

## ARTICLE: ARTICLE 3.0 - SCHEDULE OF DISTRICT REGULATIONS

**ARTICLE 3.0  
SCHEDULE OF DISTRICT REGULATIONS****SECTION 3.01 - GENERAL PROVISIONS**

- A. Minimum Requirements** - The regulations herein established within each zoning district shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each class of land, building, structures, or uses throughout each district.

Wherever the requirements of this ordinance are at variance with the requirements of any other adopted rules or regulations, ordinances, deed restrictions, or covenants, the most restrictive or those imposing the higher standards shall govern.

**B. Scope of Regulations**

1. Except as otherwise may be provided in ARTICLE 14, ZONING BOARD OF APPEALS, herein, every building or structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of or addition to an existing use, building or structure occurring after the effective date of this ordinance shall comply with all regulations which are applicable in the zoning district in which such use, building, or structure shall be located.
2. No part of a yard or other open space, off-street parking or loading space required about or connected with any use, building, or structure for the purpose of complying with this ordinance shall be included in the yard, open space, off-street parking or loading space similarly required for any other use, building or structure.
3. No yard or lot existing on the date of adoption of this ordinance shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet the least minimum requirements established herein. No off-street parking or loading areas shall be reduced below the required size or number of spaces.
4. Non-conforming lots of record may be utilized as set forth in Section 7.02, herein.

- C. Permitted Uses** - Uses shall be permitted by right only if specifically listed as principal permitted uses in the various zoning districts or are similar to such listed uses. All other uses are prohibited.

- D. Accessory Uses and Buildings** - Accessory uses are permitted as listed in the various zoning districts or as similar to such listed uses, and only if such uses are clearly incidental to the permitted principal uses. Other accessory uses, not listed, are permitted if customarily incidental to any principal permitted and conditional uses.

No accessory building shall be erected in any required yard and no accessory building shall be erected within five feet of any other building. A building attached to a principal building of a lot shall be considered a structural part thereof, shall comply with the provisions of the district in which it is located, and shall not be considered an accessory building. No accessory building shall be used prior to occupancy of the principal building or use, except as a construction facility for construction of the principal building. All applicable permits including but not limited to - (driveway, soil erosion, well, septic, MDEQ) must be acquired prior to construction of the accessory building.

- E. Conditional Uses** - Conditional uses are permitted as listed or if similar to the listed conditional uses and the required conditions are met. The required conditions are set forth in ARTICLE 6, herein. Additional requirements for certain conditional uses are set forth in ARTICLE 10, herein.

## ARTICLE: ARTICLE 3.0 - SCHEDULE OF DISTRICT REGULATIONS

**F. Yard Measurements** - Yards shall be measured from the exterior faces of a structure to lot lines. Roof overhangs and cornices which project one (1) foot or less from the exterior face shall not be included in the yard measurement. Yards shall be measured from the outer edge of a roof overhang or cornice, if the roof overhang or cornice extends more than one (1) foot from the exterior face of the structure. Front and corner side yards shall be measured from existing right-of-way lines. All required yards shall be located parallel and adjacent to property lines.

**G. Exemptions from Area, Placement and Height Regulations**

1. The following structures may be located anywhere on any lot: open and unroofed terraces, patios, porches and steps; awnings, flag poles; hydrants; laundry drying equipment; trellises; recreation equipment; outdoor cooking equipment; sidewalks and private driveways; trees; plants, shrubs and hedges; solid fences, screens or a wall less than four feet in height; fences, screens or walls having at least 50% of their surface area open when viewed from the perpendicular; mailboxes; and light poles. Anything constructed, erected, placed, or planted or allowed to grow, shall conform to the provision of Section 2.09 VISIBILITY AT INTERSECTIONS, herein.
2. The following structures and appurtenances shall be exempt from the height regulations of this Ordinance: spires, belfries, penthouses and domes, chimneys, ventilators, skylights, water tanks, bulkheads, silos, parapets, and other appurtenances usually required to be placed above roof level and not intended for human occupancy. Public utility transmission and distribution lines and related structures, radio and television broadcasting and receiving antennae shall have a right-of-way equal to twice the height of the structure when in excess of one hundred (100) feet and shall be placed at an assured clear distance of other properties.
3. An entrance structure, including but not limited to walls, columns or gates, may be placed in a subdivision, mobile home park, apartment or other residential development without regard to yard requirements provided that the location of such a structure shall be approved by the Planning Commission before a building permit is issued upon a finding that the location of such a structure conforms to the provisions of Section 2.09 VISIBILITY AT INTERSECTIONS, herein.

