

# MILLINGTON TOWNSHIP ZONING PERMIT APPLICATION

PROPERTY OWNERS NAME: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PARCEL ID NUMBER: \_\_\_\_\_

- DISTRICT:
- |  |   |
|--|---|
| <input type="checkbox"/> AR Agricultural – Residential | <input type="checkbox"/> R-1 Single Family Residential  |
| <input type="checkbox"/> LR Lake Residential           | <input type="checkbox"/> RM Multiple Family Residential |
| <input type="checkbox"/> MHP Manufactured Housing Park | <input type="checkbox"/> C Commercial                   |
| <input type="checkbox"/> I Industrial                  |   |

A zoning permit shall be acquired from the Zoning Administrator before any construction is undertaken, any structure is moved, any pond is excavated, or any change in the use of any land or structure is undertaken within the Township. A zoning permit shall be applied for in writing on an application form provided by the Township. [Section 3.02.A]

The amount of any fees charged for zoning permits, applications, or inspections shall be established by the Township Board. [Section 3.02.F]

A site plan shall be prepared and submitted for every construction project and every proposed change in land use, except that no site plan shall be required for single-family residences, farm buildings, or buildings which are accessory to single-family residences. [Section 17.01]

- Land Use:
- |   |  |
|---|--|
| <input type="checkbox"/> new single-family residence          | <input type="checkbox"/> farm building |
| <input type="checkbox"/> accessory to single-family residence | <input type="checkbox"/> other         |

Description of Land Use: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*APPLICANT HAS RECEIVED AND READ AND UNDERSTANDS ARTICLE 12 OF THE MILLINGTON TOWNSHIP ZONING ORDINANCE PERTAINING TO THE AREA, SETBACK & HEIGHT REGULATIONS.

APPLICANT'S INITIALS \_\_\_\_\_

\*\*APPLICANT HAS RECEIVED AND READ AND UNDERSTANDS ARTICLE 14 OF THE MILLINGTON TOWNSHIP ZONING ORDINANCE PERTAINING TO GENERAL PROVISION DWELLING REQUIREMENTS, PONDS, AND GREENBELTS.

APPLICANT'S INITIALS \_\_\_\_\_

\*\*\* APPLICANT HAS RECEIVED AND READ AND UNDERSTANDS THE LETTER FROM THE TUSCOLA COUNTY DRAIN COMMISSIONER PERTAINING TO THE RIGHT-OF-WAYS OF COUNTY DRAINS. INITIALS \_\_\_\_\_

A permit application for a single-family residence, a farm building, or a building which is accessory to a single-family residence must include a sketch of the building area, showing what is already on the property and what is a new addition or accessory. The sketch must provide the building size and total square feet of any new additions. The sketch must include compliance with setback and height regulations. It must also include dwelling, pond, and greenbelt requirements, if applicable.



A large rectangular area filled with a grid of small squares, intended for drawing a site sketch.

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME OF APPLICANT: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_ This permit is good for one (1) year from the date of approval.

ZONING ADMINISTRATOR: \_\_\_\_\_

**ARTICLE 12**  
**Area, Setback and Height**

**Section 12.01. COMPLIANCE.**

- A. All lots and structures shall comply with the area, setback, and height requirements of Section 12.02, unless different requirements are specified as a condition for a use permitted after special approval or pursuant to a variance.

**Section 12.02. TABLE OF AREA, SETBACK AND HEIGHT REQUIREMENTS.**

Zoning District	Minimum Lot Area	Minimum Lot Width (in feet) <sup>(1)</sup>	Minimum Front Yard Setback (in feet) <sup>(2)</sup>	Minimum Side Yard Setback (in feet)	Minimum Rear Yard Setback (in feet)	Minimum Floor Area Per Dwelling (in sq. ft.)	Maximum Building Height (in feet)
AR	1 acre <sup>(3)</sup>	150	50	20	20	1,100 <sup>(7)</sup>	35 <sup>(8)</sup>
R-1	1 acre <sup>(4)</sup>	150	50	10	10	1,100 <sup>(7)</sup>	35
LR	12,000 sq. ft.	80	10	3 (least side) / 10 (total both sides)	10	1,100	35
RM	2 acres <sup>(9)</sup>	150	50	20	25	<sup>(5)</sup>	35
MHP <sup>(6)</sup>	-	-	50	-	-	-	35
C <sup>(10)</sup>	1 acre	150	50	25	25	-	35
I <sup>(10)</sup>	2 acres	250	50	40	40	-	35

