

8.0 RESIDENTIAL DISTRICTS

8.1 R-1A RURAL RESIDENTIAL DISTRICT

8.11 PURPOSE

The R-1A Rural Residential District is intended to accommodate single family dwellings in areas that are rural in character in order to provide for new housing development while preserving open space and rural qualities and promoting appropriate non-farm uses of land.

8.12 PERMITTED USES

- A. Single Family Dwelling
- B. State Licensed Home Residential Facilities for 1-6 people.(Amended 5/13/03)
- C. Home Occupations
- D. Recreation Uses: Public Parks, playgrounds, play fields, and other public open space for recreational uses.
- E. Other Customary Accessory Uses and Buildings
- F. Ponds

8.13 USES ALLOWED BY SPECIAL PERMIT

In order to avoid intrusion of undesirable uses and to foster all possible benefits for a continued high quality residential environment, all residential and non-residential land and structure uses in residential districts have been classified into those uses permitted by "right" and those permitted by special use permit. Those uses permitted by right include those that require a minimum of limitations; but those uses presenting potential injurious effect upon residential and other property, unless authorized under specific imposed conditions, are controlled through the issuance of special use permits.

- A. Agricultural operations, hobby farms: including general farming, truck gardening, fruit orchards, nursery green houses, and associated farm buildings provided such activities occur on a parcel of land five (5) acres or larger, and subject to the following conditions:
 - 1. The raising and keeping of horses and other similar animals over five hundred (500 lbs.) pounds shall be allowed, provided that the minimum area upon which one horse or similar animal may be kept is two and one half (2-1/2) acres plus two (2) acres for each additional horse or similar animal. There shall be a maximum of four (4) such animals for each ten (10) acres of land.

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2. The raising and keeping of livestock weighing five hundred (500 lbs.) pounds or less (such as sheep and goats) shall be allowed, provided that the minimum area upon which one such animal may be kept is two (2) acres, with a maximum of five (5) such animals for each ten (10) acres of land.
3. Associated farm buildings shall be located no closer than two hundred (200') feet from an existing public right of way and no closer than fifty (50') feet from the side and rear lot lines of the parcel upon which such buildings are located. Where an adjoining parcel contains a residence or is zoned for residential use, the side and rear yard setback requirements for such accessory buildings shall be increased to one hundred (100') feet.
4. No storage of manure or odor or dust-producing materials or use shall be permitted within one hundred (100') feet of the nearest developed lot line.

- B. Forestry, sod farming, greenhouses not selling retail on premises
- C. Planned Unit Development, including Cluster/Open Space development
- D. Site Condominiums
- E. Bed and Breakfasts
- F. Golf Courses and Country Clubs (excluding miniature golf courses)
- G. Cemeteries
- H. Public Buildings
- I. Religious, social, educational and human care institutions
- J. Public Service Installations
- K. Child Care/Day Care centers
- L. State Licensed Group Residential Facilities for 7-12 people.(Amended 5/13/03)
- M. Wind Energy Systems (Amended 6/09)
- N. Outdoor Wood Fired Heaters (Amended 6/09)

8.2 R-1 LOW DENSITY RESIDENTIAL DISTRICT

8.21 PURPOSE

This district is intended primarily for single family residential uses together with compatible uses. The purpose of this zone is to encourage a residential environment of low density dwellings.

8.22 PERMITTED USES

- A. Single family dwellings
- B. Day Care(Amended 6/25/08)
- C. State Licensed Home Residential Facilities for 1-6 people.
- D. Recreation Uses: Public Parks, playgrounds, play fields, and other public open space for recreational uses.

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- E. Other Customary Accessory Uses and Buildings: Accessory uses that are customarily incidental to any principal use permitted in this district to the extent that those accessory uses do not constitute, create, or increase a nuisance in fact which adversely affects a legally conforming use of adjoining or nearby premises.
- F. Home Occupations.

8.23 USES ALLOWED BY SPECIAL PERMIT

The following uses of land and structures may be permitted by the application for, and the issuance, of a special use permit.

- A. Site Condominiums.
- B. Planned Unit Development.
- C. Bed and breakfast operations.
- D. Religious, Social, Educational and Human Care Institutions
- E. Public Buildings
- C. Public Service Installations.
- D. Cemeteries: Public or private (when occupying a site of not less than twenty (20) acres, provided that no building shall be closer than fifty (50') feet from any property lines).
- E. Golf Courses and Country Clubs, excluding driving ranges and miniature golf courses
- F. State Licensed Group Residential Facilities for 7-12 people. (amended 6/25/08)

8.3 R-1V VILLAGE RESIDENTIAL DISTRICT

8.31 PURPOSE

The Village Residential District is intended to accommodate a variety of housing types within the Freeland Village area. The R-1V Village Residential District encompasses the Township's existing mature neighborhoods where new large scale residential development is highly unlikely, and where the character of the various neighborhoods will be retained. It also is intended to provide for newly developed areas within the Township where both single family and duplex units can be accommodated.

