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### **ARTICLE 6**

#### **SUPPLEMENTAL REGULATIONS**

##### ***SECTION 6.01 PURPOSE***

THERE ARE CERTAIN CONDITIONS CONCERNING LAND USES THAT WARRANT SPECIFIC REGULATIONS AND STANDARDS IN ADDITION TO THE REQUIREMENTS OF THE ZONING DISTRICTS IN WHICH THEY ARE LOCATED.

##### ***SECTION 6.02 ACCESSORY BUILDING***

- A. WHERE AN ACCESSORY BUILDING IS ATTACHED TO THE SIDE OR FRONT OF PRINCIPAL BUILDING, SUCH ACCESSORY BUILDING SHALL BE CONSIDERED PART OF THE PRINCIPAL BUILDING FOR PURPOSES OF DETERMINING REQUIRED YARD DIMENSIONS, BUT IF SUCH ACCESSORY BUILDING IS ATTACHED TO THE REAR OF THE PRINCIPAL BUILDING IN SUCH A MANNER THAT IT IS COMPLETELY TO THE REAR OF ALL PORTIONS OF SAID BUILDING IT MAY BE CONSIDERED A DETACHED ACCESSORY BUILDING FOR PURPOSES OF DETERMINING REQUIRED REAR YARD DIMENSIONS.
- B. NO DETACHED ACCESSORY BUILDING SHALL BE LOCATED NEARER TO A SIDE LOT LINE THAN THE PERMITTED DISTANCE FOR THE PRINCIPAL BUILDING ON THE SAME LOT UNLESS SUCH ACCESSORY BUILDING SHALL BE COMPLETELY TO THE REAR OF ALL PORTIONS OF THE PRINCIPAL BUILDING, IN WHICH CASE IT MAY BE LOCATED NO NEARER THAN FIVE (5) FEET TO ANY SIDE LOT LINE.
- C. NO DETACHED ACCESSORY BUILDING SHALL BE LOCATED NEARER THAN FIVE (5) FEET TO ANY REAR LOT LINE, EXCEPT THAT WHEN SUCH ACCESSORY BUILDING SHALL BE A GARAGE WHICH IS ENTERED AT RIGHT ANGLES TO ANY ALLEY, IT SHALL BE LOCATED NO NEARER THAN TWELVE (12) FEET TO SAID REAR LOT LINE.
- D. NO ACCESSORY BUILDING SHALL PROJECT INTO ANY FRONT YARD SETBACK.
- E. NO ACCESSORY BUILDING SHALL OCCUPY MORE THAN THIRTY (30) PER CENT OF THE AREA OF ANY YARD.
- F. WHERE A CORNER LOT ADJOINS A SIDE BOUNDARY OF A LOT IN ANY RESIDENTIAL DISTRICT, NO ACCESSORY BUILDING SHALL BE LOCATED NEARER TO THE SIDE STREET LOT LINE THAN THE SIDE YARD SETBACK OF THE PRINCIPAL BUILDING ON SAID LOT.

##### ***SECTION 6.03 LOT-BUILDING RELATIONSHIP***

HEREAFTER, EVERY BUILDING ERECTED, ALTERED, OR MOVED SHALL BE LOCATED ON A LOT OF RECORD AS DEFINED HEREIN, AND EXCEPT IN THE CASE OF AN APPROVED MULTIPLE DWELLING DEVELOPMENT, THERE SHALL BE NO MORE THAN ONE (1) PRINCIPAL BUILDING AND ITS PERMITTED ACCESSORY STRUCTURES LOCATED ON EACH LOT IN A RESIDENTIAL DISTRICT.

***SECTION 6.04 ACCESSORY BUILDING AS DWELLING***

NO ACCESSORY BUILDING ON THE SAME LOT AS A PRINCIPAL BUILDING SHALL BE USED FOR DWELLING PURPOSES.

