

CHAPTER V

AG AGRICULTURAL DISTRICT

SECTION 5.01 DESCRIPTION AND PURPOSE. This Zoning District is intended for large tracts of land used for farming, animal husbandry, dairying, horticultural, or other agricultural activities.

SECTION 5.02 USE REGULATIONS. Land, BUILDINGS and STRUCTURES in this Zoning District may be used for the following purposes only:

- (a) Farms for both general and specialized farming, including greenhouses and nurseries, together with farm DWELLINGS and BUILDINGS and other installations necessary to such farms including temporary housing for migratory workers provided such housing and its sanitary facilities are in conformance with all requirements of the Allegan County Health Department and/or any other federal, state and/or local regulating agency having jurisdiction. (Amended Ordinance No.118, 2-20-02)
- (b) Reserved for future use. (Amended Ordinance No.118)
- (c) Single family DWELLINGS. (Amended Ordinance No. 30, 7-29-89)
- (d) The keeping of DOMESTIC ANIMALS on parcels of land which meet or exceed the minimum twenty (20) acre AG Agricultural District lot area requirement. On parcels of less than twenty (20) acres of lot area, the regulations in Section 6.02(g) and Section 6.02(l) for land in the R-1 Rural Estate District, shall govern. (Amended Ordinance No. 59, 11-11-92)
- (e) MOBILE HOMES as a temporary use when authorized by the Planning Commission. In considering the authorization of a temporary USE PERMIT for a mobile home, the Planning Commission shall consider the following standards:
 - (1) The location of the mobile home is adjacent to a permanent DWELLING;
 - (2) The mobile home is for the purpose of housing ill or aged first degree relatives of the occupants of the permanent DWELLING;
 - (3) The occupant(s) of the mobile home are incapable of caring for themselves and need the assistance

of such relatives; provided such fact is verified by a physician and one other qualified person;

- (4) There is sufficient land area for such mobile home and no plat restrictions are violated; and
- (5) All YARD and setback requirements of the district are met.

Upon favorable findings of the above standards, the Planning Commission may authorize the Zoning Inspector to issue a temporary USE PERMIT for a mobile home for a period of one (1) year; provided the following conditions are met and a fee is paid as determined by the Township Board.

- (1) The mobile home is connected to an approved water well and septic tank system as determined by the Allegan County Health Department;
- (2) The mobile home has at least six hundred (600) square feet of usable FLOOR AREA as initially sited;
- (3) The mobile home will be skirted within thirty (30) days of utility connection with a durable and rigid skirting material approved by the Zoning Inspector.
- (4) The mobile home will be placed on concrete runners at least one (1) foot wide and four (4) inches thick.
- (5) The mobile home will be able to pass plumbing and electrical inspections.

The Zoning Inspector may renew a one (1) year temporary USE PERMIT, provided the above standards and conditions still exist as determined by the Planning Commission. If any of the above standards and conditions are found not to exist, the mobile home shall be removed within not more than one hundred twenty (120) days as determined by the Planning Commission after notice to the owner of the permanent DWELLING on the site and the mobile home.

- (f) Parks, playgrounds, cemeteries community centers, and governmental or administration or service BUILDINGS, owned and operated by a governmental agency or a noncommercial organization, when authorized as a SPECIAL USE by the Planning Commission. In considering such authorization, the Planning Commission shall consider the following standards and Chapter XVII: (1) the necessity for such use for the surrounding neighborhood; (2) the proximity of the intended use to

adjoining properties specifically including proximity to occupied DWELLINGS; (3) the size, nature and character of the proposed use; (4) potential traffic congestion which might be occasioned by the intended use; (5) PARKING facilities to be provided for the proposed use; and (6) the effect of the proposed use on adjoining properties and the surrounding neighborhood. (Amendment Ordinance No.105 5-12-99)

- (g) Home occupations when authorized as a SPECIAL USE by the Planning Commission. In considering such authorization, the Planning Commission shall consider the following standards and Chapter 17:
 - (1) The nature of the home occupation;
 - (2) The effect of the home occupation on the surrounding neighborhood;
 - (3) The environmental effects of the home occupation;
 - (4) The nature of the surrounding neighborhood;
 - (5) Potential traffic congestion as a result of the home occupation; and
 - (6) Provision for PARKING for traffic or clientele which may result from the operation of the home occupation.

- (h) Removal and processing of topsoil, stone, rock, sand, gravel, lime or other soil or mineral resources when authorized as a SPECIAL USE by the Planning Commission. In considering such authorization, the Planning Commission shall consider the following and Chapter II:
 - (1) The size of the property from which such topsoil, sand, gravel, or other such materials are to be removed;
 - (2) The amount of topsoil, sand, gravel or other such materials which is to be removed shall not exceed twenty-five percent (25%) of the total area of a recorded parcel; (Amended Ordinance No. 29, 5-11-88)
 - (3) The purpose of such removal;
 - (4) The effect of such removal on adjoining property;
 - (5) The effect of such removal in causing a safety hazard, creating erosion problems, or altering the groundwater table;
 - (6) The potential for such removal to cause the creation of sand blows, stagnant water pools, or swampy areas;

- (7) The effect of such removal on the environment and the natural topography, and the potential destruction of any natural resource;
- (8) Potential traffic congestion and problems because of trucks or other vehicles or means utilized to haul and transport the materials removed;

