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* Amendments to Holland Township Zoning Ordinance *
HOLLAND TOWNSHIP ZONING ORDINANCE

An Ordinance to establish zoning districts and regulations governing the unincorporated portions of Holland Township in Missaukee County, Michigan in accordance with the provisions of Act 184 of the Public Acts of 1943 as amended; to provide for a Township Zoning Board of Appeals, for amendments, and for the administration of this Ordinance.

THE TOWNSHIP OF HOLLAND ORDAINS AS FOLLOWS:

PURPOSE AND GENERAL LIMITATIONS

ARTICLE ONE:

SECTION 1.1 TITLE

This Ordinance shall be known as the Holland Township Zoning Ordinance.

SECTION 1.2 PURPOSE OF ORDINANCE

The primary purpose of this Ordinance is to promote the health, safety, comfort, peace, morals, convenience and general welfare of the inhabitants of the Township.

The provisions hereinafter adopted are intended:

- To promote the orderly development of the Township;
- To encourage the use of lands and resources of the Township in accordance with their character and adaptability;
- To preserve the natural qualities of the land (including wildlife habitat);
- To promote economic progress and protect property values;
- To provide, in the interest of health, minimum standards under which lands, buildings and structures may hereafter be erected, altered and used;
- To designate districts, within which, certain uses may be carried on;
- To encourage the most desirable use of the land without infringing on the inherent and constitutional rights of the inhabitants of the Township.
SECTION 1.3 GENERAL LIMITATIONS OF THE ORDINANCE

1.3A Existing Uses of Lands, Buildings and Structures;

The lawful use of any building, structure or land as existing and lawful on the date of the adoption of this Ordinance may be continued even though such use may not conform with the provisions of this Ordinance.

1.3B Exemption of Farm Buildings and Structures;

The provisions of this Ordinance shall not apply to the building or repair of farm buildings and structures provided that no building or structure, other than fences, shall hereafter be built or moved nearer than 100 feet from the center-line of any public road right-of-way.

1.3C Restrictions;

The provisions of this Ordinance shall be kept to the minimum requirements necessary to achieve the purpose of this Ordinance. Whenever the requirements of this Ordinance are at variance with the requirements of other lawfully adopted regulations or restrictions, or with existing easements, the requirements imposing the higher standards shall govern.
ARTICLE TWO

SECTION 2.1 ESTABLISHMENT OF ZONING DISTRICTS

For the purposes described in Section 1, all of the area of Holland Township is hereby divided into the following Zoning Districts:

1. Agricultural-Residential \( \text{AG-R} \)
2. Forest-Recreational \( \text{F-R} \)
3. Resort-Residential \( \text{R-R} \)
4. Commercial \( \text{C} \)
5. Industrial \( \text{I} \)

SECTION 2.2 ZONING DISTRICTS MAP

2.2A Official Zoning Map

The boundaries of each Zoning District are shown on a map entitled "HOLLAND TOWNSHIP ZONING MAP-MISSAUKEE COUNTY MICHIGAN". This map, with its notations and all other information contained therein, are hereby made a part of this Ordinance. A copy of the Zoning Ordinance and the official Zoning Map shall be kept up to date and made available to the public when requested. These shall be kept by the Township Zoning Administrator.

2.2B District Boundaries

1. Boundaries shown on the Zoning Map following roads shall be considered to be the actual boundaries.

2. Boundaries shown to follow shoreline of rivers or streams shall be considered to follow any shoreline changes.
GENERAL REQUIREMENTS FOR ALL ZONING DISTRICTS

ARTICLE THREE

SECTION 3.1

Abandoned or unlicensed automobiles must be kept out of sight of a public road.

SECTION 3.2

All woodlands that are disturbed for mineral exploration, shall be planted to pine seedlings at the rate of 500 per acre. All farm lands that are disturbed for mineral exploration shall be reseeded with a permanent grass cover. The planting or reseeding shall be completed within six months of the time the exploration is terminated.