8.32 PERMITTED USES

This District allows two-family dwellings and certain other residential uses in addition to the uses permitted in the Medium Density Residential District. The following uses are permitted:

- A. The uses permitted in the R-1 district.
- B. A single residential building containing no more than two dwelling units on each lot.
- C. State Licensed Group Residential Facilities for 7-12 people. (amended 6/25/08)

8.33 USES ALLOWED BY SPECIAL PERMIT

- A. Special land uses permitted in the R-1 District are allowed in the R-2 district under the same conditions specified in this Ordinance.
- B. Multiple family housing

8.4 R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

8.41 PURPOSE

The Medium Density Residential District is intended to accommodate a variety of housing types within higher density residential areas in Tittabawassee Township. The R-2 Medium Density Residential District encompasses the Township’s existing mature neighborhoods where new large scale residential development is highly unlikely, and where the character of the various neighborhoods will be retained. It also is intended to provide for newly developed areas within the Township where both single family and duplex units can be accommodated.

8.42 PERMITTED USES

This District allows two-family dwellings and certain other residential uses in addition to the uses permitted in the Medium Density Residential District. The following uses are permitted:

- A. The uses permitted in the R-1 district.
- D. A single residential building containing no more than two dwelling units on each lot.
- E. State Licensed Group Residential Facilities for 7-12 people. (amended 6/25/08)

8.43 USES ALLOWED BY SPECIAL PERMIT

Special land uses permitted in the R-1 District are allowed in the R-2 district under the same conditions specified in this Ordinance.

8.5 R-3 HIGH DENSITY RESIDENTIAL DISTRICT

8.51 PURPOSE

The Multiple Dwelling Residence District is intended to provide a variety of housing styles, design and cost to meet the needs of existing and potential residents while promoting the development and preservation of neighborhoods of higher density than in the R-2 district, but with equivalent quality. It is designed to permit a more intensive residential use of land with various types of multiple dwellings, including apartment structures and related institutional uses.

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8.52 PERMITTED USES

This District allows certain residential uses in addition to those permitted in the R-1 Low Density and R-2 Medium Density Residential Districts. The following uses are permitted:

- A. All uses permitted in the R-2 district.
- B. Apartments

8.53 USES ALLOWED BY SPECIAL PERMIT

Uses permitted in the R-2 district by Special Use Permit are allowed as well as the following uses:

- A. Group housing developments of one (1) acre or more, excluding mobile homes and mobile home parks, but including those types of residential housing customarily known as townhouses, row housing units, and other housing structures of a similar character.
- B. Public Service Installations
- C. Planned Unit Development

8.5 R-4 MANUFACTURED HOUSING DISTRICT

8.51 PURPOSE

The R-4 Manufactured Home Park district is intended to preserve the interests of alternate types of residential developments which should be permitted in every community and to protect the residents of any manufactured home type development. The regulations applicable to this district, as contained in Section 8.54, are considered as minimum standards to be applied to all manufactured home park developments in the district.

8.52 PERMITTED USES

- A. Manufactured home parks, subject to the requirements established and regulated by the Mobile Home Commission rules, and the provisions of this article.
- B. Clubhouse, swimming pool, playgrounds, common areas and recreation facilities for the use of mobile home park residents.
- C. Accessory uses or structures such as manufactured home park business office, laundry facilities, and home occupations otherwise permitted in residential districts under this article.
- D. Public Service Installations

8.53 COMPLIANCE WITH MOBILE HOME PARK COMMISSION

No manufactured home park shall be established within the R-4 District unless the park complies with the rules of the Mobile Home Commission.

8.54 ADDITIONAL REQUIREMENTS IN THE R-4 DISTRICT

A. GREENBELT BUFFER

Within the premises upon which a manufactured home park is located there shall be constructed a greenbelt buffer. After approval as a part of the preliminary plan review process, there shall be no requirement that the buffer be changed due to future development.

1. The greenbelt buffer shall be twenty (20') feet wide on all side and rear lot lines abutting adjoining property. Existing manufactured housing developments are not required to buffer between the existing development and any new adjacent development that did not exist at the time the preliminary plan was approved.
2. Landscaping Materials. If the mobile home park abuts an existing residential development, screening shall be required in the buffer zones. Screening shall be with plants of six (6') feet in height at the time of planting, which shall obscure fifty (50%) percent of the view of the park, or a solid fence eight (8') feet in height obscuring one hundred (100%) percent of the view, or any combination of the above may be used to meet the intent of this Ordinance, to screen the mobile home park from abutting developed residential use district classifications, or residences, and also from any previously existing adjoining single-family residence, regardless of the zone in which the latter residence is located. All the screening shall obscure one hundred (100%) percent of the view at maturity. Property owners are allowed flexibility in material selection as long as these standards are met. If a wood fence is used, the materials shall be pressure-treated lumber. If a masonry fence is used, it shall have a foundation of at least forty-two (42") inches deep in the ground. Trees, shrubs and all planted vegetation within the buffer, must be appropriate to the climate and provided further, that they are not infested with pests, insects or diseases. The buffer shall be landscaped in such fashion as to assure that it will not erode and shall be landscaped with grass or ground cover appropriate for the climate.

