

Article 4 AR Agricultural Residential District

Section 4.01 Purpose

The purpose of this district is to provide for the compatible arrangement and development of parcels of land for residential building purposes in a pastoral, agricultural, woodland, or open land setting, which will remain unserved by public water distribution and wastewater disposal systems in the foreseeable future, but which are suitable for large lot residential purposes, which can accommodate healthful on-site water supply and wastewater disposal, but which reserves and conserves that land which is most adaptable for present and future agricultural, woodland, natural resource, **hunting**, and other extensive land uses.

Section 4.02 - Permitted Principal Uses

- A. General farming
- B. Field crop, fruit, vegetable, horticultural, maple sugar production, ~~annelid~~, and ~~similar~~ **other** types of specialized farming.
- C. Greenhouses and nurseries for trees, shrubs, and plants.
- D. Raising and keeping of cattle, hogs, horses, ponies, sheep, goats, swine, and similar livestock.
- E. Raising and keeping of rabbits, poultry, and similar small animals.
- F. On-site production and consumption of food for animals.
- G. Aviaries **and Hatcheries**
- ~~H. Hatcheries~~
- I. Public and semi-public buildings for the housing of public facilities, utilities, and services.
- J. Public and private conservation areas and structures for water, soil, forest, wildlife, minerals, and open space.
- K. Public and private areas for golf courses, golf driving ranges, country clubs, miniature golf courses, historical places, parks, playgrounds, beaches, resorts, swimming pool and courts game clubs, and organizational camping.
- L. Public areas for forest preserves, game refuges, and similar uses.
- M. Cemeteries; public, private, or pet.
- N. ~~Conventional and manufactured~~ single family dwellings that meet the criteria for the AR District.
- O. Foster care facilities housing six ~~(6)~~ or less persons.
- P. Utility airports (FAA I Type) and private air strips, if on sites of at least forty ~~(40)~~ acres in area.

Section 4.03 - Permitted Principal Special Uses with Conditions

A. Outdoor Kennels for Dogs

- 1. All dog kennels shall be operated in conformance with all applicable county, state, and federal regulations; permits being valid no longer than one ~~(1)~~ year.

2. For dog kennels, the minimum lot size shall be one ~~(4)~~ acre for up to six ~~(6)~~ dogs and an additional one-sixth ~~(1/6)~~ acre for each one ~~(1)~~ additional dog.
3. Buildings wherein dogs are kept, dog runs, and/or exercise areas shall not be located nearer than 100 feet to any occupied dwelling or any building on an adjacent parcel used by the public and shall not be located in any required front, rear, or side yard setback area.
4. Such facilities shall be under the jurisdiction of the Planning Commission, and subject to other conditions and requirements of said body deemed necessary to insure against the occurrence of any possible nuisance by requiring necessary minimum distances, berms, fencing, soundproofing, and sanitary requirements.

B. Electronic receiving, transmitting, and relay facilities

1. The minimum lot size shall be ~~three (3)~~ acres.
2. The lot shall be so located that at least one ~~(1)~~ property line abuts a public thoroughfare and the ingress and egress shall be directly upon said thoroughfare.
3. The front yard setback and side and rear yards for each tower from adjacent right-of-ways and/or property lines shall be not less than one and one-quarter ~~(1.25)~~ times the height of each tower above ground.
4. Unless specifically waived by the Planning Commission, an open air fence between four ~~(4)~~ and six ~~(6)~~ feet in height shall be constructed on the boundary property lines.
5. Construction plans and supervision shall be done by an engineer licensed by the State of Michigan.

C. Agribusiness

An agribusiness shall be buildings, structures, lots, parcels, or parts thereof, which provide services, goods, storage, transportation, or other activities directly related to the production of agricultural commodities. Permitted agribusinesses are listed below with the following conditions:

1. Minimum lot or parcel area shall be ten ~~(10)~~ acres and minimum road frontage shall be 300 feet, except as otherwise required for specific uses listed.
2. All agribusiness uses shall be located at least 250 feet from all AR, RR, LFR, MDR, HDR, and MFR zoning district boundary lines, and existing residential structures located on adjacent properties.
3. All agribusiness uses shall meet the requirements of the State and County Health Departments for water supply and liquid and solid waste disposal and other applicable health and sanitation requirements.