SECTION 3.3

Home occupations and family enterprises of all types are allowed in all Zoning Districts unless they bring about objectionable or offensive conditions.

SECTION 3.4

Signs larger than \( \frac{3}{4} \) square feet in area are prohibited.

SECTION 3.5

The use of bus-bodies and similar contrivances for living quarters are prohibited in all Zoning Districts.

SECTION 3.6

No building shall be closer, nor any septic system drainfield closer than 100 feet from the high water mark of any river or stream.

*SECTION 3.7

All buildings and structures must be at least 100 feet from the center-line of any public road right-of-way and at least 15 feet from any lot line.
SECTION 3.8

No property in any Zoning District may be used for building purposes that is less than one acre in size. Width to length ratio of these parcels shall be no greater than 4 to 1.

*SECTION 3.9

All dwellings, including mobile homes, must have a minimum of 720 square feet of livable floor area.

SECTION 3.10

All dwellings, including mobile homes, are subject to the requirements of the State of Michigan Construction Codes. This includes the requirements of structure, foundations, sewage disposal, water supply, plumbing, electrical wiring and any other requirements necessary to and applicable to housing.

*SECTION 3.11

The location of any dwelling, including mobile homes, must be at least 30 feet from any dwelling already in existence.

SECTION 3.12

Every dwelling hereafter erected wholly or in part for human occupancy must have a safe water supply and sewage disposal system approved by the County Health Department.

SECTION 3.13

To avoid undue hardship, nothing in this Ordinance shall be construed to require a change in plans, construction or use of a building on which construction had been done or a building permit granted, prior to the effective date of this Ordinance.

SECTION 3.14

In the event that any requirement of this Ordinance should impose a hardship on any individuals, they may apply for an exception to the Zoning Board of Appeals.
SECTION 3.15

Toxic, chemical or nuclear waste shall not be disposed of within the boundaries of Holland Township.
SPECIAL LAND USE

*ARTICLE FOUR*

SECTION 4.1 PURPOSE

Special land uses are those uses of land which are compatible with the normal uses permitted in a zoning district but require individual study and review. The purpose of this article is to establish the procedures and criteria to be used in handling special land use requests.

SECTION 4.2 STANDARDS

(1) The use must be one listed as a Special Land Use in that district and similar uses.

(2) The Planning Commission, before approving a Special Land Use, should insure that the standards of the Zoning District are upheld and that the requirements of the Special Land Use section of this Ordinance are upheld.

SECTION 4.3 GENERAL REQUIREMENTS

Whenever a discretionary decision is to be made concerning special land use, notice in a newspaper of general circulation must be given and state that a request for special land use has been received. The notice must:

(1) Describe the nature of the request.

(2) Identify the property according to legal description and post office address.

(3) State the time and place of the meeting.

(4) Indicate when and where written comments may be received.

(5) Indicate that a property owner or occupant who has property within 300 feet of the boundary of the property under consideration may request a public hearing.

The above notice must be given to anyone who owns or occupies property within 300 feet of the property in question. Notice must be given not less than five nor more than 15 days prior to the date of the meeting at which the application is be be considered. An affidavit
of mailing or delivery of notice must be kept.

SECTION 4.4 APPLICATION PROCEDURE

(1) The applicant is any person owning, renting, or leasing property. Any applicant may file an application for a special land use permit.

(2) The application should be obtained from the Zoning Administrator. The application must be given to the Planning Commission by the Zoning Administrator within 10 days of completion.

(3) A fee, determined by the Township Board, must accompany the application. No part of the fee shall be refundable.

(4) Application information must include:

(a) Site plan drawn to approximate scale showing property boundaries and dimensions, location of proposed buildings and structures, location of roads, streams and utilities. The current Zoning classification is to be stated.

(b) All items contained in ARTICLE TEN, SECTION 10.3 of this Ordinance must be adhered to.

SECTION 4.5 REVIEW AND APPROVAL

(1) If the facts show that the Special Land Use requirements are not met, the application must be denied.

(2) If the facts show that the Special Land Use requirements are met, the application must be approved.

