

## **Article 2.**

### **Zoning Districts and Regulations**

#### **Section 2.01 Zoning Districts, Map, Boundaries and changes**

##### **Section 2.01.1 - Districts**

For the purpose of this Ordinance, the following Zoning Districts shall be established in Bois Blanc Township:

|     |                         |
|-----|-------------------------|
| F-M | Forest-Management       |
| LDR | Low Density Residential |
| R   | Residential             |
| C-1 | Mixed Commercial        |
| C-2 | General Commercial      |
| WO  | Wilderness Overlay      |

##### **Section 2.01.2 - Zoning Map**

The areas assigned to each Zoning District and the boundaries listed and shown on the map entitled "Bois Blanc Township Zoning Map, Mackinac County, Michigan" are hereby established, and said map and all proper notations and other information shown thereon are hereby made a part of this Zoning Ordinance. If there is any discrepancy between the listed sections for a zoning district and the area shown on the map, the list shall rule. (see end of Article 2 for map and listing).

##### **Section 2.01.3 - Boundaries of Districts**

Unless otherwise specified, the boundary lines of the Zoning Districts shall be interpreted as following along section lines, or customary subdivisions of sections, or centerlines of highways or streets, or the shoreline of waterways, or property lines of legal record at the office of the Mackinac County Register of Deeds on the date of the enactment of the Zoning Ordinance. The official Zoning Map and corresponding property list shall be the final authority in any dispute concerning district boundaries except as provided for in Section 2.01.2 above. The official map shall be kept up to date, with any amendments to the Ordinance involving changes to the official map noted and portrayed on said map.

The official zoning map, including legally adopted amendments, shall be designated as such by the signature of the Township Clerk. Where uncertainty exists as to the exact district boundaries, the following shall prevail:

1. Where boundary lines are indicated as approximately following roads, alleys, or highways; the centerlines of the said roads, alleys, or highways shall be considered to be exact boundary lines.
2. Boundaries indicated as approximately following lot lines shall be considered to follow said lot lines.

3. Where the application of the above rules leave a reasonable doubt as to the exact location of a district boundary, the provisions of the more restrictive district shall govern the entire parcel in question, unless determined otherwise by the Zoning Board of Appeals.

#### **Section 2.01.4 - Zoning of Vacated Areas**

Whenever any road, alley, highway, or other public right-of-way within the Township have been abandoned by official government action, such right-of-way lands attach to and become part of the land adjoining. Such right-of-way property shall automatically acquire and be subject to the provisions of the Zoning District of the abutting property. In the case of an abandoned right-of-way, which also serves as the district boundary, the centerline of the right-of-way shall be the district boundary.

#### **Section 2.01.5 - Zoning of Filled Areas**

Whenever, after appropriate permits are obtained, any fill material is placed in any lake, stream, or wetland so as to create a usable or buildable space, such fill area shall take on the Zoning District and accompanying provisions of the land abutting said fill area. No use on any lake or stream shall be allowed which does not conform to the Ordinance provisions on the property from which said property emanates. No fill material shall be placed in any lake or stream within the Township unless appropriate permits are obtained from the Michigan Department of Environmental Quality and United States Army Corps of Engineers.

#### **Section 2.01.6 - Zoning District Changes**

When district boundaries change, any non-conforming use may continue subject to all other applicable provisions of this Ordinance.

## **Section 2.02 Forest – Management District (F-M)**

The following provisions shall apply to the Forest-Management District (F-M).

### **Section 2.02.1 - Intent**

The land uses in this district are intended to promote the proper use, enjoyment and conservation of water, land, topographic and forest resources of the Township.

The provisions of this section also recognize the potential gradual integrated extension of other property uses into the district and the importance of adopting good standards to guide such developments. The inclusion of such uses is provided for by special approval.

### **Section 2.02.2 - Permitted Uses**

1. Single family detached dwellings
2. Forestry and Forest Management
3. Public recreation areas and facilities, including trails
4. Accessory buildings and uses customarily incidental to the above permitted uses

### **Section 2.02.3 - Uses Subject to Special Approval**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of Section 5.02 Uses Subject to Special Land Use Approval and the applicable portions of Article 6: Supplemental Site Development Standards.

1. Campgrounds
2. Forest Products Processing
3. Sawmills and other Mills
4. Accessory buildings and uses customarily incidental to the above Special Approval Uses

### **Section 2.02.4 - Dimensional Regulations**

Structures and uses in the Forest-Management District are subject to the area, height, bulk and placement requirements in **Section 2.08** *Schedule of Regulations*.

