

PLEASANTON ZONING ORDINANCE ARTICLE 10: GENERAL PROVISIONS

1001. - PURPOSE:

It is the purpose of this Article of the Ordinance to provide regulations for miscellaneous and other requirements that apply in all zoning districts to all permitted uses.

1002.-SCOPE:

Zoning applies to all parcels of land and to every building, structure or use. No parcel of land, no building, structure or part thereof and no new building, structure or part thereof shall hereafter be located, erected, altered, occupied or used except in conformity with this Ordinance.

1003. - MAINTENANCE OF SITE REGULATIONS:

A. The maintenance of setback, height, floor area ratio, coverage, open space greenbelt, mobile home site, transition strip, parcel area and parcel area per dwelling unit required for one (1) use. Any parcel, building or structure shall be continuing obligation of the owner of such building or structure or of the parcel on which such use, building or structure shall be located. Furthermore, no setback, height, floor area ratio, coverage, open space, mobile home site, transition strip, greenbelt, parcel, use, building or structure may be allocated to any other parcel, use, building or structure.

B. Land, once designated as a single parcel and dedicated to a use or improved with a building or structure, shall not be eligible for meeting the minimum area and lot width requirements of the Land Use District in which it is located for another use, building or structure. If the original parcel is reduced in size or divided into two (2) or more parcels, by any method, unless each parcel, including the original parcel, resulting from such reduction in size or division, shall conform with the minimum area and lot width requirements of the Land Use District in which it is located and such reduction in size or division does not violate any other applicable laws or ordinances including, but not limited to, Manistee County and the State of Michigan Land Division Act.

C. Setbacks and Yard Requirements - The setback and yard requirements established by this Ordinance shall apply uniformly in each zoning district to every parcel, building or structure except, notwithstanding any other provision of this Ordinance that any of the following structures may be located anywhere on any parcel: Open and unroofed terraces, patios, flagpoles, hydrants, clothes lines, arbors, trellises, recreation equipment, outdoor cooking equipment, sidewalks, private driveways, trees, plants and shrubs.

1004. - GENERAL PROVISIONS:

No parcel, building or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition so as to adversely affect the surrounding area or adjoining premises provided that any use permitted by this

Ordinance may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the following performance requirements.

A. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire suppression equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance, which is compatible with the potential danger involved as is required by applicable provisions of the State Construction Code and rules promulgated there under and/or the State Fire Marshall.

B. Activity which emits radioactivity at any point, or electrical disturbance shall not be permitted in excess of the applicable Federal Nuclear Regulatory Commission or Public Service Commission or Michigan Department of Health, Department of Radiology regulations rules promulgated by rule there under.

C. No vibration shall be permitted in excess of the applicable county noise ordinance or regulations promulgated by rule there under.

D. No malodorous gas or matter shall be permitted in excess of the applicable state or federal air pollution statutes or regulations promulgated by rule there under.

E. No pollution of air by fly-ash, dust, vapors, or other substances shall be permitted in excess of the applicable state or federal air pollution statutes or regulations promulgated by rule there under.

F. No direct light source, which is not defused or shaded shall be permitted which is visible from any property or from any public street, road or highway.

G. No pollution of water bodies shall be permitted in excess of the applicable state or federal water pollution statutes or regulations promulgated by rules there under.

H. No audible noise shall be permitted in excess of the standards in the Manistee County Noise Ordinance, as amended. The Zoning Administrator shall enforce this section by cooperating with and reporting suspected violations to the respective enforcement agency(s) responsible for administration of the statutes, rules or ordinances cited above.

1005. - COMPLIANCE WITH COUNTY SANITARY CODE:

Every structure or device hereinafter erected or moved upon any premises and used, designed or intended for human habitation shall conform to the requirements of the Manistee-Mason County Sanitary Code.