Signs identifying the development by name and address may be mounted on an entry structure or made a structural part thereof, provided that such signs shall conform to all sign regulations, except yard regulations of the district in which located, and to the provisions of ARTICLE 12, SIGN REGULATIONS, herein.

### SECTION 3.02 - STATEMENT OF INTENT FOR USE DISTRICTS

**A. Agricultural/Resource District**

This district is composed of a mixture of prime agricultural land, other tilled land, woodland, wetland, pasture land, and scrubland with farmsteads and low density single family residences occurring along predominantly gravel roads. Its value to the community lies in its varied natural resources and the many options they afford our future. Care should be taken to develop ecological and historical perspectives and to minimize conflicting land uses. The primary goals of this district are the conservation of agricultural lands and operating farmsteads as well as the protection of natural resource areas and fragile lands. Our use and development of rural lands should follow a pattern that if sustained will preserve its essential elements and protect our future options.

**B. Rural Residence District**

**Single-Family Suburban Residential District (R-2)** - This district is established to provide areas for single family, rural non-farm residences on lots of sufficient size to permit the use of septic tanks and drain fields, and the use of on-site wells of safe water quality. The district is designed to provide a suburban residential character and is intended to be used in those parts of the Township where soils are suitable for septic tanks, drain fields, and

## ARTICLE: ARTICLE 3.0 - SCHEDULE OF DISTRICT REGULATIONS

wells, and where public sanitary sewer and water facilities are not planned to be extended. This district is to be used in those portions of the township where rural, non-farm residences are planned, but which do not contain the natural features to be protected in the AR district.

**C. Urban Residence District**

**Mobile Home Park Residential District (R-6)** - The purpose of this district is to provide for the development of mobile home parks, and to promote mobile home parks with the character of residential neighborhoods. It is the intent of this ordinance that mobile home parks be located in areas which are served adequately by essential public facilities and services such as access streets, police and fire protection. It is also the intent that such parks be located in areas where public water, sanitary sewer, and storm drainage facilities are available. It is further the intent of this ordinance that mobile homes be considered and regulated as urban dwelling units, which deserve and require locations, services, and facilities similar to any other single-family and multiple-family dwelling units built at urban densities.

**D. Business District**

**Convenience Commercial District (C-1)** - This district is established to provide suitable locations for retail, service, and office enterprises which serve a localized market area. Goods and services to be provided by establishments in this district are classified as "convenience" as distinguished from "comparison" goods and services, because they serve the day to day needs of a neighborhood or group of neighborhoods. With the exception of supermarkets, establishments in this district will generally be small in floor and site area.

This district is intended to encourage consolidation of business establishments, particularly as neighborhood shopping centers. Consolidations other than shopping centers are also encouraged with the intent of avoiding strip commercial development, lessening traffic congestion by reducing the number of commercial driveways opening onto major streets, and improving the safety and convenience of consumers. Establishments permitted in this district may be located on arterial or collector streets.

**E. Industrial District**

**Limited Industrial District (I-1)** - This district is intended for "light" type manufacturing and non-manufacturing industrial operations and facilities. The district is designed to permit uses which are compatible with each other and to prevent encroachment by incompatible uses in order to preserve areas for such permitted uses.

The district is designed to create a low density development, with spacious yards to provide attractive settings as well as to help insure compatibility with non-industrial neighboring lots. This district is intended to permit only those uses which emit a minimum of noise, vibration, smoke, dust and dirt, gases or offensive odors, glare and radiation. The district is also intended for operations which store materials, supplies, products, equipment, and refuse within buildings; outdoor storage is not intended for this district.

**SCHEDULE OF DENSITY TABLE**

(For Use in AR Sliding Scale District Only)

<u>Area of Lot of Record</u>	<u>Maximum Number of Additional Lots Permitted</u>
1 to 9.9 acres .....	0
10 to 40 acres .....	1
40.1 to 80 acres .....	2
80.1 to 120 acres .....	3
120.1 to 160 acres .....	4
160.1 to 200 acres .....	5
200.1 to 240 acres .....	6
240.1 to 280 acres .....	7
280.1 to 320 acres .....	8
over 320.1 acres .....	9

**Note #1:** Lines and structures (not including buildings) of public utility companies shall be exempt from the area, placement, and height regulations of this Section.