### **Section 2.03 Low Density Residential District (LDR)**

The following provisions shall apply to the Low Density Residential District (LDR).

#### **Section 2.03.1 - Intent**

The Low Density Residential District is designed to accommodate low-density residential use in the rural areas of the township and retain the attractiveness of the natural resources for the enjoyment of residents, visitors and the community at large. This district also serves as a transition between the residential or commercial areas and the Forest-Management areas.

#### **Section 2.03.2 - Permitted Uses**

1. Single family detached dwellings
2. Farming and agricultural operations
3. Recreational Trails
4. Accessory buildings and uses customarily incidental to the above permitted uses

#### **Section 2.03.3 - Uses Subject to Special Approval**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of Section 5.02 Uses Subject to Special Land Use Approval and the applicable portions of Article 6: Supplemental Site Development Standards.

1. Accessory apartments
2. Bed & breakfast establishments
3. Public buildings and uses
4. Schools licensed or chartered by the State of Michigan
5. Religious institutions and places of worship
6. Public parks, playgrounds or recreational facilities
7. Commercial stables
8. Child daycare facilities
9. Public utility facilities without storage yards
10. Cemeteries
11. Home Occupations/*Cottage Industry* \*
12. Recreation Resorts
13. Accessory buildings and uses customarily incidental to the above Special Approval Uses

#### **Section 2.03.4 - Dimensional Regulations**

Structures and uses in the Low Density Residential District are subject to the area, height, bulk and placement requirements in **Section 2.08** *Schedule of Regulations*.

## **Section 2.04 Residential District (R)**

The following provisions shall apply to the Residential District (R).

### **Section 2.04.1 - Intent**

The Residential District is designed to accommodate and encourage residential development through a mix of residential structures and associated uses, including both one-family and multiple family dwelling structures, in keeping with the residential goals and objectives specified in the Bois Blanc Township Land Use Plan. The uses permitted are intended to promote land uses for residential and related uses and those compatible with such, with the intent to keep residential areas relatively quiet and free from detrimental influences.

### **Section 2.04.2 - Permitted Uses**

Except as otherwise provided by Section 1.05 Limitations of Zoning Ordinance, the use of all lands and premises, and the erection and use of all buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses.

1. Single family detached dwellings
2. Two family dwellings
3. Accessory buildings and uses customarily incidental to the above permitted uses

### **Section 2.04.3 - Uses Subject to Special Approval**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of Section 5.02 Uses Subject to Special Land Use Approval and the applicable portions of Article 6: Supplemental Site Development Standards.

1. Multiple-family dwellings
2. Manufactured Home Developments
3. Accessory apartments
4. Bed & breakfast establishments
5. Public utility facilities without storage yards
6. Public buildings and uses
7. Schools licensed or chartered by the State of Michigan
8. Religious institutions and places of worship
9. Public playgrounds and recreational facilities
10. Assisted living facilities/Nursing Homes, and Child daycare facilities
11. Home Occupations/*Cottage Industry* \*
12. Accessory buildings and uses customarily incidental to the above Special Approval Uses.

#### **Section 2.04.4 - Dimensional Regulations**

Structures and uses in the Residential District are subject to the area, height, bulk and placement requirements in **Section 2.08** *Schedule of Regulations*.

## **Section 2.05 Mixed Commercial District (C-1)**

The following provisions shall apply to the Mixed Commercial District (C-1).

### **Section 2.05.1 – Intent**

The Mixed Commercial District is designed to give the Township a local business district that is somewhat more selective than a General Commercial District, to provide for the establishment of small-scale neighborhood and shopping areas, personal services, and professional office areas that are compatible with and of service to township residential uses. Tourist services are also included as being in character with the District. Due to the character of a small island, and corresponding island traffic patterns, drive-through businesses are not permitted in any district.

### **Section 2.05.2 - Permitted Uses**

Except as otherwise provided by Section 1.05 Limitations of Zoning Ordinance, the use of all lands and premises, and the erection and use of all buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses.

1. Single Family detached dwelling
2. Retail businesses without outside sales or storage
3. Business and personal service facilities
4. Office buildings and uses
5. Financial institutions, except with drive through windows
6. Restaurants, except drive-through restaurants
7. Accessory buildings and uses customarily incidental to the above permitted uses

### **Section 2.05.3 - Uses Subject to Special Approval**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of Section 5.02 Uses Subject to Special Land Use Approval and the applicable portions of Article 6: Supplemental Site Development Standards.