1010. - HAZARDOUS SUBSTANCE GROUNDWATER PROTECTION:

A. All businesses and facilities (except fuel stored in a fuel tank which is part of a motor vehicle for purposes of use by that vehicle's engine) which use or generate hazardous substances:

1. In quantities greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) per month or ninety five (95) liters (approximately twenty five (25) gallons) per month, whichever is less,

or

2. **Stores greater than one hundred (100) kilograms** (approximately two hundred twenty (220) pounds) or ninety five (95) liters (approximately twenty five (25) gallons), whichever is less, shall comply with the following groundwater protection requirements.

B. Groundwater protection requirements:

1. Groundwater protection generally:

a. The project and related improvements shall be designed to protect the natural environment, including lakes, ponds, streams, wetlands, floodplains, groundwater, street slopes, and natural and man-made drainage systems.

b. Storm water management and drainage facilities shall be designed to retain the natural retention and storage capacity of any wetland, water body, or watercourse, and shall not increase flooding or the potential for pollution of surface or groundwater, on-site or off-site.

c. General purpose floor drains and storm drains shall be:

- (1) Connected to an on-site holding tank (not a septic tank/drain field or a dry well) in accordance with state, county and municipal requirements, or
- (2) Authorized through a state groundwater discharge permit or
- (3) Connected to a public sewer system.

d. State and Federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate state and county permits and approvals.

e. In determining conformance with the standards in this Ordinance, the Administrator or Commission, whichever one is applicable, shall take into consideration the publication titled "Small Business Guide to Secondary Containment of Hazardous Substance and Polluting Materials" published by The Clinton River Watershed Council, May 1990, and other references.

f. Out-of-service water wells shall be sealed and abandoned in accordance with applicable requirements of the Michigan Department of Public Health and the Manistee-Mason District Health Department.

g. If the site plan includes territory within a Wellhead Protection Overlay Zone submit a signed statement providing permission for periodic follow-up groundwater protection inspections by the Administrator, county and state officials.

2. Above-ground Storage:

a. Primary containment of hazardous substances shall be product tight containers, which are protected from weather, leakage, accidental damage, and vandalism.

- b. Secondary containment for the storage of hazardous substances and polluting materials is required. Secondary containment shall be one of the following, whichever is greatest:
 - (1) Sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of and release substance, or
 - (2) shall be at least as great as volumes required by state or county regulations, or
 - (3) shall, if not protected from rainfall, contain a minimum of
 - (a) 110% of the volume of the largest storage container within the dike of the secondary containment area, plus
 - (b) the volume that is occupied by all other objects within and below the height of the dike of the secondary containment area plus
 - (c) the volume of a 6 inch rainfall.
- c. Secondary containment structures such as our building, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or rivers.
- d. Areas and facilities for loading/unloading of hazardous substances and polluting materials, as well as areas where such materials are handled, stored or used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater or soils.
- e. At a minimum. State of Michigan and Federal agency requirements for storage, leak detection, record keeping, spill prevention, emergency response, transport and disposal shall be met.
- f. Bulk storage of pesticides shall be in accordance with requirements of the Michigan Department of Agriculture.

3. Underground Storage:

- a. Underground storage tank installation, operation, maintenance, closure and removal shall be in accordance with the requirements of the State Fire Marshall Division and the Michigan Department of Environmental Quality.
- b. Bulk storage facilities for pesticides and fertilizer shall be in compliance with requirements of the Michigan Department of Agriculture.

1011. - WATER PROTECTION (GREENBELT AREAS):

It is the policy of this Ordinance to preserve and maintain the natural quality of (flowing bodies of water) within the Township of Pleasanton by restricting the clearing of natural habitat away from and the construction of improvements upon land bordering upon such bodies of water.

Notwithstanding anything to the contrary contained in this Ordinance, the following provisions shall apply in all those areas designated upon the Official Zoning Map as "Greenbelt Areas".

- A. No dwelling or other structure shall be built, located or constructed closer than one hundred (100) feet, or the water front setback found in the respective zoning district in this Ordinance, whichever is greater, measured on a horizontal plane to the edge of flowing bodies of water in any land use district.