**Note #2:** Where livestock is raised or kept, any structure for housing of livestock, and any storage of hay, feed, or manure, shall be located not less than fifty (50) feet from any property line.

**Note #3:** The maximum height of farm structures shall be seventy-five (75) feet. See Section 3.01G, herein, for waiver of height regulations for certain structures.

**Note #4:** Except for household pets the rearing and housing of farm animals is prohibited on areas of less than ten (10) acres, provided, however, that the Board of Appeals may grant permission to rear and house farm animals, for non-commercial purposes for limited periods of time.

# SECTION 3.03 - SCHEDULE OF USE REGULATIONS

<u>USES</u>	<u>DISTRICTS</u>				
	AR	R-2	R-6	C-1	I-1
Agricultural service establishment	C				
Ambulance station		C		C	P
Animal hospital, kennel (commercial)				C	
Animal hospital, veterinarian clinic	C				
Antique shop	C			C	
Apiary	P				
Asphalt, concrete mixing plants					C
Automobile and farm equipment sales, used; when not on the same premises as a new car or equipment sales				C	
Automobile and farm equipment, sales, new (includes accessory activities such as car storage, used car sales, auto repairs.				C	
Automobile service and repair (See Section 10.06)				C	
Automobile wash				C	
Aviation landing strip, private	C				
Bakery				C	
Bank, Trust Company, Savings and Loan (except drive-in facilities)				C	
Bar				C	
Barber shop				C	
Beauty shop		C		C	
Bed and breakfast operations(See Section 10.14)	C	C			
Blacksmith ship, welding shop					P
Boating sales and services, and related structures and uses, when a part of related structures and uses, when a part of a marina	C				
Body and paint shops					P
Book, magazine, newspaper, etc.				C	
Bottling plant					P
Building supply store				C	
Bulk storage refined petroleum products, liquids, gasses, above or below ground					C
Business Offices				C	
Business, professional, executive or administrative offices related to research and development activity					A
Camping area, travel trailer park	C				
Candy store				C	
Cellular Communication Towers (See Section 10.17)	C				C
Cemetery (human and animal)	C				
Charitable, philanthropic institutions	C				
Church and Synagogue	C	C		C	
Collection center for household waste materials to be recycles					P
Commercial agriculture - field crops	P				
Commercial agriculture - livestock	P				
Commercial horticulture	P				
Conservation area for fauna, flora	P				
Construction and farm equipment sales					P
Contracts establishment					P
Country club	C	C	C		
Crematorium	C				

P = Permitted by right

C = Permitted as conditinal use

A = Permitted as accessory use or structure

If the column is blank, the use is not permitted.

# SECTION 3.03 - SCHEDULE OF USE REGULATIONS

## USES

## DISTRICTS

AR   R-2   R-6   C-1   I-1

USES	AR	R-2	R-6	C-1	I-1
Dairy farm	P				
Dairy products store				C	
Day care home, day care center (see Section 10.31)	C	C	C	C	
Delicatessen				C	
Drive-in bank				C	
Drive-in restaurant				C	
Dry-cleaning establishment (see Note#5)				C	
Dwelling, farm	P				
Dwelling, non-farm	P				
Emergency Services station	C				
Executive, administrative offices				C	
Extraction operations	C				
Farm	P				
Farm building	P				
Farming operations, crop raising, specialty farming, raising of livestock and fowl but not including intensive raising of livestock and fowl	P				
Feed and grain sales and storage				C	
Florist				C	
Food market				C	
Forest preserve	P				
Fruit, vegetable				P	
Fuel, feed yards					C
Funeral home				C	
Furniture store				C	
Game refuge	P				
Game yard hunting preserve	C				
Gift shop				P	
Golf course	C	C	C		
Government buildings and offices	C			P	
Grocery store (super market)				P	
Guest house	C				
Hardware store				P	
Home occupation (see Note#3)	A	A	P		
Horticultural nursery, commercial greenhouse				P	
Hospital, nursing home, sanitarium	C				
Hospitals				P	
Household appliance store				P	
Industrial park (see Section 3.04E)					P
Industrial plants for manufacture, processing, or assembly of products					C
Jewelry store				P	
Junk yards, scrap and waste wholesaling (see Section 10.07)					C
Kennel, commercial (See Section 10.08)	C			C	
Kennel, private	P	P			
Laboratories				C	
Laundromat, launderette				P	
Laundry pick-up station				P	
Laundry, dry cleaning plants					P

P = Permitted by right

C = Permitted as conditinal use

A = Permitted as accessory use or structure

If the column is blank, the use is not permitted.