(3) Special conditions, by the Planning Commission, may be imposed to insure compliance with the standards stated in the Ordinance.

(4) The relation to the general welfare of the community must be considered.

(5) The Planning Commission should review the application and make their decision within thirty days of receiving the application.

*SECTION 4.6 APPEAL

A Special Land Use decision of the Planning Commission may be appealed, within 15 days, to the Zoning Board of Appeals.

(1) On appeal of a Special Land Use decision, the Zoning Board of Appeals shall give notice pursuant to Section 23 of Act 184 of 1943, as amended, and it shall:

(a) Consider the record of planning commission proceedings on the Special Land Use application.

(b) Determine the procedure used complies with this ordinance and Act 184 of 1943 as amended.
SECTION 4.7

Decisions of the Planning Commission and the Zoning Board of Appeals are to be recorded and kept as a permanent record.
ARTICLE FIVE

The following provisions and requirements shall apply to all Agricultural-Residential Districts. AG-R

SECTION 5.1

The prevailing use of the land in this district is for full or part-time farming and for a rural type of living. Although included in this district are some cottages and summer homes and it is anticipated that there may be some more in the future, it is the intent and purpose of this Ordinance to preserve the rural atmosphere and farming potential of this district.

SECTION 5.2

A. Primary uses (not subject to special approval)

(1) Crop and livestock farming, including truck gardens, tree farming, and other specialty crops.

(2) Forestry.

(3) Publicly owned buildings, parks and playgrounds.

(4) Schools.

(5) Fruit and vegetable stands.

(6) Home occupations.

(7) Farm supply stores and farm machinery sales and services stores.

(8) Churches and related buildings.

(9) Libraries.

(10) Mobile homes and one and two family dwellings that comply with Article 3, Section 3.10.

(11) Archery ranges.

(12) Green houses, nurseries, florist shops and garden supplies
*B. Special Land Use permit required (as provided by Article 4)

(1) Auto sales and rentals.
(2) Stock yards,
(3) Golf courses.
(4) Cemeteries.
(5) Retail stores and shops.
(6) Civic, social and fraternal buildings; non-profit.
(7) Banks, businesses and professional offices.
(8) Junk yards, sanitary land-fills, dumps and animal-garbage disposal areas.
(9) Boat sales and repairs.
(10) Landing fields.
(11) Bowling and commercial recreational enterprises.
(13) Dry cleaning and laundromats.
(14) Public assembly halls.
(15) Funeral homes.
(16) Veterinary hospitals and kennels.
(17) Motels.
(18) Saw mills and lumber yards.
(19) Barber and beauty shops.
(20) Motels, restaurants, rest homes, and half-way houses.
(21) Bulk bottle gas.
(22) Gas and repair stations.
(23) Grocery and hardware stores.
(24) Liquor stores and taverns.
(25) Petroleum, flammable liquid storage and pumping facilities of a commercial nature.
(26) Rental cabins of 300 square feet or larger.
(27) Brine disposal wells subject to the following:

(a) Applicant shall obtain all appropriate permits from other governmental agencies including the Michigan Department of Natural Resources before engaging in the conduct requested.

(b) Applicant shall provide an environmental impact statement and shall demonstrate to the Township Planning Commission's satisfaction that there will be no conduct which is likely to pollute, impair or destroy the air, water or other natural resources or the public trust therein; that there is no feasible and prudent alternative to the promotion of the health, safety and welfare in light of the paramount concern for protection of natural resources.

(c) Applicant shall plan for by sealed engineering plans and provide an impervious paved area capable of containing and collecting any potential spillage on the ground surface, including spillage from vehicles, storage tanks and equipment, to prevent surface water from percolating to ground water.

(d) Applicant shall submit competent plans and diagrams showing the conduct proposed and shall not deviate from or not enlarge upon such conduct as shown in such plans or as contained in any special land use permit issued hereunder.

(e) The Township Planning Commission may impose reasonable conditions on the conduct proposed as any be allowed by law.