Agricultural products, production, and processing operations.

Agricultural products storage facilities.

Auctions for livestock.

Bulk feed and fertilizer outlets and distribution centers.

Farm machinery; sales, service, rental, and repair.

Grain elevators for storage, drying, and sales.

Grain and livestock truck and cartage facilities.

Greenhouses and nurseries.

Riding stables

Sawmills

Seed dealership outlets and distribution centers.
Veterinary hospitals, clinics, and indoor kennels.

D. Public and private institutions for human care, religion, education, and other human social purposes.

1. The proposed site for any of the uses permitted herein which would attract persons from, or are intended to serve, areas beyond the immediate zoning district area shall have at least one (4) property line abutting a paved impermeable hard surface public road.
2. Front, side, and rear yards shall be set back at least fifty (50) feet, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to screen the use from abutting residential lots and parcels.

E. Guest Houses and Lodges for short term recreational use

1. All structures in this category shall require a Special Use Permit.
2. They may be primary or as an accessory to a main dwelling.
3. These structures must be on a minimum of ten acres and will in most cases be located to not be visible from the public road.
4. The building type and size may vary from the requirement in Section 4.06.
5. These structures may not be occupied more than 100 days per year.
6. These structures would be subject to periodic inspection and review for meeting the conditions in the Special Use Permit.
7. If these structures were converted to meet the requirements in this Section of a primary dwelling, the Special Use Permit could be canceled.

Section 4.04 - Permitted Accessory Uses

Some of the items in this Section may have an exclusion from obtaining a Building Permit from the County but all of the uses do require a Zoning Permit from Hillsdale Township. All setbacks for this Section § AR apply to all structures regardless of their classification.

- A. Buildings and structures customarily incidental to the operation of a principal agricultural or other use permitted in the AR District.
- B. Buildings and structures customarily incidental to single family residential dwellings.
- C. Signs related to permitted uses, provided that all such signs shall conform to the requirements of Article 19.
- D. Home occupation agricultural commercial enterprises, including, but not limited to, seed and other product sales as conditioned by Section 16.21.
- E. Private residential swimming pools as conditioned by Section 16.20.
- F. Farm implement and vehicle repair and maintenance.
- G. Herbicide, insecticide, and fertilizer sales and application.
- H. Greenhouses and nurseries.
- I. Grain and feed storage facilities.
- J. Cold and other storage facilities for agricultural products.
- K. Customary home occupations, as conditioned by Section 16.21.

Section 4.05 - Permitted Accessory Uses with Conditions

- A. Household Pets

Small domesticated household pets, such as dogs, cats, and birds are limited to the maximum number normally existing in normal family homes in the Township which is generally no more than two (2); however, if more than 2 are desired, as long as all other County, State, and Federal laws are complied with, and an additional area of land equal to one-sixth (1/6) acre per animals is provided, additional domesticated household pets will be permitted up to a maximum of five (5).

~~B. Non-commercial Domestic Farm Animals~~

~~Large domestic farm animals which are used essentially for pet, contest, riding, educational, or other special purposes as individual animal specimens are permitted at the rate of one (1) per acre on a minimum of five (5) acres for the first animal and one (1) acre for each additional animal.~~

C. Roadside Stands

In the AR District each farm may have one (1) roadside stand for the purpose of selling produce or other products principally raised or produced on that farm in the course of its permitted agricultural activity. The stand shall be located and constructed to meet the following requirements:

1. The structure shall not be more than one (1) story in height.
2. The floor area shall not be more than 400 square feet.
3. The stand shall be located no closer than forty (40) feet from the nearest highway pavement or other traveled surface. In no case, shall the stand occupy any part of the right-of-way.

