### 9.04D Size Limitations

The maximum area of signs shall be limited as follows:

1. Advertising, lodging, boarding, or tourist homes, home occupations, professional offices; four (4) square feet may be approved by the Zoning Administrator.
2. Bulletin boards, announcement signs for religious institutions,

signs pertaining to time of services, lease or sale of building or premises; twenty (20) square feet.

3. Commercial signs: fifty (50) square feet, provided, however, that signs exceeding fifty (50) square feet may be approved by the Zoning Administrator.

#### 9.04E Non-Conforming Signs

No non-conforming signs shall hereafter be substantially altered or replaced without the approval of the Zoning Administrator.

### Section 9.05 Uses by Special Approval

#### 9.05A General Requirements

Uses by Special Approval, where required, shall be subject to the provisions of the Zoning District wherein located in addition to the provisions of the Section to prevent conflict with or impairment of the primary uses of the District. Each such use shall be considered as an individual case.

#### 9.05B Specific Requirements

1. Written applications addressed to the Township Planning Commission shall be made through the office of the Zoning Administrator, and shall include the following:

- (a) Name of applicant and owner of premises.
- (b) Legally recorded description of premises.
- (c) Description of proposal use, including parking facilities, if required; and any exceptional traffic situation that the use may occasion.
- (d) Sketch drawn to scale or site plan, when required, showing size of building(s) or structure(s) and location of premises.
- (e) Sewage and waste disposal and water supply facilities, existent or proposed for installation.
- (f) Use of Premises on all adjacent properties.
- (g) A statement by applicant appraising the effect of proposed use on adjacent properties and general development of the

neighborhood.

2. The Zoning Administrator shall file his recommendations with the Planning Commission which shall then make determination. The Commission may hold a public hearing upon the application. In reaching its determination, the Commission shall consider among other things:

- (a) Whether the sewage disposal facilities and water supply will be safe and adequate.
- (b) Whether the location, use, and nature of the operation will be in conflict with the primary permitted uses of District of neighborhood.
- (c) Whether the use will be objectionable to adjacent or nearby properties and not compatible with the primary uses of the District.
- (d) Whether the use will discourage, hinder, or down-grade the development and use of adjacent premises and neighborhood.
- (e) Whether the use will create a major traffic problem or hazard.

#### Section 9.06 Essential Services

The erection, construction, alteration, or maintenance of facilities including railroads, municipal departments, and commissions necessary for the furnishings of adequate service for the public health, safety or general welfare, shall be permitted as authorized and regulated by law and other ordinance of the Township of Interior, Ontonagon County, State of Michigan, in any use of district, it being the intention thereof to exempt such erection, construction, alteration, and maintenance from the application of the Ordinances.

#### Section 9.07 Public Utility Building and Public Buildings

The Township Planning Commission Board shall have the power to permit the erection and use in any zoning district of a publicly owned building or public utility building, if the Board finds such building and use reasonably necessary for public convenience and service.

## Section 9.08 Building Codes

~~The B.O.C.A. Basic Building Code, current edition, as published by the Building Officials and Code Administrators International, Inc., and as approved by the State of Michigan. The State of Michigan building code as adopted. , and as adopted by the Township of Interior as the building code for this township, shall provide the standards for all regulated classes of building construction in this township.~~ *Amended -- May 13, 2003*

## **ARTICLE TEN -- ADMINISTRATION**

### Section 10.01 Zoning Administrator

The Provision of this Ordinance shall be administered by a Zoning Administrator who shall be appointed by the Township Board for such term and subject to such conditions as the Township Board deems desirable to carry out the provisions of the Ordinance. He shall hold office at the pleasure of the Board, and receive some compensations as shall be determined by the Board.

### Section 10.02 Zoning Permit

#### 10.02A Application for Zoning Permit

Before proceeding with the erection, moving, razing, or use of any building, or premises subject to provisions of this Ordinance, the owner of the premises shall first apply for a Zoning Permit from the Zoning Administrator. Application shall be made upon forms provided by the Township and shall be accompanied by a legal description of the location of the premises, by evidence of ownership of all property to be covered by the Zoning Permit, and by a blueprint or pen-and-ink sketch to approximate scale showing:

1. The shape, area, dimensions, location of road(s), waterways and intended use of the premises.
2. The kind, dimensions, height and location of the building or structure to be erected or moved on the premises, including all yard dimensions and accessory buildings if any.