- B. Within fifty (50) feet of the edge of flowing bodies of water only ten (10%) percent of the living trees, shrubs and other natural growth may be removed in a five (5) year period. Where the land concerned is to be used for growing timber, the forgoing restriction does not apply to the removal of tag alder and/or sumac.
- C. No building or structure shall be built, located or constructed within a flood plain of any flowing bodies of water in any land use district as may be determined by the Department of Environment Quality.

1040. - PARCEL, YARD AND AREA MEASUREMENTS:

More than one main building, with accessory structures and buildings, may be built on a parcel under single ownership, but the parcel shall have a minimum size equal to the number of main buildings times the minimum parcel size for the zoning district, and shall maintain twice the set-back requirements as distance between structures.

1050. - ACCESS TO PUBLIC ROADS:

In any district every use, building or structure established after the effective date of this Ordinance shall be located on a parcel which abuts a public or private road or easement which provides access to a public road, such public or private road or easement being at least sixty-six (66) feet in width unless a lesser width was duly established for record prior to the effective date of this Ordinance, provided that private easements shall be at least twenty (20) feet wide.

1051. - PRIVATE ROADS:

A. Private Roads Permitted

- 1. Private Roads are permitted provided they conform to the requirements of this Article.
- 2. All private roads, which serve a subdivision, as defined by the Subdivision Control Act of 1967, and have received approval through the Manistee County Subdivision and Condominium Act of 1986 shall be exempt from the requirements of this Article.

B. Private Roads Standards

- 1. The creation of a road that serves a division of land or a development, which consists of three or more principal buildings, shall meet or exceed the construction standards established by the Manistee County Road Commission for public roads.
- 2. All private roads shall have a minimum right-of-way easement of at least sixty-six (66) feet, or the current Manistee County Road Commission designated right-of-way width, whichever is greater.
- 3. No structure or development activity shall be established within the approved rights-of-way or easements.
- 4. All private road easements shall contain provisions for the placement of public utilities, including but not limited to:
 - a. Telephone Lines

- b. Electrical Lines
 - c. Cable Television Lines
 - d. Natural Gas Lines
 - e. Municipal Water Lines
 - f. Municipal Sewer Lines
5. Private Roads with only one connection to a county road or state highway or another approved private road meeting the requirements of this Article shall not be longer than two thousand (2,000) feet.
 6. No more than twenty-five (25) principal buildings may gain access to a single private road where one (1) point of intersection is provided between a private road and public road.
 7. No more than seventy-five (75) principal buildings may gain access to a single private road where two or more points of intersection are provided between a private road and a public road.

C. Maintenance Agreement

1. Continued maintenance of private roads shall be the responsibility of the property owner(s) served by the private roads.
2. Upon execution, the Private Road Maintenance Agreement shall be recorded with the Township Clerk and Manistee County Register of Deeds.
3. At a minimum, the Private Road Maintenance Agreement shall contain the following:
 - a. Maintenance Costs: The private Road Maintenance Agreement shall acknowledge that the road surface and easement area are privately owned, and therefore all construction, improvements, and maintenance within the easement will be contracted and paid for by the signatories to the Agreement. The Agreement shall set forth a workable method of apportioning maintenance costs.
 - b. Township and County Not Responsible: The provisions in the Private Road Maintenance Agreement shall be written so that no provision shall be construed to obligate the Township or the County to perform regular inspections of the easement area or to provide necessary repairs or maintenance and furthermore the Township shall be held harmless as to liability.
 - c. Maintenance Needs: The Private Road Maintenance Agreement shall acknowledge the responsibility of the signatories to the Agreement to maintain the following:
 1. Surface grading and resurfacing at regular intervals
 2. Snow and ice removal
 3. Repair of potholes
 4. Maintenance of road drainage systems
 5. Regular cutting of weeds and grass within the easement
 6. Replacement or reconstruction of the roadway and all related improvements, such as road base, road surface, culverts, bridges, catch basins, drains, and traffic signs.
 - d. Continuing Obligation: The Private Road Maintenance Agreement shall specify that the obligation to maintain the easement shall be an obligation running with