(f) No disposal brine well shall be allowed closer than two thousand (2000) feet from any existing dwelling, water well, or wetland draining into a stream, river or body of water; Wetland being defined in the Wetland Protection Act 1979 Public Act 203 as a bog, swamp, or marsh contiguous to a lake, pond, river, or stream and being more than five acres in size. No more than one (1) brine well shall be allowed per section (640 acres) of land and they shall be a minimum distance of two thousand (2000) feet apart. No brine well shall be allowed closer than one thousand (1000) feet from a State Highway.

(g) Applicant shall obtain adequate liability insurance to the Township Planning Commission's satisfaction to cover any damages nearby Township residents might suffer from such a conduct.

(28) All other uses not specifically mentioned.
ARTICLE SIX

The following provisions and requirements shall apply to all Forest-Recreational Districts. F-R

SECTION 6.1

This district presently contains mostly wooded or semi-wooded lands which have not yet been divided into small parcels. There are some permanent and some summer homes in the district and more may be anticipated in the future. It is the intent and purpose of this Ordinance to preserve and improve the timber, wildlife habitat, water and other resources of the district.

SECTION 6.2

A Land Use Permit shall be required for all accessory buildings and structures.

SECTION 6.3 FOREST-RECREATIONAL DISTRICTS

A. Primary Uses (not subject to special approval)

1. Crop and livestock farming, including truck gardens, tree farming, and other specialty crops.

2. Forestry.

3. Publicly owned buildings, parks and playgrounds.

4. Schools.

5. Fruit and vegetable stands.

6. Home occupations.

7. Farm supply stores and farm machinery sales and service stores.

10. Mobile homes and one and two family dwellings that comply with Article 3, Section 3.10.
11. Archery ranges.
12. Green houses, nurseries, florist shops and garden supplies.

*B. Special Land Use Permits required (as provided by Article 4)

1. Campgrounds for profit.
2. Drive-in theatres.
4. Junk yards, sanitary land-fills, animal and garbage disposal areas.
5. Auto sales and rentals.
7. Gas and repair stations, grocery and hardware stores.
8. Golf courses.
10. Retail stores and shops.
11. Stock yards,
12. Cemeteries.
13. Banks, business and professional offices.
15. Boat sales and repairs.
16. Rental stores, shops, and sporting goods stores.
17. Bowling and commercial recreational enterprises.
18. Lodging, boarding and tourist homes.
19. Dry cleaning and laundromats.
20. Funeral homes.
21. Sportsmen's clubs and shooting ranges.
22. Rental Cabins of 300 square feet or larger.
23. Riding stables for either clubs or rentals
24. Barber and Beauty shops.
25. Motels and restaurants.
27. Petroleum and flammable liquid storage and pumping facilities of a commercial nature.
29. Wholesale contractors' yards.
30. Rest homes.
31. Liquor stores and taverns.
32. Brine disposal wells subject to the following:

(a) Applicant shall obtain all appropriate permits from other governmental agencies including the Michigan Department of Natural Resources before engaging in the conduct requested.

(b) Applicant shall provide an environmental impact statement and shall demonstrate to the Board's satisfaction that there will be no conduct which is likely to pollute, impair or destroy the air, water or other natural resources of the public trust therein; that there is no feasible and prudent alternative to the promotion of the health, safety and welfare in light of the paramount concern for protection of natural resources.

(c) Applicant shall plan for by sealed engineering plans and provide an impervious paved area capable of containing and collecting any potential spillage on the ground surface including spillage from vehicles, storage tanks, and equipment, to prevent surface water from percolating to ground water.

(d) Applicant shall submit competent plans and diagrams showing the conduct proposed and shall not deviate from or not enlarge upon such conduct as shown in such plans or as contained in any special land use permit issued here under.

(e) The Zoning Board may impose reasonable conditions on the conduct proposed as any be allowed by law.