3. The location and type of sewage disposal system and water supply facilities, as approved by the Western Upper Peninsula Health Department.

#### 10.02B Issuance and Limitation of Zoning Permit

1. If the Zoning Administrator finds the application conforms to the requirements of the Ordinance and other applicable laws, he shall mark the form approved with his signature, including the date. Copies shall be filed in the Zoning Administrator's office, Township office and two copies given to the applicant, one of which must be displayed and remain on the premises during the progress of any construction authorized.

2. Any Zoning Permit under which no work has been done within twelve (12) months of issue shall expire by limitation, but shall be renewable upon re-application and payment of the minimum fee, subject, however, to provisions of any Ordinance then in effect.

3. The Zoning Administrator shall have the power to revoke or cancel any zoning Permit in case of failure or neglect to comply with the provisions of the Ordinance, or in the case of false statement of misrepresentation made in the application.

#### 10.02C Inspection

The erection of every building or structure may be subject to two inspections: (1) when excavation for foundation is complete, and building lines established; and (2) on completion of the construction. Failure of owner or builder to give proper notification shall automatically cancel the Zoning Permit and requires issue of a new Zoning Permit before construction may proceed or occupancy be permitted.

#### 10.02D Fees

For each permit application a fee shall be paid to the Township Treasurer who shall place the same in a Zoning Fund to be used solely for the costs of administering this Ordinance, as directed by the Township Board. No permit application shall be valid until the required fee is paid.

The schedule for all fees required by this ordinance shall be established from time to time by the Township Board.

## **ARTICLE ELEVEN -- ZONING BOARD OF APPEALS**

### Section 11.01 Creation and Membership

There is hereby established a Zoning Board of Appeals from electors of the Township as provided by Section 18 of the Township, Rural Zoning Act, Public Act 184, 1943, as amended. The Zoning Board of Appeals shall be composed of not less than three regular members and not more than five regular members as determined by the Township Board.

### Section 11.02 Powers

The duties and powers of the Board of Appeals shall include the following:

#### 11.02A Review

Hear and decide upon appeals made from determination of the Zoning Administrator or other agent acting under the terms of the Ordinance.

#### 11.02B Interpret

Hear and decide upon request for interpretation of provisions of the Ordinance.

#### 11.02C Variances

Grant variance on appeal respecting any provision of the Ordinance if the same cause practical difficulties or undue hardship in conforming to the strict letter of the Ordinance, to the end that the spirit of the Ordinance is observed, equity achieved and substantial justice done; provided, however, that his provision shall not be construed as permitting the Board of Appeals to amend the Ordinance or exchange any use of property under the guise of a variance.

## Section 11.03 Proceedings

### 11.03A Adoption

The Board of Appeals shall adopt procedures in accordance with the provisions of Section 20 to 23 inclusive of the Township Rural Zoning Act, Public Act 184, 1943 as amended.

### 11.03B Written Requests

All requests for variances, appeals or special exceptions shall be filed on an approved form with the Zoning Administrator, (accompanied by a fee to be deposited in the Zoning Fund, which fee shall be fixed by the Township Board).

### 11.03C Limitations

All appeals shall be made to the Board of Appeals within thirty (30) days after the date of any decision constituting the basis for appeal. The Board of Appeals shall return a decision within thirty (30) days after a request or appeal has been filed and heard unless additional time is agreed upon by all parties concerned.

### 11.03D Re-Submissions

No application for variance or special exceptions which have been denied shall be re-submitted within twelve (12) months from the last date of denial, except on grounds of newly discovered evidence or proof of changed conditions found to be valid.

## **ARTICLE TWELVE -- VIOLATIONS AND ENFORCEMENT**

### Section 12.01 Violations

Buildings and structures erected, altered, moved, razed or converted, or any use of land or premises carried on in violation of any provisions of this Ordinance

are declared to be a nuisance per se. The Zoning Administrator shall inspect each alleged violation and shall order correction in writing to the owner of the premises of all conditions found to be in violation.