- the land to be served by the private road, and shall be binding upon the owner(s) of such land and their heirs, successors, and assigns.
- e. Township Intercession: The Private Road Maintenance Agreement shall permit the Township to maintain, repair, and take possession of the private road if, in the sole opinion of the Township Board;
 - 1. a health or safety hazard exists,
 - 2. or if the Township determines that no other feasible means of maintenance is likely to exist.
 - 3. The Township may charge the property owners with all costs associated with such maintenance according to the apportionment sections of the Private Road Maintenance Agreement.
 - f. Designated Contact: The Private Road Maintenance Agreement shall specify an individual to serve as the property owner(s) contact with the Township.

1052. - TRAFFIC VISIBILITY AT CORNERS:

No vehicle shall be parked, nor fence, hedge, planting of shrubs, signs or any similar structures shall be located, erected or maintained, within a distance of forty (40) feet from the point of intersection of the front parcel line and the side parcel line adjacent to the road which obstructs safe vision at a road.

1053. - VEHICULAR PARKING SPACE, ACCESS AND LIGHTING:

A. For each principal building or establishment hereafter erected or altered and located on a public road in any land use district, including buildings and structures used principally as a place of public assembly, there shall be provided and maintained suitable space off the public right-of-way which is adequate for the parking or loading of motor vehicles in the proportions shown as follows. The parking spaces called for hereunder shall be considered minimum requirements under this Ordinance and in the case of more than one use on a parcel, the minimum shall be the sum of the required parking for each use:

- 1. Dwellings, Duplexes and Apartment Buildings: Two (2) parking spaces for each family unit occupying the premises.
- 2. Hotels and other Lodging Places [70]: One (1) parking space for every spaces of legal sleeping capacity.
- 3. Nursing and Personal Care Facilities [805], Hospitals [806]; Institutions of similar nature: One (1) parking space for each four (4) beds, plus one (1) space for each doctor.
- 4. Motion Picture Theaters [783]; Amusement and Recreation Services [79]; Membership Organization's [86] halls; Public Administration [J] halls/meeting centers; Theaters; auditoriums and nay other places of public assembly: One (1) parking space for each four (4) seats of legal capacity.
- 5. Office; Finance, Insurance, and Real Estate [H]; Offices of Physicians, Dentist, Osteopathic Physicians and other health practitioners [801-804]; Legal Services [81]; Social Services [83]; Miscellaneous Services [89]; Public Administration [J]: One (1)

parking space for every two hundred (200) square feet of floor area; provided however, that doctor's offices and clinics shall be provided with three (3) spaces for doctors.

6. Eating and Drinking Places [58]: One (1) parking space for each three (3) seats of legal capacity.
7. Any other Retail Trade [G]: One (1) parking space for each one hundred (100) square feet of floor area.
8. Any other service [I]: One (1) parking space for each two hundred (200) square feet of floor area.

B. In addition to the above requirements, parking space in the proportion of one (1) space for every two (2) persons employed at the establishment shall be provided. Where no specific requirement is designated for other businesses, parking space, which is adequate shall be provided. Adequacy of parking shall be based upon the anticipated intensity of use of the business establishment by patrons and employees and by reference to the standards contained in Paragraph A. the Zoning Administrator shall establish the number of parking spaces required in the Land Use Permit.

C. A parking space shall be a minimum area often (10) feet by twenty (20) feet, with center and cross aisles being a minimum of twenty (20) feet wide.

D. All parking space required in this Section, except that required for a dwelling, shall be provided with adequate artificial lighting between the time from one-half (1/2) hour after sunset, to one-half (1/2) hour after closing of business or visiting hours, when the use of such space is open to the public.