(f) No disposal brine well shall be allowed closer than two thousand (2000) feet from any existing dwelling, water well or wetland draining into a stream, river, or body of water; Wetland being defined in the Wetland Protection Act 1979 Public Act 203 as a bog, swamp, or marsh contiguous to a lake, pond, river or stream and being more than five acres in size. No more than one (1) brine well shall be allowed per section (640 acres)
of land and they shall be a minimum distance of two thousand feet (2000) apart. No brine well shall be allowed closer than one thousand (1000) feet from a State Highway.

(g) Applicant shall obtain adequate liability insurance to the Board's satisfaction to cover any damages nearby Township residents might suffer from such a conduct.

33. All other uses not specifically mentioned.
ARTICLE SEVEN

The following provisions and requirements shall apply to all Resort-Residential Districts. R-R

SECTION 7.1 PURPOSE

The lands in this district have already been divided into smaller plots although there may be some larger parcels remaining. There are some permanent homes and numerous summer cottages. Some areas have river frontages. More permanent and summer homes may be expected in the future. These districts are intended to promote the proper use of water, land, and similar resources especially adapted to rather intense recreational and residential property uses.

SECTION 7.2

No property shall be used for building purposes that does not meet the requirements set forth in Article 3 of this Ordinance.

SECTION 7.3

All dwellings must meet the requirements of Article 3 of this Ordinance.

SECTION 7.4

A Land Use Permit shall be required for all accessory buildings and structures.

SECTION 7.5

A. Primary Uses (not subject to special approval)
   2. Forestry.
   3. Schools.
4. Archery ranges.
5. Home occupations.
6. Publicly owned buildings, parks and playgrounds,
7. Greenhouses, florist shops, nurseries, garden equipment and supplies.
8. Crop and livestock farming, including truck gardens, tree farming and other specialty crops.
9. Fruit and vegetable stands.
10. Mobile homes, one and two family dwellings that comply with Article 3, Section 3.10.

*B. Special Land Use Permit required (as provided by Article 4)
1. Saw mills and lumber yards.
2. Building materials.
3. Auto sales and rentals.
5. Gas and repair stations.
6. Grocery and hardware stores.
7. Taverns, dance halls and night clubs.
8. Golf courses.
10. Banks, businesses and professional offices.
11. Truck terminals, wholesale and warehouse establishments.
13. Used car lots and sales.
14. Dry cleaning and laundromats.
15. Veterinary hospitals and kennels.
16. Boat and canoe liveries.
17. Campgrounds for profit.
18. Boat sales and repair.
19. Rental cabins for 300 square feet or larger.

20. Petroleum and flammable liquid storage and pumping facilities of a commercial nature.


22. Rest homes.

23. Motels and restaurants.

24. Funeral homes.


27. Flea markets.

28. Junk yards, sanitary land-fills, animal and garbage disposal areas.


30. Cemeteries.

31. Brine disposal wells subject to the following:

(a) Applicant shall obtain all appropriate permits from other governmental agencies including the Michigan Department of Natural Resources before engaging in the conduct requested.

(b) Applicant shall provide an environmental impact statement and shall demonstrate to the Board's satisfaction that there will be no conduct which is likely to pollute, impair or destroy the air, water or other natural resources or the public trust therein; that there is no feasible and prudent alternative to the promotion of the health, safety and welfare in light of the paramount concern for protection of natural resources.

(c) Applicant shall plan for by sealed engineering plans and provide an impervious paved area capable of containing and collecting any potential spillage on the ground surface, including spillage from vehicles, storage tanks and equipment, to prevent surface water from percolating to ground water.

(d) Applicant shall submit competent plans and diagrams showing the conduct proposed and shall not deviate from or not enlarge upon such conduct as shown in such plans or as contained in any special land use permit issued hereunder.

(e) The Zoning Board may impose reasonable conditions on the conduct proposed as any be allowed by law.