- (1) Measured at minimum front yard setback line.
- (2) Measured from the edge of the road right of way.
- (3) To minimize effects of suburban sprawl, loss of farm land, and negative impacts caused by having smaller residential parcels spread throughout an agricultural area, the minimum lot area (not including public road right-of-way or private road easement) shall remain 1 acre but the number of permitted lot splits shall be limited. This minimum shall be contingent on the issuance of required Tuscola County Health Department permits. The creation of new building sites in the AR Agricultural - Residential District shall be determined through a sliding scale approach which will increase the number of building sites allowed as the size of the parent parcel increases. Parent parcels over sixty (60) acres would be allowed one additional building site for each additional ten (10) acres or fraction thereof of additional acreage over sixty (60) acres. The schedule of permitted building sites shall be as follows:

Size of Parent Parcel	Number of Building Sites Permitted
Up to Ten acres	Two
10.01 to 20 acres	Three
20.01 to 30 acres	Four
30.01 to 40 acres	Five
40.01 to 50 acres	Six
50.01 to 60 acres	Seven

- (4) Minimum 20,000 square feet and 75 feet minimum lot width if served by a central sewer system or if located within a platted subdivision or a condominium subdivision. Otherwise, 1 acre shall be the minimum lot area and 150 feet shall be the minimum lot width.
- (5) The minimum floor space per dwelling unit shall be:
- |                         |                 |
|-------------------------|-----------------|
| Efficiency              | 350 Square Feet |
| One-Bedroom Apartment   | 500 Square Feet |
| Two-Bedroom Apartment   | 700 Square Feet |
| Three-Bedroom Apartment | 800 Square Feet |
| Four-Bedroom Apartment  | 900 Square Feet |
- (6) Regulated by the Michigan Manufactured Housing Commission. Any land uses in the district other than manufactured housing parks shall meet the requirements of Section 12.02 for the R-1 zoning district. The minimum site size of a manufactured housing park shall be 20 acres.
- (7) In no event shall the total floor area of all buildings on a lot exceed 35% of the total land area of the lot.
- (8) Agricultural structures shall be exempt.
- (9) Single-family and two-family uses within the RM District shall have a minimum lot area of one-half (1/2) acre.
- (10) For single-family dwellings within the C District and I District, the table of area, setback and height requirements shall be modified as follows: minimum lot area of one (1) acre; minimum lot width of one-hundred fifty (150) feet; minimum front yard setback of fifty (50) feet; minimum side yard setback of twenty-five (25) feet; minimum rear yard setback of twenty-five (25) feet; minimum floor area per dwelling of 1,100 square feet; and, maximum building height of thirty-five (35) feet.

for loading and unloading. All such loading and unloading areas shall be paved with a pavement having an asphalt or concrete binder.

Such loading and unloading space, unless adequately provided for within a building, shall be an area at least 10 feet by 30 feet, with minimum 14 foot height clearance, and shall be provided according to the following schedule:

<u>Gross Floor Area (Square Feet)</u>	<u>Loading Spaces Required</u>
0 - 2,000	None
2,000 - 20,000	One space
Over 20,000	One space for each 20,000 square feet.

## **ARTICLE 14**

### **General Provisions**

Section 14.01. CONFLICTING REGULATIONS. Whenever any provisions of this Ordinance impose more stringent requirements than are imposed by the provisions of any other law or ordinance, the provisions of this Ordinance shall govern.

Section 14.02. ROAD FRONTAGE. Every dwelling or other building shall be located on a parcel of land which shall have frontage on a public road or on a private road improved to the standards of the Millington Township Private Road and Driveway Easement Ordinance or on a private driveway easement at least sixty-six (66) feet in width serving a single residence in compliance with the Private Road and Driveway Easement Ordinance.

Section 14.03. DEPTH TO WIDTH RATIO. No property shall be divided in such a manner that the length or depth of any resulting parcel exceeds four (4) times the width of that parcel.

Section 14.04. RESIDENTIAL OCCUPANCY OTHER THAN IN COMPLETED DWELLINGS. Garages, barns, pole barns, accessory buildings, and basements shall not be occupied as dwellings. However, the Zoning Administrator may grant temporary occupancy pursuant to Section 14.09.

Section 14.05. SINGLE-FAMILY DWELLING REQUIREMENTS. Any single-family dwelling shall comply with the following minimum standards:

- A. MINIMUM SIZE. Each dwelling shall contain the minimum number of square feet specified in Section 12.02, prior to any alterations or additions.
- B. MINIMUM WIDTH. Each dwelling shall be no less than twenty-four (24) feet in width in all directions, prior to any additions or alterations.
- C. FOUNDATION. Each dwelling shall be provided with foundation support in the form of a perimeter masonry or treated wood foundation or cement pillars pursuant to the specifications of the building inspector. Skirting consisting of brick, concrete blocks, wood, vinyl or aluminum shall be constructed completely around the lower edge of any

dwelling utilizing pillars for a foundation. Each dwelling shall be securely anchored to the foundation.