Screening shall be maintained in a condition very similar to the condition at the time of installation. This means fences shall be straight and broken boards shall be replaced. Dead trees, bushes, shrubs and vegetation shall be replaced with new, live, smaller plants which will grow to the same height as the dead plant being replaced. Masonry fences shall have all cracks repaired and maintained by pointing.

The Planning Commission shall be authorized to grant an exception from the foregoing screening requirements where the screening would serve no useful practical purpose in providing peace and quiet for the occupants

of the adjoining premises and may grant any exception during the preliminary plan review process.

3. The greenbelt buffer, whether utilizing a fence, or trees and plantings, or both, shall in any event be compatible with the surrounding environment.

B. STREETS, SIDEWALKS AND PUBLIC WAYS

Every mobile home park shall be provided with a network of streets with access points to adjacent public ways, at least as set forth hereinafter:

1. Access to public ways. Where adverse topographic conditions of entry streets are encountered, a second entry street must be provided. Such adverse conditions might be, but are not limited to, a stream, swamp and/or steep grade. The purpose of the second entry street is to provide adequate access to the community in cases of emergencies, poor weather or heavy traffic conditions.
2. All streets within the mobile home park shall be paved with a hard surface in accordance with the most recent edition of the Standard Specifications for Construction that includes Construction Details of the Michigan Department of Transportation.
3. Every street shall be provided with storm drains so as to allow for the drainage of water without flooding adjacent property or buildings, with the drains designed according to the design standards of the Michigan Department of Environmental Quality drainage standards.
4. Two-way streets within the mobile home park shall have a minimum traveled width of twenty-one (21') feet of pavement with no parking. One-way streets shall have a minimum traveled width of thirteen (13') feet with no parking. Notwithstanding the foregoing, all streets and street rights-of-way shall be of adequate width to allow for snow storage and removal. In the event that parking is permitted on any street within the mobile home park the minimum width of each street, in addition to the traveled portion, shall be ten (10) feet wide for each parallel parking lane and sixteen (16') feet wide for each diagonal parking lane. If a parking lane is not provided, "no parking" signs will be installed and enforced on the side of the street.
5. Each street intersection within the mobile home park shall have an adequate safe sight distance. No object or planting shall be allowed in a yard or corner lots closer than thirty (30') feet from the intersection or taller than three (3') feet from the center line elevation of the street.

6. Each intersection within the mobile home park shall be designated by a reflective street name sign, located at the intersection, identifying each street by name.
7. If curbing is used, it shall be concrete with the exception of integral valley curb and gutter (gravity drains) which may be either concrete or asphalt.

C. OFF STREET PARKING AND DRIVEWAYS

1. All mobile home sites within the mobile home park shall be provided with not less than two (2) hard-surfaced parking spaces. If the parking spaces are off-street, they shall be hard-surfaced and shall be sized to accommodate at least one (1) full-sized vehicle. All off-street parking shall be connected to an adjacent mobile home park street by hard-surfaced driveway at least ten (10') feet in width. Parking may also be provided on-street, provided that the parking lane width requirements are complied with. Driveways shall also be provided for access to service entrances and buildings for delivery and collection points for fuel, refuse and other materials and elsewhere as needed. Every driveway entrance shall have a flare or radii in horizontal alignment necessary for safe and convenient ingress and egress.
2. A minimum of one (1) parking space for every three (3) mobile home sites shall be provided for visitor parking. Each visitor parking site shall be located within five hundred (500') feet of the mobile home site it is intended to serve.
3. In addition to the foregoing, a separate parking area may be provided for vehicles that cannot be accommodated within the parking areas set forth above, such as recreational vehicles, travel trailers, snow mobiles, and the like.

D. ILLUMINATION

All streets and sidewalk and areas open to travel by mobile home park residents shall be illuminated as follows:

1. Access points to public thoroughfares shall be lighted. If the public thoroughfare is lighted, the illumination level shall not exceed the average illumination level of an adjacent illuminated public thoroughfare.
2. At all street intersections and designated pedestrian crosswalks the minimum illumination shall be not less than 0.15 foot candles.
3. All streets, parking bays and sidewalks shall be illuminated at no less than 0.05 foot candles.