(f) No disposal brine well shall be allowed closer than two thousand (2000) feet from any existing dwelling, water well, or wetland draining into a stream, river or body of water; Wetland being defined in the Wetland
Protection Act 1979 Public Act 203 as a bog, swamp, or marsh contiguous to a lake, pond, river or stream and being more than five acres in size. No more than one (1) brine well shall be allowed per section (640 acres) of land and they shall be a minimum distance of two thousand (2000) feet apart. No brine well shall be allowed closer than one thousand (1000) feet from a State Highway.

(g) Applicant shall obtain adequate liability insurance to the Board's satisfaction to cover any damages nearby Township residents might suffer from such a conduct.

32. All other uses not specifically mentioned.
COMMERCIAL C

ARTICLE EIGHT

The following provisions and requirements shall apply to all Commercial Districts. C

SECTION 8.1 PURPOSE

The purpose of having Commercial Districts is to provide areas for retail businesses, professional services and other enterprises desirable and beneficial to an agricultural community.

SECTION 8.2

A. Primary Uses (not subject to special approval)

1. Mobile homes and one and two family dwellings that comply with Article 3, Section 3.10.

2. Retail stores and shops.

3. Automobile sales and rentals.


5. Grocery and hardware stores.

6. Banks, businesses and professional offices.

7. Boat sales and repairs.

8. Lumber yards.


10. Greenhouses, florist shops, nurseries, garden equipment and supplies.

11. Barber and beauty shops.

12. Fruit and vegetable stands.

13. Laundromats, laundries and clothes-cleaning establishments without use of explosive or inflammable fluids.


15. Libraries.

16. Funeral homes.

17. Publicly owned buildings and grounds.
18. Restaurants.


*B. Special Land Use Permits required (as provided by Article 4)

1. Saw mills.

2. Rest homes and half-way houses.

3. Clinics and hospitals.

4. Dance halls and night clubs.

5. Commercial parking lots.


7. Petroleum and flammable liquid storage and pumping facilities of a commercial nature.

8. Taverns.

9. Veterinary hospitals and kennels


11. Farm supplies and machinery sales and service.

12. Flea markets.

13. Junk yards, sanitary land-fills, animal and garbage disposal areas.

14. Brine disposal wells subject to the following:

(a) Applicant shall obtain all appropriate permits from other governmental agencies including the Michigan Department of Natural Resources before engaging in the conduct requested.

(b) Applicant shall provide an environmental impact statement and shall demonstrate to the Board's satisfaction that there will be no conduct which is likely to pollute, impair or destroy the air, water or other natural resources or the public trust therein; that there is no feasible and prudent alternative to the promotion of the health, safety and welfare in light of the paramount concern for protection of natural resources.

(c) Applicant shall plan for by sealed engineering plans and provide an impervious paved area capable of containing and collecting any potential spillage on the ground surface, including spillage from vehicles, storage tanks and equipment, to prevent surface water from percolating to ground water.

(d) Applicant shall submit competent plans and diagrams showing the conduct proposed and shall not deviate from or not enlarge upon such conduct as shown in such
plans or as contained in any special land use permit issue hereunder.

(e) The Zoning Board may impose reasonable conditions on the conduct proposed as any be allowed by law.

(f) No disposal brine well shall be allowed closer than two thousand (2000) feet from any existing dwelling, water well, or wetland draining into a stream, river or body of water; Wetland being defined in the Wetland Protection Act 1979 Public Act 203 as a bog, swamp, or marsh contiguous to a lake, pond, river, or stream and being more than five acres in size. No more than one (1) brine well shall be allowed per section (640 acres) of land and they shall be a minimum distance of two thousand (2000) feet apart. No brine well shall be allowed closer than one thousand (1000) feet from a State Highway.

(g) Applicant shall obtain adequate liability insurance to the Board's satisfaction to cover any damages nearby Township residents might suffer from such a conduct.

15. All other uses not specifically mentioned.
ARTICLE NINE

SECTION 9.1

A. Industrial districts will be located only in the agricultural-residential district, AG-R, or the Forest-Recreational district subject to the following provisions. Due consideration will be given for proposals for the following uses of land, and the erection and use of the listed buildings.

