

# **Item - Proposed Zoning Ordinance Changes to Version 4.9 Single Family Dwellings – exemption partially removed**

## **Article VIII BUSINESS DISTRICT**

### **SECTION VIII.1 USE REGULATIONS**

A building or premises in this District shall be used only for the following purposes:

- A.** Any uses permitted in the Recreational District as described under Article VII of This Ordinance, ~~except single family dwellings,~~ will be permitted in this District.
- B.** Retail Stores.
- C.** Service Institutions such as:
  - 1. Gasoline service stations and garages
  - 2. Repair shops
  - 3. Laundries
  - 4. Warehouses
  - 5. Utilities
  - 6. Printing houses
  - 7. Undertaking establishments
  - 8. Used car lots
- D.** Restaurants and Taverns.
- E.** Lumber dealers.
- F.** Light manufacturing plants.
- G.** Second Hand Stores - Establishments selling used or second hand merchandise and "flea markets" must conduct their business inside a building but may display merchandise outside and adjacent to such building provided such outside displays in total occupy no more than one hundred (100) square feet of area and are placed inside the building each night. Automobile dealers, farm machinery dealers and marinas selling new and used boats shall be exempt from this provision.
- H.** Multi-family dwellings.
- I.** Apartments or living units above or part of a commercial building.

### **SECTION VIII.2 USES EXCLUDED**

Junk yards for the temporary or permanent storage of used cars or other salvaged materials are not to be permitted in this District. Equipment and materials storage yards equivalent to those related to the construction industry shall be entirely enclosed with a solid fence not less than six (6) feet high and not more than eight (8) feet high constructed and maintained in such suitable manner as to meet with the approval of the Zoning Administrator. The fence will be constructed of such material and of such design as to reasonably prevent trespassers from entering the premises by scaling such fence. The fence will be of solid construction or of a material so as to obstruct the view of the premises enclosed. The fence shall be maintained and painted, but shall not be used as a sign or signboard in any way.

### **SECTION VIII.3 LAND OCCUPANCY BY BUILDINGS**

No building or structure in this District shall be erected or altered or used so as to occupy more than 80% of the lot area. Multi-family dwellings are restricted to a minimum square footage of 480 square feet of main floor living area per dwelling unit and a minimum core dimension of 20' per unit and a minimum of not less than 5,000 square feet of building lot area for each dwelling unit.

### **SECTION VIII.4 SET-BACK RESTRICTIONS**

All buildings and structures in this District shall provide a set-back from the property line bordering the right-of-way of not less than ten (10) feet.

### **Finding of Fact:**

- 1) Master Plan - Glen Arbor Township can expect its population to remain relatively stable over the life of the Plan, although it may slow somewhat as the few remaining vacant properties in the Township are developed. The previous Master Plan analyzed this issue with a build-out analysis that looked at how much developable land remained in the Township. This was conducted in order to determine if the Township had a sufficient amount of undeveloped land available to accommodate enough future residents to support a wider range of year-round businesses to serve the local (i.e., non-seasonal) population. The analysis concluded that many year-round businesses were probably not feasible unless supplemented by a more balanced tourist season, or unless many more of the Township's seasonal homes are converted to permanent dwellings to accommodate more permanent residents.

Simply stated, unless residential development density increases significantly, it is unlikely that many businesses intended to serve local residents will be able to locate in Glen Arbor Township. Furthermore, if increased density were desired by the Township, it is likely that public sewer (and perhaps water) would be needed.

- 2) Prior to 2007 (Ordinance version 4.0), SFDs (Single Family Dwellings) had been allowed in the Business District.
- 3) Since 2007 several SFD have been converted to business use.
- 4) An unintended consequence of the 2007 change led to several unbuildable, orphaned lots.
- 5) While not being of any business use, these orphaned lots are suitable for SFDs.
- 6) Most business use intensity is located on M-22, north of State street which will be excluded for SFDs.
- 7) Residential use is already supported in the Business District in the form of multi-family dwellings and single family dwellings with an incorporated business use.

### **Proposed Motion:**

Single Family Dwelling residential structures are allowed if the parcel of land does not abut M-22 North of State Street and R-1 requirements are applied.