- D. ROOF. Each dwelling shall have a roof with no less than a 4-12 pitch. In the case of manufactured or modular homes, the roof shall be part of the original manufacture of the unit prior to being brought into the Township.
- E. STORAGE FACILITIES. Each dwelling shall have either a basement, garage or storage building containing at least one hundred twenty (120) square feet of storage area. The storage facility shall be constructed within one (1) year of the completion of the dwelling.
- F. CONSTRUCTION CODE. Each dwelling and dwelling addition shall comply with building code requirements in effect at the time the dwelling is constructed or moved within the Township.

Section 14.06. SIGNS. All signs shall comply with the requirements of this section.

- A. The following signs may be erected in the Township without prior Planning Commission approval, provided the other requirements of this section are complied with:
  - 1. Signs advertising real estate for sale or rent. Such signs may not exceed nine (9) square feet in sign area.
  - 2. Signs advertising agricultural produce grown on the premises. Such signs may not exceed nine (9) square feet in sign area.
  - 3. Signs advertising personal property owned by a resident of the premises; provided such personal property was not purchased for the purpose of resale. Such signs may not exceed nine (9) square feet in sign area.
  - 4. Signs advertising home occupations which have received approval pursuant to the Zoning Ordinance. Such signs may not exceed nine (9) square feet in sign area.
  - 5. Signs promoting political candidates or election issues. Such signs may not exceed thirty-two (32) square feet in sign area. Such signs shall be removed within five (5) days after the election.
  - 6. Signs stating the name and/or address of a property owner. Homeowner signs may not exceed four (4) square feet in sign area. Farm owner signs may not exceed nine (9) square feet in sign area.
  - 7. Temporary signs advertising non-commercial public event for not to exceed thirty (30) days. Such signs shall not exceed thirty-two (32) square feet in sign area and shall be removed within five (5) days after the event.

a right to increase the total amount of signage on a lot or allow the substitution of an off-site commercial message in place of an on-site commercial message.

Section 14.07. PONDS. No pond shall be dug within any front, side or rear setback line required by this Ordinance.

Section 14.08. GREENBELTS.

- A. In all zoning districts, no area within the required front yard setbacks shall be used for any permanent or temporary structures other than signs permitted by Township ordinances. Said front yard setback areas shall be planted and continuously maintained with grass, shrubs, and landscaping materials, except for the portion developed for use as a parking area or driveway.
- B. Whenever any property is developed for any use other than agricultural or residential, and the property borders any property zoned for residential use, a greenbelt at least ten (10) feet in width along said borders shall be planted and maintained, unless a wider greenbelt is required per Sections 10.03 or 11.03.
- C. Detailed landscaping plans for all greenbelts shall be provided on the site plan relating to the development and shall be considered as a material part of the site plan. No construction project shall be deemed to be completed until all landscaping features required on the site plan have been planted or installed.
- D. The Planning Commission shall review and approve the type of plantings required to provide a satisfactory greenbelt in any specific situation.

Section 14.09. TEMPORARY DWELLINGS.

- A. The Zoning Administrator may issue a permit for a temporary manufactured home or other structure to be occupied for up to one (1) year during the time that a permanent dwelling is being constructed. A temporary dwelling does not have to comply with the single family dwelling standards contained in Section 14.05. A temporary dwelling permit may be issued if the following requirements are complied with:
  - 1. A building permit for the permanent dwelling must be acquired before the temporary dwelling is placed on the premises or occupied.
  - 2. The permanent dwelling must be completed and any temporary manufactured home removed from the property before the expiration of the temporary dwelling permit. In the case of garages or other structures, the improvements which make the structure usable as a dwelling must be removed.
  - 3. The applicant must execute an affidavit guaranteeing that any temporary manufactured home will be removed from the premises at the expiration of the permit period. In the case of garages and other structures, the affidavit must guarantee that the improvements which make the structure usable as a dwelling unit will be removed.