4. If a central park mail box or park directory or both are provided they shall be illuminated by not less than 3.15 horizontal foot candles.
5. All outdoor recreational facilities shall be provided with illumination adequate to facilitate their intended use.
6. All lighting shall be located and shielded so as to direct the light away from premises abutting the mobile home park.

E. WATER SUPPLY, FIRE HYDRANTS, AND SANITARY SYSTEM

Each mobile home park shall be connected to a common water supply and sanitary sewage disposal system. Adequate water supply shall be provided for firefighting purposes. Water supply shall be designed and installed and sewer service provided in accordance with the Michigan Department of Public Health Engineering Standards and the Safe Drinking Water Act, Section 325.1105 administrative rules and shall be properly maintained and readily accessible for immediate use at all times. Fire hydrants shall be situated within the mobile home park in such locations and at such intervals such that no lot shall be more than three hundred (300) feet measured parallel to the street from a fire hydrant. Each fire hydrant shall be located within ten (10) feet of the edge of the street paving surface. If the central water system cannot support fire hydrants, 'dry' fire hydrants shall be installed. When the property is more than one hundred fifty (150) feet along a public right-of-way from either municipal water or sewer supply lines or sewers, a private system may be installed as approved by the County Health Department. Otherwise, each mobile home park shall be connected to the Township water and/or sanitary sewage disposal systems and each mobile home site shall be connected.

F. SOLID REFUSE, GARBAGE AND RECYCLABLES

The disposal of solid refuse shall comply with all Township and other government requirements for refuse disposal.

G. UTILITIES

All local distribution lines for telephone and electric services, exclusive of main supply and perimeter feed lines shall be placed entirely underground throughout the mobile home park.

H. OPEN SPACE

An open space dedicated to use by Mobile Home Park residents as a recreation area, playground or gathering area, including, at the option of the owner/developer, clubhouses, swimming pools and the like, shall be provided. The areas shall consist of not less than two (2%) percent of the park's gross acreage but not less than twenty-five thousand (25,000) square feet. The areas shall not be included in the border greenbelt buffer and shall not be swamp or other marshland. This open space requirement shall not apply to mobile home developments with less than fifty (50)

sites. If a development is built in stages, when the fifty-first site is developed, this requirement shall apply to all the sites in both stages of the development.

I. MOBILE HOME INSTALLATION

Installation of mobile homes upon each mobile home site shall be accomplished in accordance with Part 6 of the Manufactured Housing Commission rules. All mobile homes shall be connected to utilities and shall be skirted and anchored in accordance with Part 6 of the Manufactured Housing Commission rules.

8.6 GENERAL PROVISIONS FOR ALL RESIDENTIAL DISTRICTS

The following provisions apply to development in all or any one of the R-1, R-1A, R-2 and R-3 Districts. All applicable requirements identified in those provisions must be met, prior to the issuance of a zoning permit or building permit.

A. REAR YARD AND FRONT YARD DWELLING PROHIBITED

No dwelling shall be constructed, maintained, altered, or moved into the front yard or rear yard setback of a building situated on the same lot. (See Example A)

B. ACCESSORY BUILDINGS OR ACCESSORY STRUCTURES

A private garage or a portion thereof may not be rented or leased for the storage of vehicles or equipment or for a use by other than the resident of the property. Accessory buildings or structures may only exist on a lot with a principal structure on the same lot. No accessory building or structure may be inhabited by humans either permanently or temporarily for any reason. No accessory buildings/structures may be erected in front of the principle structure except attached garages.

C. FRONT YARDS ON LOTS RUNNING THROUGH THE BLOCK

In any district where a lot runs through a block front street to street and where a front yard is required, the front yard shall be provided along each street lot line, which is not a side yard street lot line (see Example D).

D. SEWAGE AND WATER REQUIREMENTS

No building permit shall be issued for any building to be occupied by human beings unless provisions have been made to provide sewage disposal and water to the building. In the absence of public sewer or water the Zoning Administrator can only issue a building permit when county or State permits for water and sewage disposal meet state and County health department standards.

E. SURFACE RUNOFF

No premises shall be filled or graded so as to discharge surface water runoff to abutting premises in a manner so as to cause ponding or surface accumulation of the runoff on those premises. This would include water runoff from buildings via eaves or similar apparatus.

F. BASEMENT DWELLINGS

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The use of a basement, or the basement of a partially built or planned building as a residence or dwelling unit is prohibited in all zones, except as living quarters for priests, ministers, and their equivalent as provided by the Board of Appeals. This shall not prohibit a dwelling unit located partially below ground that has access to a hallway providing two remote means of egress to ground level.

G. REAR DWELLINGS

No building in the rear of a main building on the same lot shall be occupied for residential purposes.

H. TEMPORARY BUILDINGS OR TRAILERS

For uses incidental to construction work. Such buildings or trailers shall be removed upon the completion or abandonment of the construction work and before issuance of an occupancy permit.