***SECTION 6.05 BASEMENT AS DWELLING***

NO BASEMENT STRUCTURE SHALL BE USED FOR OCCUPANCY UNLESS A COMPLETED STORY IS SITUATED IMMEDIATELY ABOVE THE BASEMENT STRUCTURE AND THAT THE STORY IS USED AS A DWELLING.

***SECTION 6.06 REQUIRED WATER SUPPLY AND SANITARY SEWERAGE FACILITIES***

IN ADDITION TO THE REQUIREMENTS ESTABLISHED BY THE CALHOUN COUNTY HEALTH DEPARTMENT, THE FOLLOWING SITE DEVELOPMENT AND USE REQUIREMENT SHALL APPLY.

- A. NO STRUCTURE FOR HUMAN OCCUPANCY OR USE SHALL HEREAFTER BE ERECTED, ALTERED, OR MOVED UNLESS IT SHALL BE PROVIDED WITH A SAFE, SANITARY AND POTABLE WATER SUPPLY AND A SAFE EFFECTIVE MEANS OF COLLECTION, TREATMENT AND DISPOSAL OF WASTES.
- B. NO DRAIN FIELD FOR A SEPTIC TANK SYSTEM SHALL BE LOCATED NEARER THAN ONE HUNDRED FIFTY (150) FEET FROM THE NORMAL HIGH WATER LINE OF ANY SURFACE BODY OF WATER NOR LOCATED IN AN AREA WHERE THE GROUND SURFACE IS LESS THAN FOUR (4) FEET ABOVE THE NORMAL HIGH WATER TABLE LEVEL.

***SECTION 6.07 GREENBELT BUFFER***

PRIOR TO COMMENCEMENT OF CONSTRUCTION OF ANY STRUCTURE OR BUILDING IN A COMMERCIAL DISTRICT OR INDUSTRIAL DISTRICT WHERE SUCH PROPERTY ABUTS ADJOINS OR IS ADJACENT TO A RESIDENTIAL ZONE, A GREENBELT SHALL BE ESTABLISHED. HOWEVER, WHERE PERMITTED ELSEWHERE IN THIS ORDINANCE, AN OPAQUE WALL OR FENCE MAY BE BUILT IN LIEU OF A GREENBELT. A GREENBELT MINIMUM WIDTH OF FIFTY (50) FEET, WHICH SHALL BE COMPLETED WITHIN SIX (6) MONTHS FROM THE DATE OF FINAL INSPECTION AND SHALL THEREAFTER BE MAINTAINED, SO AS NOT TO CREATE A NUISANCE, WITH BUT NOT LIMITED TO ANY COMBINATION OF THE FOLLOWING PLANT MATERIALS: GRASS, EVERGREENS, DECIDUOUS TREES, SHRUBS AND BUSHES.

***SECTION 6.08 ACCESS TO A STREET***

ANY LOT OF RECORD PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE WITHOUT ANY FRONTAGE ON A PUBLIC STREET OR WAY SHALL NOT BE OCCUPIED EXCEPT WHERE ACCESS TO A PUBLIC STREET OR WAY IS PROVIDED BY A PUBLIC OR PRIVATE EASEMENT OR OTHER RIGHT-OF-WAY NO LESS THAN TWENTY (20) FEET IN WIDTH. PUBLIC ACCESS TO COMMERCIAL, INDUSTRIAL OR RECREATIONAL USES SHALL NOT BE DESIGNED SO AS TO PASS THROUGH THE RESIDENTIAL NEIGHBORHOODS. A PRIVATE ROAD WHICH SERVES MORE THAN ONE SEPARATELY HELD PARCEL, OR MORE THAN ONE DWELLING UNIT, OR MORE THAN ONE COMMERCIAL OR INDUSTRIAL ACTIVITY SHALL BE CONSTRUCTED TO CALHOUN COUNTY ROAD COMMISSION STANDARDS PROVIDED, THAT SUCH ROAD REMAINS PRIVATE, HARD SURFACING WILL NOT BE REQUIRED.