4. A temporary dwelling permit may be renewed one time by the Zoning Administrator for up to one (1) additional year for completion of the permanent dwelling, providing reasonable progress has been made on construction of the permanent dwelling during the first one (1) year permit period.
  5. A performance bond, letter of credit or cash deposit shall be posted with the Township Treasurer to guarantee removal of the temporary dwelling. The funds shall be released to the applicant upon verification of removal of the temporary dwelling.
- B. Variances to permit the temporary occupancy of manufactured homes which do not comply with the single-family dwelling standards of Section 14.05 may be granted by the Board of Zoning Appeals pursuant to the procedures contained in Article 19. Such variances may only be granted for the purpose of housing family members who are unable to reside elsewhere due to age, poor health, or indigence. Any manufactured home approved under this section may not be over fifteen (15) years old at the time it is placed on the site. All such manufactured homes shall be inspected by the building inspector to verify code compliance prior to being brought into the Township. Any manufactured home approved pursuant to this section shall be placed on a reinforced concrete pad or concrete piers and provided with adequate tie downs and skirting. In the event that the temporary manufactured home ceases to be used for the purpose for which it was granted, the manufactured home shall be removed from the property within thirty (30) days of the date it ceases to be used for the purpose for which it was granted.

Section 14.10. ONE DWELLING PER PARCEL. No more than one (1) single-family dwelling may be constructed or placed on a single parcel of land. If a variance is granted for farm use or other reasons, all dwellings shall be placed on the parcel in such a manner that the property could be later divided with each dwelling being able to independently comply with all lot size and setback requirements.

Section 14.11. PROHIBITED STRUCTURES. No bus, camper, mobile home, manufactured home, semi-trailer, truck body or other motor vehicle body or similar item shall be placed on any property for use as a storage structure or other building purpose. This section shall not apply to manufactured homes which comply with Sections 14.05 or 14.09 and are used as single-family dwellings. This section shall also not apply to semi-trailers that are currently licensed for highway use and have a current Department of Transportation sticker.

Section 14.12. PUBLIC SERVICE FACILITIES AND COMMUNICATION TOWERS.

- A. Certain facilities provided by utility companies or by the Township government shall be permitted in all zoning districts. Facilities permitted by this section shall include transmission lines, sewer lines, water mains, pumping stations, substations, poles, and related equipment. Any equipment enclosures, substations or similar structures shall be subject to the site plan review requirements of Article 17. Any office, warehouse, manufacturing, or sales buildings must be located in the Commercial or Industrial zoning district.

**OFFICE OF  
TUSCOLA COUNTY DRAIN COMMISSIONER**

COUNTY COURTHOUSE 440 N. STATE STREET CARO, MI 48723 Phone (989) 672-3820 Fax  
(989) 673-3497 email: drain-commissioner@tuscolacounty.org

**ROBERT J. MANTEY** Drain Commissioner Cell Phone (989) 553-3824

*Office Day Wednesday*

**RE: County Drain Right-of-Ways**

February 22, 2010

Dear Property Owner,

This is to inform you that it is your responsibility to contact the Drain Commissioner's office about your zoning request. Please call, e-mail, fax or stop in with your property tax ID#. A plot plan map is also helpful. Our office will let you know if you have a county drain on your property and what right-of-ways are present.

Most drain right-of-ways are a legal recorded easement for the purpose of maintaining a county drain. They can vary from 10 feet to 250 feet from the center of the drain. Title company searches sometimes do not find these documents in their search. Any obstruction, such as buildings, fences, grain bins, fertilizer storage, ponds, driveways, etc. are not allowed in the drain right-of-way without written permission from the Drain Commissioner. Below is a portion of the drain code explaining encroachments:

**Michigan Drain Code of 1956, as amended, Section 280.85:** Any use of the right-of-way which will interfere with the operation of the drain or will increase the cost to the district of performing any of its work thereon is deemed to be inconsistent with the district's easement. Any landowner who violates any of the above provisions shall be subject to the penalties provided in section 421 of this act.

**Michigan Drain Code of 1956, as amended, Section 280.421:** Whenever any person shall obstruct any established drain, it shall be the duty of the commissioner to cause such obstruction to be removed. The person causing such obstruction shall be liable for the expense attendant upon the removal thereof, together with the charges of the commissioner, and the same shall be a lien upon the lands of the party causing or permitting such obstruction, and all of the expense shall by the commissioner be reported to the board of supervisors, together with the report of his doings in the premises, and by said board ordered spread upon the land of the offending party, should the same remain unpaid: Provided, That the offending party causing such obstruction shall be given a notice in writing of at least 5 days to remove such obstruction.

Our contact information is listed below: **Phone #** 989-672-3820 **e-mail** drain-commissioner@tuscolacounty.org **Fax #** 989-673-3497 **Location** – Tuscola County Courthouse, Basement

Sincerely

**Robert J. Mantey** Tuscola County Drain Commissioner