#### Section 12.02 Correction

All violations shall be corrected within sixty (60) days following issuance of written notice to correct. If not corrected, they shall be remanded to the District Court for prosecution.

#### Section 12.03 Penalties

Any person, firm or corporation who violated, neglects, omits or refuses to comply with any provision of this Ordinance, or any permit or exception granted hereunder, or any lawful requirement of the Zoning Administrator, shall be fined on conviction not less than ten (10) dollars nor more than one hundred (100) dollars together with the cost of prosecution, or by imprisonment in the county jail for not more than thirty (30) days, or both, in the discretion of the court. To promote compliance with the provisions of the Ordinance, each day that a violation maintains shall be deemed a separate offense.

#### Section 12.04 Proceedings

The Zoning Administrator or any owner of real estate may institute injunction, mandamus, abatement, or any other appropriate action or proceedings to prevent, enjoin, abate, or remove any unlawful erection, alteration, maintenance, or violation. The rights and remedies provided herein are cumulative in addition to all other remedies provided by law.

### **ARTICLE THIRTEEN -- DEFINITIONS**

#### Section 13.01 Accessory Building or Structures

A supplement building or structure on the same premises as the main building occupied by, or devoted exclusively to an accessory use but not including dwelling, garages, lodges, or sleeping quarters.

### Section 13.02 Dwelling

Any building or part thereof occupied as the home, residence or sleeping place of one or more persons either permanently or temporarily.

### Section 13.03 Erected

Includes built, constructed, re-constructed, moved upon or any physical operation on the premises intended or required for a building or structure. Excavation, fill drainage, land-clearing, and general property improvements shall not be considered as an erection.

### Section 13.04 Highway

Any public thoroughfare, including roads and streets, but not alleys.

### Section 13.05 Junk

Any personal property which is or may be salvaged for reuse, resale, reduction, or similar use or disposition, or which is accumulated, dismantled, or assorted for any such reasons. Without limiting the definition of junk, the term shall include used or salvaged metals, used or salvaged rope, bags, paper, glass, rubber and similar articles, and motor vehicles which are parked, or possessed for the purpose of dismantling or salvaging any part thereof.

### Section 13.06 Junkyard

Any place at which a person engages in the handling, purchase, exchange, accumulation, storage, sale or disposition of any article which may reasonable be defined as junk, except this definition does not apply to retail merchants who repossess their own merchandise sold on a title retaining contract or chattel mortgage basis.

### Section 13.07 Lot or Premises

The parcel of land occupied or to be occupied by a building and its accessory building or structures together with such open spaces, minimum area, and width required by this Ordinance for the District in which located.

### Section 13.08 Sign

Any construction, device, or portion thereof upon which words, numerals, terms, figures, trade-marks, or similar representations are employed for the purpose of conveying information to the public. Includes outdoor advertising media, bulletin boards, sale and rental signs, and the like.

### Section 13.09 Structures

Anything constructed, the use of which requires permanent location on the ground or attachment to an object having permanent location on the ground. The term shall include fences, advertising devices, tents, trailer coaches, and similar structures.

### Section 13.10 Mobile Home

For the purpose of this zoning Ordinance, a mobile home is defined as a single-family dwelling unit suitable for year-round occupancy or occasional dwelling which, if occupied outside a mobile home park, shall be placed on a foundation and connected to utilities and assessable as Real Property.

### Section 13.11 Trailer Coach

Any structure designed and constructed for sleeping, living, business, or storage purposes having no foundation other than wheels, blocks, skids, jacks, horses, or skirting, and which may be equipped with wheels or other devices for transporting the structure from place to place, whether by its own motive power or other means and licensable by the State to travel upon highways.

### Section 13.12 Yard

The balance of the lot not covered by dwellings or accessory structures within property lines.

#### 13.12A Yard -- Front

A yard across the full width of the lot or parcel of land extending from the front line of the principal building to the rear lot line.

### 13.12B Yard -- Rear

A yard extending across the full width of the lot or parcel of land extending from the rear line of the principal building to the rear lot line.

### 13.12C Yard -- Side

A yard extending between the side lot line and the nearest side line of any building.