# SECTION 3.03 - SCHEDULE OF USE REGULATIONS

<u>USES</u>	<u>DISTRICTS</u>				
	AR	R-2	R-6	C-1	I-1
Library, museum				C	
Library, museum (non-commercial)	C	C	C		
Livestock auction yards	C				
Livestock, animal raising (except piggeries and feedlots)	P				
Local shopping center (see Section 3.04D)				C	
Lumber yards, building materials sale and storage					C
Managers residence and office			A		
Marina	C				
Meat, fish, poultry market, (no live poultry)				P	
Medical, dental clinics				P	
Mobile home park (see Section 10.12)			P		
Mobile home sales, service and repair				C	
Monument sales and yards					P
Motels, hotels (including Manager's residence)				C	
Multiple-family dwelling				C	
Nursery stock, greenhouse	P				
Nursing, convalescent homes			C	P	
Office for a permitted principal use					A
Office park				C	
Offices of labor unions, religious and political organizations				C	
Off-street parking lot				A	
Parking lot public or commercial				C	
Party store (including package liquor)				P	
Pet shop				P	
Photographic store				P	
Piggeries and feedlots	C				
Police, fire station		C	C	P	P
Poultry farm	P				
Primary and secondary schools		C	C		
Private garages, attached or detached		A	A		
Private greenhouse	A	A	A		
Private residential garages, attached or detached	A				
Professional offices				P	
Public beaches	C				
Public park	C				
Public park, playground		C	C		
Public/Municipal office building		C	C		
Radio, TV broadcasting and receiving towers				C	
Radio, TV broadcasting station, receiving and broadcasting towers	C				
Radio, TV broadcasting studios				C	
Recreation facilities, commercial				C	
Recreation vehicle sales, service and repair				C	
Recreation vehicle storage (See Section 10.09)				C	
Recreation, TV broadcasting studios				C	
Research park					C
Residence (for security personnel only)					A
Residence for watchmen, caretaker					A

P = Permitted by right

C = Permitted as conditinal use

A = Permitted as accessory use or structure

If the column is blank, the use is not permitted.

# SECTION 3.03 - SCHEDULE OF USE REGULATIONS

<u>USES</u>	<u>DISTRICTS</u>				
	AR	R-2	R-6	C-1	I-1
Restaurant (no entertainment except music)				C	
Restaurant, night clubs				C	
Retail sales when incidental to a permitted use					C
Riding stable, private	P				
Riding stable, public	C				
Roadside stand	A				
Sand and gravel pits (see Freedom Township Ordinance #23, Freedom Township Sand & Gravel Extraction Ordinance – See Section 10.10)	C				C
Sawmill					C
Schools, elementary, secondary, senior high	C	C		P	
Schools, college, university	C				
Scientific business, industrial research					C
Seasonal housing for agricultural workers (on farm 60 acres or larger)	C				
Shoe repair shop				P	
Sign painting shop				C	
Signs (See Article 12.0 herein)	C	A	A	A	A
Single-family dwelling, detached (see Note #2)	C	P	P		
Ski, toboggan facilities	C				
Sod Farm	P				
Soil removal	C				
Storage buildings	A	A	P		
Storage of recreation vehicles					C
Swimming pool, commercial				C	
Swimming pool, community	C	C	C		
Swimming pool, private	A	A	A		
Tailor, seamstress shop				P	
Taxicab, bus station				C	C
Telegraph, messenger service				P	
Testing laboratories					C
Theater, indoor				C	
Transient, temporary amusements (carnivals, etc.) (see Section 3.11)	C				
Transmission and distribution lines, pipelines, of public utility companies when new rights-of-way or easements are required; and structures of public utility companies (see Note #1)	C	C	C	C	P
Tree Farm	P				
Truck service and repair, when incidental to a principal permitted use					A
Truck terminals					A
Upholstering shop				P	
Variety, dry goods store				P	
Vehicle service and repair (autos, farm and construction equipment, trucks)					C
Warehousing, material distribution centers					C
Wearing apparel store				P	
Wholesale sales, warehousing, when incidental to and part of a retail sales establishment				C	

P = Permitted by right

C = Permitted as conditional use

A = Permitted as accessory use or structure

If the column is blank, the use is not permitted.