Operations granted a SPECIAL USE PERMIT by the Planning Commission shall meet the following conditions:

- (9) Any change of the natural contour of the land, both during mining operations and at the time of abandonment, shall be maintained as safe to all trespassers and any other persons having reason to be within the area of activity;
- (10) No business or industrial BUILDINGS or STRUCTURES of a permanent nature shall be erected, except where such BUILDING is a permitted use within the District in which the extraction activity is located;
- (11) No storage or truck PARKING shall be located within two hundred (200) feet of any adjacent residence or within fifty (50) feet of any other adjacent property;
- (12) All of the operation shall be screened with a wire screen or uniformly painted wood fence at least six (6) feet in height, with evergreen screen planting on any side adjacent to residentially zoned property;
- (13) As the natural resources are being removed, the property shall be restored by the replacement of topsoil where feasible; and all excavations shall be sloped to a gradient with not more than a thirty (30) degree slope and the contour be caused to blend as nearly as possible with the natural surroundings. The excavation area shall be planted with a suitable ground cover sufficient to control erosion.
- (14) All truck operations shall be directed away from residential streets and utilize county primary roads wherever possible;
- (15) The Planning Commission may require such bond as deemed necessary to insure that requirements are fulfilled, and may revoke permission to operate at any time specified conditions are not maintained;
- (16) Topsoil or sand may be removed from a lot for the purpose of erecting or constructing a BUILDING,

STRUCTURE or pond on the lot, provided a permit is first obtained from the Zoning Inspector. If any removal from a parcel shall exceed five hundred (500) cubic YARDS of material, then the applicant shall comply with the provisions of Section 5.02 (h) (1-15 and 17). In addition, topsoil or sand may be moved from one part of a lot to another part if such action will not cause, or be likely to cause, sand blows, stagnant water pools, bogs or possible future injury to adjoining properties;

(17) The applicant shall secure all necessary permits from County, State, and Federal authorities prior to application to the Township Planning Commission; (Amended Ordinance No. 29, 5-11-88)

(i) Roadside stands which sell products grown or produced on the premises.

(j) Real estate SIGN, identifying SIGN, and name plate.

(k) The keeping of EXOTIC ANIMALS as a SPECIAL LAND USE authorized by the PLANNING COMMISSION. In considering such authorization, the PLANNING COMMISSION shall consider the following standards and Chapter XVII: (Amended Ordinance No.59, 11-11-92)

(1)The size, nature and character of the EXOTIC ANIMAL(S).

(2)The proximity of the EXOTIC ANIMAL(S) to adjoining properties.

(3)Potential traffic congestion caused by the EXOTIC ANIMAL(S).

(4)The effect of the EXOTIC ANIMAL(S) on the surrounding neighborhood.

(5)The nature and character of the land, BUILDINGS or STRUCTURES to be utilized for the keeping of the EXOTIC ANIMAL(S).

SECTION 5.03 HEIGHT REGULATIONS. No BUILDING or STRUCTURE shall exceed thirty-five (35) feet in height. (Amended Ordinance No.89 03-12-97)

SECTION 5.04 AREA REGULATIONS. No BUILDING or STRUCTURE nor any enlargement thereof shall be hereafter erected except in conformance with the following YARD, lot area, and BUILDING coverage requirements:

- (a) Front Yard - There shall be a front YARD of not less than forty (40) feet. Also see Section 14.13 - Additional Setbacks for STRUCTURES Adjacent to Major Streets.
- (b) Side Yard - For residential BUILDINGS and STRUCTURES, there shall be total side YARDS of not less than fifty (50) feet; provided, however, that no side YARD shall be less than twenty (20) feet. For all other BUILDINGS, there shall be two (2) side YARDS of not less than fifty (50) feet each.
- (c) Rear Yard- There shall be a rear YARD of not less than forty (40) feet between the rear lot line and the nearest portion off the main building (excluding any roof overhang but including the nearest portion of a deck or porch which has structural walls or a roof), and not less than twenty-five (25) feet between the rear lot line and the nearest portion of a deck which has no structural walls or roof. (Amendment Ordinance No. 68, 5-11-94)
- (d) Lot Area - The minimum lot area and width for all uses in this district, unless specified elsewhere, shall be twenty (20) acres and three hundred thirty (330) feet, respectively; provided, however, that any lot created for a single-family DWELLING by the division or splitting of any platted lot or parcel otherwise of record as of the effective date of this ordinance may be used if such division or splitting is accomplished in such a manner as to create not more than two (2) separate additional lots in total, with no lot having less than two hundred (200) feet of road frontage nor a greater front-to-depth ratio than 1 to 3 nor shall be less than two and one-half (2-1/2) acres in area. Any combination of contiguous lots or parcels under one ownership containing less than twenty (20) acres in the AG Agricultural District shall be controlled by the provisions and standards contained in the R-1 Rural Estate District. (Amended Ordinance No. 30, 7-29-89)

SECTION 5.05 MINIMUM FLOOR AREA. Each DWELLING unit, unless specified else where, shall have a minimum of one thousand (1000) square feet of usable FLOOR AREA and a minimum of eight hundred (800) square feet of ground coverage.