1. The production, processing, assembly, manufacture or packaging of any goods or material, including testing, repair, storage, distribution, and sale of such products at wholesale.
2. Ready mix concrete and asphalt plants.
3. Reduction, conversion, and disposal of waste materials.
4. Storage of petroleum and other flammable products.
5. Storage of gas or oil pipes and related equipment. (Temporary storage (30 days or less) is not subject to these provisions.
6. Warehouses.
7. Wholesale contractors yards.

B. Standards

All property uses in this district shall be subject to the following applicable conditions;

1. Use of buildings and structures. Exterior yard storage shall be screened by a solid, uniform finished and maintained wooded or masonry wall or fence of durable material or by a well maintained evergreen hedge, not less in height than that of the enclosed storage material. No front yard shall be used for parking, storage, loading facilities or accessory structures.

2. Offensive and hazardous emissions. No use shall discharge and produce dust, smoke, odorous or toxic fumes beyond the boundaries of the premises.

3. Operating conditions. Application for a permit shall be accompanied by a written statement from the property owner on effects of operations on traffic, water and air pollution, noise levels, fire and safety hazards, and on emission of dangerous or obnoxious matter.
C. Uses Subject to Special Approval

1. Brine disposal wells subject to the following:

(a) Applicant shall obtain all appropriate permits from other governmental agencies including the Michigan Department of Natural Resources before engaging in the conduct requested.

(b) Applicant shall provide an environmental impact statement and shall demonstrate to the Board's satisfaction that there will be no conduct which is likely to pollute, impair, or destroy the air, water or other natural resources or the public trust therein; that there is no feasible and prudent alternative to the promotion of the health, safety and welfare in light of the paramount concern for protection of natural resources.

(c) Applicant shall plan for by sealed engineering plans and provide an impervious paved area capable of containing and collecting any potential spillage on the ground surface, including spillage from vehicles, storage tanks and equipment, to prevent surface water from percolating to ground water.

(d) Applicant shall submit competent plans and diagrams showing the conduct proposed and shall not deviate from or not enlarge upon such conduct as shown in such plans or as contained in any special land use permit issued hereunder.

(e) The Zoning Board may impose reasonable conditions on the conduct proposed as any be allowed by law.

(f) No disposal brine well shall be allowed closer than two thousand (2000) feet from any existing dwelling, water well, or wetland draining into a stream, river or body of water; Wetland being defined in the Wetland Protection Act 1979 Public Act 203 as a bog, swamp, or marsh contiguous to a land, pond, river, or stream and being more than five acres in size. No more than one (1) brine well shall be allowed per section (640) acres of land and they shall be a minimum distance of two thousand (2000) feet apart. No brine well shall be allowed closer than one thousand (1000) feet from a State Highway.

(g) Applicant shall obtain adequate liability insurance to Boards satisfaction to cover any damages nearby Township residents might suffer from such a conduct.
ARTICLE TEN

SECTION 10.1 ZONING ADMINISTRATION

The provisions of this Ordinance shall be administered by a Zoning Administrator who shall be appointed by the Township Board.

SECTION 10.2 DUTIES OF ZONING ADMINISTRATOR

1. Issue Land Use Permits and maintain records thereof.

2. Conduct inspections and use of lands subject to the provisions of this Ordinance.

3. Provide information to the public relative to matters arising from the administration of this Ordinance.

4. Take proper action to prevent violation of this Ordinance.

SECTION 10.3

Before proceeding with the use, erection, or alteration of any building or structure subject to the provisions of this Ordinance, the owner shall first apply to the Zoning Administrator for a Land Use Permit. This requirement shall not apply to the interior of a building, provided no change is made in the foundations or the outside perimeter of the building.

Application shall be made in duplicate on forms provided by the Township Board and shall be accompanied by a tax description of the property.

Permits issued shall be subject to an approved water and sanitation system in compliance with the sanitary code for the District Health Department No. 1 Missaukee County.