~~D. Mobile Homes as Accessory Dwellings~~

~~1. Permitted on forty (40) acres or more of land used for agricultural production with the following conditions:~~

- ~~a) The parcel has a principal farm dwelling located upon it.~~
- ~~b) The farm parcel is at least forty (40) acres in area for the first mobile home, and an additional forty (40) acres for each additional mobile home.~~
- ~~c) The occupants meet either one of the following conditions:~~
 - ~~1) have a direct family relationship to those persons occupying the principal farm dwelling.~~
 - ~~2) a full-time employee of the occupants of the principal farm dwelling and engaged in an agricultural occupation on the farm on which the mobile home is located.~~

~~2. Permitted on a single family residential lot with the following conditions:~~

- ~~a) The lot has a principal single family dwelling located upon it.~~
- ~~b) The lot is a legal lot of record.~~
- ~~c) The occupants have a direct family relationship to those persons occupying the principal dwelling.~~
- ~~d) The occupants have a need as determined by their acquisition of a physician's certification prescribing the need for such housing during the period of illness or infirmity.~~

~~3. Both 1. And 2. Immediately above shall also meet the following additional conditions:~~

- ~~a) Mobile homes used for this purpose shall be limited to only one (1) per single family residential lot or one (1) per each forty (40) acres of a farm parcel.~~
- ~~b) Mobile homes used for this purpose shall have immediate and unlimited access to all facilities located in the principal dwelling or on~~

~~the farm or single family residential lot for the maintenance of proper health and sanitation, including potable water and sanitary disposal facilities for solid and liquid wastes.~~

- ~~c) All accessory mobile homes shall be located within the appropriate setback lines for the yard in which they are located, except that no accessory mobile home shall be located in a front yard of a principal dwelling.~~
- ~~d) Zoning permits shall be approved by the Planning Commission and reviewed annually thereafter for continued need and compliance.~~
- ~~e) Zoning permits issued for such use shall terminate at such time that any one or combination of the above conditions cease to be met.~~
- ~~f) Prior to the issuance of a zoning permit the owners of the principal use shall post a five hundred (\$500) financial guarantee as prescribed by the Township Board.~~

Section 4.06 - Dimensional Regulations

- A. **Lot Area:** (Amended 9/93) A permitted agricultural parcel shall have a minimum of five ~~(5)~~ acres in area, except as otherwise may be provided in this Ordinance **(4.06 G below)**.
- B. **Lot Width:** minimum of 200 feet at the building setback line.
- C. **Lot Coverage:** maximum of twenty ~~(20)~~ percent.
- D. **First Floor Area:** the minimum first floor area of a one ~~(1)~~ story dwelling 960 square feet, and for a two ~~(2)~~ story dwelling 700 square feet, and a minimum total of 960 square feet for both stories.
- E. **Yard and Setback Requirements:**
 - 1. **Front Yard:** minimum of fifty ~~(50)~~ feet from the road right-of-way line.
 - 2. **Side Yards:** minimum of fifteen ~~(15)~~ feet for each side yard, except where a side yard abuts a road right-of-way line, the minimum shall be fifty ~~(50)~~ feet.
 - 3. **Rear Yard:** minimum of fifty ~~(50)~~ feet.
- F. **Height Limitations:** maximum of thirty-five ~~(35)~~ feet for all dwellings and a maximum of twenty-five ~~(25)~~ feet for all buildings accessory to dwellings; maximum of forty-five ~~(45)~~ feet for all agricultural buildings, except for grain elevators, silos, and windmills which shall not exceed 120 feet in height.
- G. **Reduced Lot Area:** Notwithstanding the provisions of paragraph A hereof, effective January 1, 1999, a permitted parcel may have a minimum of 2.5 acres in area in the following circumstances:
 - a) An existing parcel containing 5 acres but not more than 7 acres in area may be divided into two parcels, with each parcel to be at least 2.5 acres in area; provided that only one drive shall be allowed to serve those two parcels for access to a public highway;
 - b) A parcel of at least 2.5 acres in area may be created adjoining an existing 5 to 7 acre parcel, provided that there shall be only one drive for access to a public highway serving the two parcels;
 - c) Permitted parcels may have a minimum of 2.5 acres in area, provided that there is no more than one drive serving the parcels for access to a public highway and that drive shall serve at least four parcels;

- d) Notwithstanding the provisions of sub-paragraphs a), b), and c) above, if there was a driveway in existence as of December 31, 1998, serving a dwelling on one of the then allowable parcels, an additional driveway will be allowed as to the parcels allowed in sub-paragraphs a), b), and c) above;
- e) Other dimensional regulations set forth in Section 4.06 shall apply.