### ***SECTION 6.09 VISIBILITY AT INTERSECTIONS***

NO FENCE, WALL, HEDGE, SCREEN, SIGN, STRUCTURE, VEGETATION OR PLANTING SHALL BE HIGHER THAN THREE (3) FEET ABOVE STREET GRADE OR ANY CORNER LOT OR PARCEL WITHIN THE TRIANGULAR AREA FORMED BY THE INTERSECTING STREET RIGHT-OF-WAY LINE AT POINTS WHICH ARE THIRTY (30) FEET DISTANT FROM THE POINT OF INTERSECTION, MEASURED ALONG THE STREET RIGHT-OF-WAY LINES. THIS PROVISION SHALL APPLY IN ALL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS.

### ***SECTION 6.10 STREET CLOSURES***

WHENEVER ANY STREET, ALLEY OR OTHER PUBLIC WAY IS VACATED BY OFFICIAL ACTION, THE ZONING DISTRICT ADJOINING EACH SIDE OF PUBLIC WAY SHALL AUTOMATICALLY BE EXTENDED TO THE CENTER OF SUCH VACATION, AND ALL AREA INCLUDED THEREIN SHALL HENCEFORTH BE SUBJECT TO ALL APPROPRIATE REGULATIONS OF THAT DISTRICT WITHIN WHICH SUCH AREA IS LOCATED.

### ***SECTION 6.11 HEIGHT REGULATIONS***

THE HEIGHT REQUIREMENTS ESTABLISHED BY THIS ORDINANCE SHALL APPLY IN EACH ZONING DISTRICT TO EVERY BUILDING AND STRUCTURE EXCEPT THAT THE FOLLOWING STRUCTURES AND APPURTENANCES SHALL BE EXEMPT FROM THE HEIGHT REQUIREMENTS OF THIS ORDINANCE: SPIRES, BELFRIES, PENTHOUSES AND DOMES NOT USED FOR HUMAN OCCUPANCY; CHIMNEYS; VENTILATORS, SKY-LIGHTS; WATER TANKS, BULKHEADS; UTILITY POLES; POWER LINES; RADIO AND TELEVISION BROADCASTING AND RECEIVING ANTENNAE, SILOS; PARAPETS; AND OTHER NECESSARY MECHANICAL APPURTENANCES; PROVIDED THEIR LOCATION SHALL CONFORM WHERE APPLICABLE TO THE REQUIREMENTS OF THE FEDERAL COMMUNICATIONS COMMISSION, THE CIVIL AERONAUTICS ADMINISTRATION AND OTHER PUBLIC AUTHORITIES HAVING JURISDICTION.

### ***SECTION 6.12 FENCES, WALLS AND SCREENS***

WITHIN THE LIMITS OF A SIDE OR FRONT YARD SPACE OF A LOT WITHIN A RESIDENTIAL DISTRICT, NO FENCE, WALL, OTHER THAN NECESSARY RETAINING WALL, OR OTHER SCREENING STRUCTURE SHALL BE HIGHER THAN FIVE (5) FEET. NO SUCH FENCE OR WALL LOCATED WITHIN A REAR YARD SHALL EXCEED EIGHT (8) FEET IN HEIGHT.

### ***SECTION 6.13 SHORELINE EXCAVATION AND DREDGING***

NO PERSONS SHALL ALTER, CHANGE, TRANSFORM OR OTHERWISE VARY THE EDGE, BANK OR SHORE OF ANY LAKE, RIVER OR STREAM EXCEPT IN CONFORMANCE WITH THE FOLLOWING:

- A. AS PROVIDED IN THE INLAND LAKES AND STREAMS ACT, ACT 291 OF THE PUBLIC ACTS OF 1965, AS AMENDED, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES.
- B. IF ANY EDGE, BANK OR SHORE OF ANY LAKE, RIVER OR STREAM IS PROPOSED TO BE ALTERED IN ANY WAY BY ANY PERSON, SUCH PERSON SHALL SUBMIT TO THE PLANNING COMMISSION ALL DATA, EXHIBITS AND INFORMATION AS REQUIRED BY THE DEPARTMENT OF NATURAL RESOURCES.