A blueprint or neat ink drawing to approximate scale must accompany the application and include the following:

1. Shape, area and dimensions of the property.

2. The kind, dimensions and height of all proposed buildings.

3. On examination of any site, the Zoning Administrator may require a boundary survey and staking of the premises by a competent surveyor.
If the Zoning Administrator finds that the application conforms to the requirements of the Ordinance he shall issue, sign and date the Land Use Permit and keep a record of same.

SECTION 10.4

Fees for Land Use Permits may be recommended by the Planning Commission, or the Zoning Board of Appeals, and determined by the Township Board.
ARTICLE ELEVEN

SECTION 11.1

A Zoning Board of Appeals is hereby created and appointed by the Township Board. Appointment shall include 3 members. One member must be the Chairman of the Planning Commission. One member must be chosen from the Township Board and the other member must be appointed by the Township Board from among the electors of the Township.

* The Township Board may appoint two alternate members to the Zoning Board of Appeals who may be called to sit as regular members in the absence of a regular member.

* Alternate members have the same voting rights as regular members when they are called to fill the positions of a regular member.

SECTION 11.2

Meetings of the Township Board of Appeals shall be held at the request of the Chairman as may be necessary to carry out the purpose of the Board of Appeals. The Board must keep a record of its proceedings.

SECTION 11.3

Duties and powers of the Zoning Board of Appeals are as follows:

1. To hear and decide upon appeals brought to their attention by the Zoning Administrator or other administrative agents of the Township.

2. Listen to and decide upon requests for interpretation of the Ordinance.

3. To grant variances on appeal concerning any provision of the Ordinance when it might cause undue hardship on any individual.

4. To carry out duties as otherwise specified in this Ordinance.
ARTICLE TWELVE

SECTION 12.1

The Zoning Administrator shall inspect and investigate any alleged violations and shall order in writing any corrections to the owner of the premises.

SECTION 12.2

All violations must be corrected within 30 days from the date of the written notice of the violation.

SECTION 12.3

Any person, firm or corporation who violates, disobeys, omits, neglects or refuse to comply with, or who resists enforcement of any of the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined up to one hundred dollars ($100.00), or by imprisonment in the County jail up to ninety (90) days for each offense, or may be both fined and imprisoned at the discretion of the court. Every day that the violation is permitted to exist shall constitute a separate offense.
AMENDMENTS

ARTICLE THIRTEEN

SECTION 13.1

Amendments to this Ordinance may be adopted from time to time as may be desirable. Such amendments may be initiated by the Planning Commission, the Zoning Board of Appeals, the Township Board or by the written petition of any property owner having property assessed for taxes in the Township. Amendments may be made in the same manner as enacting this Ordinance using Act 184 of the Public Acts of 1943 as amended.
DEFINITIONS

ARTICLE FOURTEEN

SECTION 14.1

Accessory Building or Structure

A supplemental building or structure on the same premises as the main building devoted only to an accessory use, but not including a dwelling.

Building

Any structure having a roof supported by walls for the shelter of persons or property.

Dwelling

A building permanently used as living quarters, as a home and place to sleep and eat.

Family

One or more persons occupying a dwelling, living together as a single housekeeping unit.

Farm Buildings and Structures

Any building and structure primarily used for agricultural purposes.

Floor Area

The sum of square feet of habitable floor space of a building exclusive of unenclosed porches and garages.

*Home Occupation

An occupation that is limited to members of a household unit. The home occupation must take place in the home or accessory buildings.

Mobile Home

Any structure, used as a dwelling, which has been or reasonably may be equipped with wheels for transporting the structure from place to place. A mobile home must conform to all the Ordinance the same as a dwelling.

Rental Cabin

A building to rent out for part-time occupancy and not to be used a dwelling.

*Terms not defined herein shall have the meanings customarily assigned to them.
VALIDITY

ARTICLE FIFTEEN

SECTION 15.1

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling. Furthermore, if any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular parcel, lot, use, building or structure, said ruling shall not affect the application of such provisions to any other parcel, lot, use, building or structure within Holland Township not expressly included in such ruling.