1. Retail businesses with outside sales or storage
2. Multiple family dwellings
3. Child daycare facilities
4. Adult daycare facilities
5. Bed & breakfast establishments
6. Hotel or motel
7. Public buildings and uses
8. Religious institutions and places of worship
9. Public playgrounds and recreational facilities
10. Private parks or recreational facilities (including athletic club)
11. Telecommunication antenna and facilities
12. Non-commercial Wind Turbine Generators

13. Commercial Wind Turbine Generators
14. Recreation Resort
15. Parking Lot, as a principal use, with five (5) or more parking spaces.
16. Funeral Home or Mortuary
17. Gasoline/Service Station
18. Nursing Homes/Assisted Living Facilities
19. Sawmills and other Mills
20. Manufactured Home Developments
21. Contractor Facilities
22. Accessory buildings and uses customarily incidental to the above Special Approval Uses

#### **Section 2.05.4 - Dimensional Regulations**

Structures and uses in the Mixed Commercial District are subject to the area, height, bulk and placement requirements in **Section 2.08** *Schedule of Regulations*.

## **Section 2.06 General Commercial District (C-2)**

The following provisions shall apply to the General Commercial District (C-2).

### **Section 2.06.1 - Intent**

The General Commercial District is designed to provide sites for more diversified business types and are located so as to serve passer-by traffic. Due to the character of a small island and corresponding island traffic patterns, drive-through businesses are not permitted in any district.

### **Section 2.06.2 - Permitted Uses**

Except as otherwise provided by Section 1.05 Limitations of Zoning Ordinance, the use of all lands and premises, and the erection and use of all buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses.

1. Public utility facilities without storage yards
2. Religious institutions and places of worship
3. Retail business within an enclosed building and without a drive-through window
4. Business and personal service facilities
5. Office buildings and uses
6. Financial institutions, except facilities with drive-through windows
7. Restaurants, except drive-through restaurants
8. Accessory buildings and uses customarily incidental to the above permitted uses

### **Section 2.06.3 - Uses Subject to Special Approval**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of Section 5.02 Uses Subject to Special Land Use Approval and the applicable portions of Article 6: Supplemental Site Development Standards.

1. Schools licensed or chartered by the State of Michigan
2. Public parks, playgrounds and recreational facilities
3. Campgrounds
4. Private parks or recreational facilities (including athletic club)
5. Raising and growing plants, trees, shrubs, and nursery stock
6. Retail sales of trees, shrubs, and nursery stock
7. Bulk feed, seed or fertilizer sales, storage, or mixing
8. Vehicle or equipment service, and repair facilities
9. Roadside stand
10. Veterinary clinics or kennels
11. Contractor facilities
12. Storage facilities
13. Junk and salvage material storage
14. Home improvement centers

15. Theater or assembly halls
16. Car wash
17. Gasoline/Service Station
18. Outdoor sales facility
19. Radio and television towers
20. Non-commercial Wind Turbine Generators
21. Commercial Wind Turbine Generators
22. Parking lot, as a principal use with five (5) or more parking spaces.
23. Funeral Home or Mortuary
24. Sawmills and other Mills
25. Commercial Stables
26. Recreation Resorts
27. Sexually Oriented Businesses
28. Accessory buildings and uses customarily incidental to the above Special Approval Uses

#### **Section 2.06.4 - Dimensional Regulations**

Structures and uses in the General Commercial District are subject to the area, height, bulk and placement requirements in **Section 2.08** *Schedule of Regulations*.

## **Section 2.07 - Wilderness Overlay District**

The following provisions shall apply to the Wilderness Overlay District (WO).

### **Section 2.07.1 - Intent**

The Wilderness Overlay District is designed to provide an overlay district for a portion of the Forest-Management District that is currently protected as a designated Wilderness Area under Part 351 of P.A. 451 of 1994 as amended.

### **Section 2.07.2 - Permitted Uses**

Except as otherwise provided by **Section 1.05** *Limitations of Zoning Ordinance*, the use of all lands and premises, and the erection and use of all buildings and structures shall, after the effective date of this Ordinance, be limited to the those uses allowed by state law in designated Wilderness Areas.