E. Approval for location of all exits and entrances shall be obtained from the State Highway Department for all state trunk line highways and from the County Road Commission for all other roads, streets or highways in the Township. Such approval shall also include the design and construction thereof in the interests of safety, adequate drainage and other public requirements.

1060. - ADVERTISING SIGNS:

A. Advertising signs, billboards, advertising displays, outdoor displays and other advertising media shall be permitted only in those districts authorizing the same within a setback area provided that they comply with the following conditions:

1. The advertising sign or display complies with all statutes and regulations of the State of Michigan.
2. The advertising sign or display shall not be more than twenty-four (24) square feet in area and shall not be erected within five hundred (500) feet of any dwelling existing at the time said sign or display is erected or moved to such location, provided such dwelling is used exclusively for residential purposes and, provided further, should a dwelling be erected at any time within the five hundred (500) feet limitation, the permit shall be revoked and the owner of the sign, or his authorized agent, shall be notified of the revocation and such sign shall then be removed within ninety (90) days.

3. The advertising sign or display, except directional signs within one hundred (100) feet of intersections, shall not be erected within three hundred (300) feet of an existing sign or display.
 4. The advertising sign or display shall not be less than fifty- (50) feet from the road right-of-way line measured by a line perpendicular to the road right-of-way line.
- B. The provisions of Section 1060 A of this Ordinance shall not apply to:
1. Temporary sale, lease or rent signs, provided:
 - a. No more than two (2) signs are displayed
 - b. Such signs are located on the lot or structure for sale, lease or rent.
 - c. Such sign does not contain an area of more than ten (10) square feet. 4' x6'.
 - d. Such sign is removed following the sale, renting or leasing of the property.
 2. Temporary signs on residential premises may be located in any district, provided:
 - a. Such temporary signs (non-illuminated) shall be limited to the lease, hire, or sale of the building or premises, and provided further that such signs shall be removed as soon as the premises are leased, hired or sold.
 - b. Such signs shall not exceed six (6) square feet in area and shall not be located on the front half of the required front yard as measured from the front lot line or right-of-way.
 - c. That such sign is a specific information panel for the direction of motorists, which may be located, under authority of any statute, on any county, state and federal highway.
 - d. That such are signs with a political message directly associated with a campaign on a pending ballot issue or candidate during a period of the political campaign prior to election, no more than ten (10) days after the election.
 3. Bulletin boards of churches, schools, libraries, and public buildings, provided:
 - a. Such bulletin board is located on the premises thereof.
 - b. Such board is not located as to obstruct the view of traffic from the sidewalks, drive ways, roads and adjoining property.
 4. Roadside stands, agricultural displays and other sales stands, provided:
 - a. Such display is located on a farm and limited to the sale of the products thereof.
 - b. Such display or stand is temporary and will not be located for more than six (6) consecutive months of any one (1) year.
 - c. Such display or stand is located at least twenty-five (25) feet from the road right-of-way.
 - d. A parking area is available for prospective customers off the road right-of-way line.
 5. Advertising signs and displays of a commercial enterprise, business, industry or professional person provided:
 - a. Such sign is located on the premises or premises rented or leased for such purpose.
 - b. Such sign or display is limited to the products or services of the enterprise.
 - c. Such sign does not obstruct the view of traffic from the sidewalks, roads, driveways or exits and adjoining property.

- d. The operation of such sign does not constitute a nuisance to an adjacent residential district or residential neighborhood, by reason of glare, intermittent action, or other action.
6. Sign Approval: Advertising signs, billboards, advertising display, outdoor displays, and other advertising may be erected and maintained within the Township by first obtaining the approval of the Zoning Administrator who shall, pursuant to Section 8401. et seq. of this Ordinance, grant approval for any advertising media which conforms to the provisions of this Section. The fee for the permits shall be set by resolution of the Township Board. Any state or federal regulations to the contrary shall supersede any determination or rules of the Zoning Administrator concerning signs, and any contrary provision of the Ordinance.