### Section 13.13 Farm

All associated land operated as a single unit on which bona fide agricultural operations are carried on directly by the owner-operator, manager, or tenant farmer by his own labor or with the assistance of members of his household or hired employees, provided, however, that land to be considered as a farm hereunder shall include a contiguous, unplotted parcel of not less than five (5) acres in area; provided further that greenhouses, nurseries, orchards, apiaries, chicken hatcheries, poultry farms and similar specialized agricultural enterprises may be considered as farms, but establishments keeping or operating game preserves, fish hatcheries, dog kennels, stockyards, shall not be considered as farms hereunder, nor shall premises operated as fertilizer works, bone yards, or for the reduction of animal matter, or for the disposal of garbage, sewage, rubbish, offal, or junk, constitute a farm hereunder.

### Section 13.14 Zones or Zoning District Boundaries

Where uncertainty exists as to the boundaries of any of the districts or zones shown on the zoning map, the following rules shall apply:

1. Zone boundary lines are intended to be parallel or perpendicular to street, alley, or lot lines, unless such zone boundary lines are fixed by dimensions, as shown on said zoning map.
2. Where zone boundaries are indicated as approximately following street or alley lines or proposed street lines, such lines shall be construed to be such boundaries.
3. Where zone boundaries are so indicated that they approximately follow lot lines and are not more than 25 feet distant there from, such lot lines shall

be such boundaries.

4. If unsubdivided property or where a zone boundary divides a lot, the location of any such boundary, unless the same as indicated by dimensions shown on such maps, or described in the text of the ordinance, shall be determined by the use of the map scale shown thereon, and scaled to the nearest foot.

5. If all or any portion of any public street, alley, right-of-way, easement or land which is not included in any zone shall ever revert to or come into private ownership or shall ever be used for any purpose other than a public purpose, said land shall be subject to all of these regulations which apply within the zone immediately adjacent thereto, or within the most restricted of the immediately adjacent zones, if there be more than one.

## **ARTICLE FOURTEEN -- AMENDMENTS**

Amendments or supplements to this Ordinance may be adopted from time to time in the same manner as provided by the Township Rural Zoning Act, Public Act 184, 1943 as amended.

### Section 14.01 Initiation

Proposal for amendment or supplements may originate with the Township Board, the Interior Township Planning Commission, or by written petition signed by no less than six (6) property owners in the Township. Petition by property owners shall show the address of each signer and the location of his property in the Township, including the Zoning District wherein located.

### Section 14.02 Action of the Township Planning Commission

All amendments or supplements shall be referred to the Township Planning Commission for study, recommendation, and such action as provided by Sections 11 and 14 of the Township Rural Zoning Act, Public Act 184, 1943 as amended. Only the Township Board shall have power to amend or supplement any provisions of the Ordinance.

Section 14.03 Publication and Effective Date

This Ordinance shall take effect immediately upon its publication as provided by law:

ADOPTED AND APPROVED BY THE TOWNSHIP  
BOARD OF THE TOWNSHIP OF INTERIOR  
ONTONAGON COUNTY, MICHIGAN  
THE 9th DAY OF March 19 99

(original signed)  
Mikki Pinar  
Township Clerk  
Interior Township, Michigan

(original signed)  
Shirley Zimmer  
Township Supervisor  
Interior Township, Michigan

A minimum setback of fifty feet for waterways is required in all Districts.

**LIMITATIONS CHART 9.01A**

Zoning Dist	Minimum Area	Minimum Width Feet	Minimum Setback Feet	Minimum Width Side yard Feet	Minimum Depth Rear yard Feet	Min. Floor area sq ft
(C-R)2	15,000	100	25	7	25	500
<b>Minimum Lot Size 100 by 150</b>						
Acces. Bldgs			25	7	25	
(C-R)1	5 acres	300	50	7	25	500
Acces. Bldgs				7	25	
A-R	10 acres	500	50	7	25	500
Acces. Bldgs				7	25	
F-R	40 acres	1,300	50	7	25	500
Acces. Bldgs				7	25	
L-R	1.03 acre	150 feet*	58**	15	25***	500

\*--minimum depth of lot 300 feet

\*\*--from the middle of the roadway.

\*\*\*--Rear yard depth must be at least 50 feet from shoreline ordinary high water mark (OHWM) by state and federal statute, so in cases where the FERC-regulated project land is narrower than 25 feet, the rear yard depth must be greater than 25 feet in order to meet that requirement.