### **Section 2.07.3 - Dimensional Regulations**

Structures and uses in the Wilderness Overlay District are subject to the area, height, bulk and placement requirements as per state statute requirements for Wilderness Areas or the requirements for the underlying Forest-Management District (Section 2.08 – Schedule of Regulations), whichever is more restrictive.



**Section 2.08 Schedule of Regulations**

| Zoning District | District Name                     | Minimum Lot Area                 |            | Maximum Height of Structure | Minimum Yard Setbacks |           |           |                 |
|-----------------|-----------------------------------|----------------------------------|------------|-----------------------------|-----------------------|-----------|-----------|-----------------|
|                 |                                   | Area                             | Width (ft) |                             | Road Front (ft)       | Side (ft) | Rear (ft) | Waterfront (ft) |
| F-M             | Forest Management                 | 80 acre                          | 300        | 20'                         | 200                   | 50        | 100       | 75              |
| LDR             | Low Density Residential (a)       | 5 acre                           | 200        | 30' (b)                     | 200                   | 50        | 100 (d)   | 75              |
|                 | 50 foot wide Lot of Record        | NA                               | 50         | 30'                         | 30                    | 10        | 20        | 75              |
|                 | 25-35 foot wide Lot of Record     |                                  |            | 30'                         | 30                    | 10        | 20        | 75              |
| R               | Residential                       | 40,000 sf                        | 100        | 30'                         | 50                    | 20        | 20 (e)    | 75              |
|                 | 50 foot wide lot of Record        | NA                               | 50         | 30'                         | 30                    | 10        | 20        | 75              |
|                 | 25-35 Foot wide Lot of Record (c) |                                  |            | 30'                         | 30                    | 10        | 20        | 75              |
| C-1             | Mixed Commercial                  | 20,000 sf                        | 100        | 30' (f) (g)                 | 50                    | 10        | 25        | 75              |
| C-2             | General Commercial                | 1 acre                           | 200        | 30' (f) (g)                 | 50                    | 20        | 25        | 75              |
| WO              | Wilderness Overlay                | Per Part 351 of P.A. 451 of 1994 |            |                             |                       |           |           |                 |

- a) Nonconforming lots of record with lot width of 125 feet or 150 feet, shall comply with setbacks listed for the Residential District (100 foot width)
- b) Exceptions to height standards for Agricultural Uses. The maximum height of permitted agricultural accessory structures that are essential and customarily used in agricultural operations associated with a farm shall be forty-five (45) feet, except that the maximum height of silos shall be one hundred (100) feet, provided that all such accessory farm structures shall be located at least one hundred (100) feet from any residential dwelling other than the dwelling on the lot or parcel where the accessory farm structures are located.
- c) Two contiguous 25 foot or 35 foot wide lots under same ownership must be combined prior to development, and such combined lots shall comply with the dimensional requirements for "50 foot wide Lots of Record" for the corresponding district.
- d) Rear setback shall be increased to 200 feet when located on lakeshore.
- e) Rear setback shall be increased to 50 feet when located on lakeshore.
- f) Telecommunication towers, alternative tower structures, transmission and communication towers, utility microwaves, and public utility T.V. or radio transmitting towers shall not be subject to the height regulations of this Section, but shall be regulated pursuant to Section 6.01.23 of this Ordinance.
- g) Commercial Wind Turbine Generators or Anemometer Towers shall not be subject to the height regulations of this Section, but shall be regulated pursuant to Section 6.01.24 of this Ordinance.
- h) Maximum height restrictions on single family dwellings in Residential, Low Density Residential and Commercial 1 shall be 40' (feet). Only in lots width of 100' (feet) or greater. (Ord. eff. 10/1/2005; Am Ord. adopted 8-23-2006; Am Ord. eff. 8-31-2006)
- i) The minimum square footage of a dwelling unit shall be 720 square feet. (Ord. eff. 10/1/2005; Am Ord. adopted 8-23-2006; Am Ord. eff. 8-31-2006)

\* Ord. Eff. 10/1/2005; Am. Ord. adopted 8/23/2006; Am Ord. eff. 8-31-2006

\*\*Ord Eff. 10-1-2005; Am. Ord. adopted 10-10-2007; Am Ord. eff. 10-18-2007



## **Bois Blanc Township Zoning District Boundaries**

### **FOREST-MANAGEMENT DISTRICT (F-M)--Yellow**

Sections 6, 7, 8, 9, 10, 11, 18, except the southerly 1320 feet of 6, 7, and 8, Section 18; Section 21, 22 and 23.