1070.-HEIGHT:

No building or structure or part thereof shall be erected or altered to a height exceeding two and one-half (2-1/2) stories, or thirty-five (35) feet, except that non-dwelling buildings or structures other than accessory buildings or structures, may be erected or altered to a height not exceeding fifty (50) feet if approved by the Zoning Board of Appeals, pursuant to its power to grant variances.

1070.1 - WIRELESS COMMUNICATION FACILITIES:

Wireless communication facilities may be located in any zoning district if located on an existing building or structure or is otherwise hidden from view by being incorporated in an existing building or if it co-locates on an existing tower and the proposed height does not require lighting by FCC and/or FAA regulations.

1071. - TEMPORARY DWELLINGS:

No person shall use or permit the use of any temporary dwelling or trailer as defined in this Ordinance as a principal or seasonal dwelling except after full compliance with Section 1005 of this Ordinance, and further except:

- A. As a temporary dwelling quarters during the construction and installation of any dwelling with the provisions of this Ordinance, when the following conditions are met:
 1. The location of the temporary dwelling or trailer shall comply with all setback requirements of this Ordinance.
 2. The physical condition of the temporary dwelling or trailer shall not deteriorate to the extent that its continued use threatens the public health, safety or welfare.
 3. The use of the temporary dwelling or trailer shall be limited to eight (8) months, beginning with the issuance of a land use permit in accordance with Section 8401 of this Ordinance. The permit may be renewed for not more than four (4) months upon approval of the Zoning Administrator for good cause shown.
 4. As part of a campground licensed and operated in accordance with the rules and regulations of the Michigan Department of Public Health and the Michigan

Mobile Home Commission.

- B. As temporary recreation on a noncommercial/no-rental basis by tourist, campers and sportsmen on land owned by the user and for a period not to exceed eight (8) weeks in a calendar year.

1080.-DWELLINGS:

No person shall use, occupy, or permit the use or occupancy of a structure as a dwelling, or duplex, which does not comply with dwelling standards of this Ordinance, or standards of the State of Michigan and the United States Department of Housing and Urban Development, whichever applicable, within any district, except in a designated mobile home park, and except as hereinafter provided. All dwelling structures shall comply with the following minimum standards.

- A. No dwelling shall hereinafter be erected which shall have less than the minimum square footage and minimum width required in each respective Land Use District, and shall have a minimum width across any front, side or rear elevation often (10) feet.
- B. It shall comply in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under provisions of Public Acts 230,1972, as amended, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Michigan Building Code, then and in that event such federal or state standard or regulation shall apply.
 - 1. Foundations where it shall be firmly attached to a permanent foundation constructed on site in accordance with said State Construction Code and shall have the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the State Construction Code for dwellings, or in the case of mobile homes, that dwelling shall be secured to the foundation by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission or said State Construction Code, whichever is stricter, and with the wheels removed and shall not have any exposed towing mechanism, undercarriage or chassis.
 - 2. Framing, structural, insulation shall comply with the said State Construction Code or, in the case of mobile homes, shall comply with the Mobile Home Construction and Safety Standards as promulgated by the United States Department of Housing and Urban Development (HUD) pursuant to 24 CFR Section 3280, as amended, which compliance shall be shown prior to the issuance of a Land Use Permit or Special Use Permit, as the case may be, by the seal of the Department of Housing and Urban Development permanently affixed to the mobile home in question in accordance with the Mobile Home Construction and Safety Standards. Any mobile home not displaying the permanent (HUD) seal shall be deemed to be not in compliance with the terms and conditions of this Ordinance.
 - 3. Final finished; shall comply with the said State Construction Code.