***SECTION 6.14 ESSENTIAL SERVICES***

FOR PURPOSES OF THIS ORDINANCE, THE FOLLOWING PROVISIONS SHALL APPLY:

- A. THE SURFACE OF LAND USED FOR PIPE LINE RIGHT-OF-WAY SHALL BE RESTORED AND MAINTAINED AS NEAR AS POSSIBLE TO ITS ORIGINAL CONDITION AS PRIOR TO THE CONSTRUCTION OF THE PIPE LINE.
- B. ESSENTIAL SERVICES SHALL BE EXEMPT FROM ALL AREA REQUIREMENTS IN THE AGRICULTURAL, INDUSTRIAL AND OPEN SPACE WATER BODY CONSERVATION DISTRICT.

***SECTION 6.15 SWIMMING POOLS***

ALL SWIMMING POOLS SHALL CONFORM TO THE REQUIREMENTS OF PUBLIC ACT 230, OF 1972

***SECTION 6.16 SINGLE FAMILY MOBILE HOMES***

IN ADDITION TO THE REQUIREMENTS ESTABLISHED BY THE CALHOUN COUNTY HEALTH DEPARTMENT, THE FOLLOWING SITE DEVELOPMENT REQUIREMENTS SHALL APPLY:

- A. EACH MOBILE HOME SITE SHALL BE PROVIDED WITH A STAND CONSISTING OF A SOLID CONCRETE PAD NOT LESS THAN FOUR (4) INCHES THICK, AND NOT LESS THE LENGTH AND WIDTH OF THE MOBILE HOME THAT WILL USE THIS SITE. THIS PAD WILL BE SO CONSTRUCTED, GRADED AND PLACED TO BE DURABLE AND ADEQUATE FOR THE SUPPORT OF THE MAXIMUM ANTICIPATED LOAD DURING ALL SEASONS.
- B. EACH MOBILE HOME SHALL BE SUPPORTED ON UNIFORM JACKS OR BLOCKS. IN ADDITION EACH MOBILE HOME SHALL HAVE TIE DOWNS OR ANCHORS SECURING BOTH ENDS AND SIDES.
- C. ALTERNATIVE PAD AND SUPPORT MECHANISMS MAY BE APPROVED BY THE PLANNING COMMISSION UPON REQUEST IF ACCOMPANIED BY SKETCHES OR OTHER DOCUMENTATION.
- D. UNIFORM SKIRTING OF EACH MOBILE HOME BASE SHALL BE REQUIRED, WITHIN THIRTY (30) DAYS AFTER INITIAL PLACEMENT, SUCH SKIRTING SHALL BE OF TWENTY-SIX (26) GAUGE NON-CORROSIVE METAL OR ALUMINUM OR MATERIAL OF EQUAL STRENGTH AND SO CONSTRUCTED AND ATTACHED TO THIS MOBILE HOME SO AS TO DETER AND PREVENT ENTRY OF RODENTS, INSECTS.

***SECTION 6.17 CONTINUED CONFORMANCE WITH REGULATIONS***

THE MAINTENANCE OF YARDS, OPEN SPACES, LOT AREAS, HEIGHT AND BULK LIMITATIONS, FENCES, WALLS, CLEAR VISION AREAS, PARKING AND LOADING SPACES, AND ALL OTHER REQUIREMENTS FOR A BUILDING OR USE SPECIFIED WITHIN THIS ORDINANCE SHALL BE A CONTINUING OBLIGATION OF THE OWNER OF SUCH BUILDING OR PROPERTY ON WHICH SUCH BUILDING OR USE IS LOCATED.

ARTICLE 6, CONCLUDED