## APPENDIX A -- VEHICULAR PARKING

Off-street parking space with adequate access to all such spaces shall hereafter be provided in all Districts at the time of erection or enlargement of any main building or structure for the parking, loading, and unloading of vehicles in proportions no less than shown in the following table. Approval of each exit and entrance shall be obtained from the Ontonagon County Road Commission. Adequate space shall be included in the parking area to facilitate turning of vehicles so that entry upon the highway may be accomplished in a forward manner. All businesses and Public buildings must adhere to the American Disabilities Act provisions in the regard to parking spaces.

1. Banks, business offices and professional offices of architects, engineers, lawyers, and similar professions -- One for each four hundred (400) square feet of usable space.
2. Barber shops and beauty parlors -- Two for each beauty and barber shop chair.
3. Bowling Alleys -- Four for each bowling lane.
4. Churches, theaters, auditoria -- One for each three seats.
5. Community Clubs, dance halls, fraternal or organizations, private clubs -- One for each hundred (100) square feet of usable floor space.
6. Dwellings -- One for each family.
7. Hospitals, clinics, and similar establishments -- One for each four (4) beds, and one for each two (2) employees and/or staff members.
8. Laundromats -- One for each two (2) wash machines.
9. Professional offices -- Doctors, dentists, and similar professions -- One for each two hundred (200) square feet of usable floor area and not less than 4 spaces, whichever is greater.
10. Restaurants and similar establishments for sale and service of food

and drinks, except drive-ins -- One for each hundred (100) square feet of usable floor space.

11. Retail stores -- One for each one hundred fifty (150) square feet of usable floor space.

12. Tourist boarding and lodging homes -- One for each guest room.

Every building or structure, the use of which requires loading and unloading goods, shall provide space on the premises in addition to that required for parking to avoid undue interferences with public use of the public highway.

AMENDMENT TO ZONING ORDINANCE  
SECTIONS 1.04 C AND 9.08

The Interior Township Board resolves that the following amendment be made to the Zoning Ordinance Section 1.04 C and section 9.08 as follows:

The provision of the ordinance shall not apply to the erection or repair of fences, provided, however, that no fence other than one through which there shall be clear vision, shall be erected or moved to less than twenty five (25) feet from any abutting roadway right of way line.

Section 9.08 BUILDING CODES.

Current: The B.O.C.A. Basic Building Current Edition as published by the Building Officials and Code Administrators International, Inc., and as approved by the State of Michigan, and as adopted.

Change: The State of Michigan building code as adopted.

Motion made by Trustee McLaughlin, seconded by Supervisor Zimmer. Roll call vote was as follows:

Trustee Knivila-Yes

Treasurer Niemi-Yes

Trustee McLaughlin-Yes

Supervisor Zimmer-Yes

Clerk DeWitt-Yes

Supervisor Zimmer declares this amendment adopted at the regular township board meeting on May 13, 2003.

                    (original signed)  
Mikki DeWitt, Interior Township Clerk

AMENDMENT TO ZONING ORDINANCE  
LAKE - RESIDENTIAL DISTRICT (L-R)

At a regular meeting of the Interior Township Board of Trustees on March 14, 2006, the following amendment was offered by Bill Besonen and seconded by Eugene Hautamaki.

The Interior Township Board resolves that the following amendment be made to the Zoning Ordinance Section **Article 5A. Lake Residential District (L-R)** as follows:

The purpose of creating a lake residential district is to provide areas dedicated primarily for residential use surrounding Bond Lake, and to require setback from the public thoroughfare to facilitate safe exit from the premises.

THEREFORE BE IT RESOLVED, that the Interior Township Board amends the Interior Township Zoning Ordinance by inserting Section Article 5A. Lake Residential District (L-R), and this ordinance shall take effect upon publication following its adoption.

Upon a roll call vote the following voted:

AYE: Eugene Hautamaki, Bill Besonen, Mikki DeWitt

NAY: None

Absent: Robert Knivila, Dolores Peltola

The Supervisor declared the motion carried and the resolution duly adopted on the 14<sup>th</sup> day of March 2006.

(original signed)  
Mikki DeWitt, Township Clerk