- C. It shall be connected to a public sewer and water supply or to such private facilities in compliance with the Manistee County Sanitary Code.
- D. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the Mobile Home Construction and Safety Standards as promulgated by the United States Department of Housing and Urban Development, being 24CFR3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- E. It shall contain no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure including permanent attachment to the principal structure as long as such attachment does not include a bearing load on a mobile home and construction of a foundation as required herein.
- F. The dwelling contains a storage capability area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to 10% of the square footage of the dwelling, or 100 square feet, whichever shall be less.
- G. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by State or Federal law or otherwise specifically required in this ordinance pertaining to such parks.
- H. All construction required by this section shall be commenced only after a construction permit has been obtained in accordance with the applicable construction code provisions and requirements.

1081. - HOME OCCUPATIONS:

Home occupations shall not be allowed in any zoning district except as hereinafter provided:

- A. The home occupations) takes place at a dwelling owned by the resident and where the resident engaging in the home occupation lives on a full time basis.
- B. The home occupations) shall be accessory to the principal use (residential) of the property.
- C. The activities and carrying on of the home occupation shall be operated in such a manner that other residents of the area, under normal circumstances, would not be aware of the existence of the home occupation.
- D. The home occupation(s) shall be conducted entirely within the enclosed dwelling or auto garage accessory to the house with no external evidence of the activity except for an non-illuminated sign that shall not exceed four (4) square feet in size. 2'x 2'.
- E. The home occupations) shall not involve the use of any toxic, or dangerous materials or hazardous equipment.
- F. No additional rooms or accessory structures may be added to the dwelling to accommodate the home occupation.

1082. - KEYHOLE OR FUNNEL WATERFRONT ACCESS:

It is the intent of this section to promote the integrity of the lakes within Pleasanton Township while preserving the quality of recreational use of the inland waters; to protect the quality of the lakes by discouraging excess use; to promote the ecological balance of the waters by limiting incompatible land use of the wetlands associated with the lakes; and to maintain the natural beauty of the lakes by minimizing man-made adjustments to the established shorelines. Nothing in this ordinance shall be construed to limit access to lakes or waterways by the general public by way of public park or public access site provided or maintained by any unit of state, county or local government.

- A. In any zoning district where a parcel of land is contiguous to a lake, such parcel of land may be used as access property or as common open space held in common by a subdivision, association or any similar agency; or held in common by virtue of the terms of a plat of record; or provided for common use under deed restrictions of record; or owned by two (2) or more dwelling units located away from the waterfront, only if the following conditions are met:
1. That said parcel of land contain a minimum of 7,000 square feet; fifty (50) lineal feet of water frontage for each individual dwelling unit or each single family unit to which such privileges are extended or dedicated. The minimum depth for such a parcel shall be one hundred forty (140) feet. No access property so created shall have less than two hundred (200) feet of water frontage with at least fifty (50) lineal feet of water frontage for each individual dwelling unit. Frontage shall be measured by a straight line, which intersects each side lot line at the water's edge.
 2. That in no event shall water frontage of such parcel of land consist of a swamp, marsh, or bog as shown on the most recent U.S. Geological Survey Maps, or the Michigan Department of Natural Resources MIRIS Map, or have otherwise been determined to be wetland by the Michigan DNR; and that in no event shall a swamp, marsh, or bog be altered by dredging, the addition of earth or fill material or by the drainage of water for the purpose of increasing the water frontage required by this regulation.
 3. That in no event shall such parcel of land abut a man-made canal or channel, and no canal or channel shall be excavated for the purpose of increasing the water frontage required by this regulation.
 4. That access property, as provided for in and meeting the conditions of this ordinance, regardless of total area, shall not be used as a residential lot for the purpose of constructing a dwelling and/or accessory structure(s), or for any commercial or business use.
 5. That piers or docks on such access property shall not be closer than fifty (50) feet from another pier or dock, nor longer than 120% of the average of the four (4) adjacent residential lot piers or docks on either side of the access property to a maximum length of fifty (50) feet of lot frontage. In any district in which accesses have been established before the effective date of this ordinance or subsequent amendment thereto, such accesses shall retain historic uses. It is the intent of this ordinance to permit such lawful non-conformance to continue, but not to encourage additional uses and sites.