# SECTION 3.03 - SCHEDULE OF USE REGULATIONS

## USES

## DISTRICTS

AR   R-2   R-6   C-1   I-1

<p><b>Note #1:</b> Provided that there shall be no storage of materials, equipment, vehicles, or supplies on the premises except as required for maintenance of a permitted or conditional use; provided further that no personnel shall be quartered on the premises; and provided that the structures shall be located, designed, constructed, and landscaped in such manner as to conform to the character of the surrounding area and the zoning district in which located. Public utility companies constructing individual lateral service lines utilizing not more than three (3) poles are not required to obtain a conditional use permit.</p>
---

**Note #2:** Single-family attached dwellings are permitted only in planned unit development .

**Note #3:** Home occupations shall be permitted only in single-family detached dwelling units.

**Note #4:** Whenever uses permitted in the above C-1 districts involve the preparation or manufacture of goods for sale, such goods shall be sold only on the premises and only at retail.

**Note #5:** A laundry or dry cleaning establishment may be either a pick-up station or a laundry or dry cleaning operation, provided that such operation is for local service only and that no work is received from pick-up stations or other laundry or dry cleaning plants. Wholesaling and subcontracting in connection with laundering and dry cleaning shall be prohibited in the business district. (Such operations are permitted in the industrial districts).

P = Permitted by right  
 C = Permitted as conditinal use  
 A = Permitted as accessory use or structure  
 If the column is blank, the use is not permitted.

# SCHEDULE OF DISTRICT REGULATIONS

## Height, Bulk, Density, Area, Setback and Lot Coverage by District:

USE DISTRICT	MINIMUM LOT AREA	MINIMUM LOT WIDTH (IN FEET)	MAXIMUM HEIGHT OF STRUCTURES		MINIMUM YARD SETBACK PER LOT (IN FEET)				MAXIMUM PERCENTAGE OF LOT AREA COVERED BY ALL BUILDINGS
			IN STORIES	IN FEET	FRONT	SIDES		REAR	
						LEAST ONE	TOTAL OF 2		
AR	Residence - One Acre (Sliding Scale)	150'	2 1/2	35'	50'	10'	20'	35'	10%
	All other uses require 10 Acres Residence - One Acre All other uses - 3 Acres	150'	2 1/2	35'	50'	30'	60'	50'	10%
R-2	All other uses - 3 Acres 20 Acres	150'	2 1/2	35'	50'	10'	20'	35'	10%
R-6	Minimum lot area per DU - 6,000 S.F. All other uses - 22,000 S.F.	500'	2	25'	50'	30'	60'	50'	30%
C-1 (Without Sewer)	One Acre	150'	2	35'	35'	10'	20'	35'	30%
C-1 (With Sewer)	10,000 S.F.	100'	2	35'	35'	10'	20'	35'	30%
I-1	One Acre	150'	2	45'	50'	20'	40'	35'	60%
PUD	20 Acres - Density of one dwelling unit per 5 acres	100'/150'							

**Note #1** Lines and structures (not including buildings) of public utility companies shall be exempt from the area, placement, and height regulations of this Ordinance.

**Note #2** Where livestock is raised or kept, any structure for housing of livestock, and any storage of hay, feed, or manure, shall be located not less than fifty (50) feet from any property line.

**Note #3** The maximum height of farm structures shall be seventy-five (75) feet. See Section 3.01 G, herein, for waiver of height regulations for certain structures.

**Note #4** A transition strip shall be required whenever any lot in a C-1 or I-1 district abuts a lot in any AR, R-2, or R-6 district. Such a strip shall be provided along every lot line, except front lot lines, which abuts a lot in such district shall not be included as part of the required yard, and shall be improved with a screen, wall, hedge, or shrubbery which will reach a height of four (4) feet one year after planting. He strip shall be maintained in good condition. The Zoning Board of Appeals shall have the authority to change the nature of, or reduce the required width of, or waive completely, the requirement of a transition strip. Such determinations and reasons therefore, shall be recorded in the minutes of the meeting at which the action is taken.

**Note #5** A landscape strip shall be provided along and adjacent to the front property line of any C-1 or I-1 district and shall extend across the entire width of the lot. Driveways may cross the strip but shall not occupy the strip.

**Note #6** Minimum interior side yards may not be required when two or more buildings are part of a local shopping center or other combined development of local retail and/or service facilities. Side yard requirements shall apply to the perimeter of such developments.