Lots 4, 5, 6, 7, 8, South of Lake Thompson in Section 24.

### **LOW DENSITY RESIDENTIAL DISTRICT (LDR)--Orange**

Southerly 2112 feet of Lots 4, 5, 6, and 7, Section 1.

Westerly 5000 feet Section 2.

Lots 1, 2, 3, 4, 5, 6, 7 South of Lake Mary; and all of Lot 8, Section 3.

Sections 4, 12, 13, 15, 16, 17, 20, 32, and Private Claim 323 and 1.

Section 19, except the Southerly 1320 feet of Lots 5, 6, 7.

Lots 1, 2, 3, and lots 6, 7, and 8 North of Lake Thompson, Section 24.

Westerly 7014.5 feet of section 25.

Parcels tax code #026-001-00 and #026-002-00 of Lot 1, Section 26.

Lots 4, 5, 6, and Westerly 5800 feet of Lots 7, 8 of Section 26.

Lots 4, 5, 6, 7, 8, except Southerly 1500 feet of Section 27.

Northerly 3360 feet of Lot 3, Section 27.

Sections 28, 29, 30, 31, except the Southerly 1500 feet.

Section 33, except the Southerly 1500 feet and the Northerly 500 feet of Lots 5, 6, 7, 8.

Section 34, except the Southerly 1500 feet and the Northerly 500 feet of Lots 1 and 2.

### **RESIDENTIAL DISTRICT (R)--Green**

Lots 1, 2, 3 and 8, Section 1

Lots 4, 5, 6 and 7, except Southerly 2112 feet of Section 1.

Section 2, except the Westerly 5000 feet Lots 1, 2, 3, 4, 5, 6, and 7, North of Lake Mary, Section 3.

Section 14, except parcel tax code #014-003-00.

Section 25, except the Westerly 5800 feet.

Lots 7, 8, Section 26, East of the County Road.

Lots 1 and 2, Section 27.

Lots 3, Section 27, except the Northerly 3360 feet and the East 100 feet of the

Southerly 400 feet of Lot 3.

Section 27, the Southerly 1500 feet of Lots 4, 5, 6, 7 and 8.

Southerly 1500 feet of Lots 1 through 8, Section 28 except the Southerly 1000 feet of Lot 8, and the Southerly 250 feet of Lot 1, but including the West 100 feet of the Southerly 700 feet of Lot 1.

Southerly 1500 feet of Lots 1, 2, 4, 5, 6, 7, and 8, Section 29.

Southerly 1500 feet of Lot 3, Section 29, except the Westerly 300 feet of the Southerly 1000 feet of Lot 3, and except the Southerly 500 feet of lot 8.

Southerly 1500 feet of Section 30, except the Southerly 1000 feet of Lot 1, and Except the Pines Sub. Lots 9, 10, 27, 28, 4, 5, 6, & 31, 32, 33, Block 12.

Southerly 1500 feet, Section 31, except Pines Sub. Lots 14, 15, 16, Block 6.

Southerly 1500 feet, Section 33 and 34.

**MIXED COMMERCIAL DISTRICT (C- 1)--Red**

Section 14, parcel tax code #014-003-00

Section 27, East 100 feet of the Southerly 400 feet of Lot 3.

Section 28, Lot 1, the Southerly 250 feet except the Westerly 100 feet of the Southerly 700 feet.

Section 28, the Southerly 1000 feet of Lot 8.

Section 29, The Westerly 300 feet of the Southerly 1000 feet of Lot 3, and the Southerly 500 feet of lot 8.

Section 30, Southerly 1000 feet of Lot 1, and Pines Sub., Lots 9, 10, 27, 28, 4, 5, 6, 31, 32 and 33, Block 12.

Section 31, Pines Sub., Lots 14, 15 and 16, Block 6.

**GENERAL COMMERCIAL DISTRICT (C- 2)-- Magenta**

Southerly 1320 feet of Lots 6, 7, 8, Section 18 and the Southerly 1320 feet of Lots 5, 6, 7, Section 19.

Southerly 1000 feet of Lot 1, Section 28, except the Southerly 250 feet and the West 100 feet of the Southerly 700 feet.

Section 34, the Northerly 500 feet pf Lots 1 and 2

Section 33, the Northerly 500 feet of Lots 5, 6, 7, 8.

**WILDERNESS OVERLAY DISTRICT (WO)—White**

Section 5

Section 25, Lot 1,2,3 North of Mud Lake