

CHEBOYGAN COUNTY ZONING ORDINANCE
AMENDMENT #154

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 RELATIVE
TO HOME OCCUPATIONS AND PRIVATE STORAGE BUILDINGS

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Ordinance 200 is hereby amended to amend the following Definitions, which shall read in their entirety as follows:

PRIVATE STORAGE BUILDING

A building or structure that is used for private non-commercial storage of materials that are owned by the property owner and used only by the property owner and does not have permanent facilities for living, sleeping and/or cooking.

PRIVATE STORAGE/WORKSHOP BUILDING

A building that is used for private, non-commercial storage or home workshop purposes or home occupation purposes with no provisions for overnight living or sleeping areas.

AGRICULTURAL/PRIVATE STORAGE/WORKSHOP BUILDING

A building that is used for both agricultural and private non-commercial storage, home workshop purposes or home occupation purposes with no provisions for overnight living or sleeping areas.

CONTRACTOR

General builders engaged in the construction, modification, or residential, commercial, and industrial structures and/or involved in activities such as masonry, paving, highway construction, and utility construction.

HOME OCCUPATION

Any commercial business operation on a residential use parcel by the residents thereof or within a stand-alone private storage building and that does not conflict with or operate out of character with any surrounding land uses.

Section 2. Amendment of Section 17.21.

Section 17.21. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

SECTION 17.21. HOME OCCUPATIONS (Rev. __/__/19, Amendment #154)

Cheboygan County recognizes the desire and/or need of some citizens to use their residence for business activities in order to reduce trip generation and to provide another economic development tool, but it also recognizes the need to protect the surrounding areas from adverse impacts generated by these business activities.

17.21.1 ADMINISTRATION

A. Home occupations requiring zoning permits are those involving any of the following:

- 1.) Requires an additional on site, non-resident employee.
- 2.) Requires commercial signage.
- 3.) Requires additional parking for or results in additional traffic from customers.
- 4.) Requires commercial deliveries or pick ups of materials or supplies used in the home occupation.

B. No home occupation shall be conducted until a zoning application has been approved by the Zoning Administrator. The application shall include the following:

- 1.) The type of business and business activities.
- 2.) The number of employees.
- 3.) The vehicles used in the home occupation.
- 4.) The number of expected customer visits per day.
- 5.) The number of expected deliveries/drop offs.

17.21.2 PERMITTED USES

It is recognized that this list may not be totally inclusive. The Zoning Administrator shall determine whether a request is similar to a following listed use as to approve or deny.

- A. Home offices, including architects, counselors, clergy, doctors, dentists, engineers, attorneys, contractors, and accountants
- B. Home studios, including artists, sculptors, musicians, photographers, and authors
- C. Personal services, including barbershops and beauty parlors
- D. Instructional services, including music, dance, art, and craft classes
- E. Repair services, including small appliances, small engines, and computers/electronics
- F. Workrooms, including weaving and woodworking
- G. Day care homes

17.21.3 STANDARDS

- A. Home occupations must be conducted within the principal residential structure, permitted accessory structures or private storage building.
- B. Customer visits and delivery vehicles are limited to the hours of 8am to 7pm.
- C. Delivery vehicles are limited to passenger vehicles, mail carriers, and express carriers.
- D. Nonresident employees on the premises are limited to one (1) at any one time.
- E. Home occupations shall not create traffic, visible displays, vibrations, heat, noise, odors, dust, glare, or other similar nuisances not normally found in the surrounding area.
- F. Home occupations shall not generate waste or sewage in volume or type which is not normally associated with residential use.

17.21.4 CONDITIONAL APPROVALS

The Zoning Administrator may impose reasonable conditions with the approval of an application, pursuant to Section 17.21.3 of this Ordinance.

Section 3 Amendment of Section 17.23.

Section 17.23. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

SECTION 17.23 PRIVATE STORAGE BUILDINGS AND USES (Rev. __/__/19, Amendment #154)

Cheboygan County recognizes the desire and/or need of some citizens to have a parcel that is used primarily for indoor storage of items that are typically used in a home or to store equipment used for maintenance of a single family home or enjoyment by the residents of a single family home. Private storage is a primary use, not subordinate to another use on the same property. Placement of a private storage building on the property should support the future placement of a residence.

Section 3. 17.23.1 STANDARDS

The following standards apply to private storage buildings and uses on the Residential (D-RS), Rural Character/Country Living (D-RC) and Lake and Stream Protection (P-LS) zoning districts. Private storage buildings that are allowed in other zoning districts do not have to abide by this section, but must follow all other applicable standards.

- a. The structure shall not serve as a residence or dwelling of any kind.
- b. Only goods and material storage and/or approved home occupations are permitted in the private storage structure. The structure is not to be used for human habitation at any time.
- c. If within thirty (30) feet of a side property line, all such private storage buildings must be screened from view of the side property lines with a solid evergreen hedge with a minimum height of six (6) feet or privacy fence with a minimum height of six (6) feet.
- d. No more than two (2) private storage buildings are allowed per acre of contiguous property under the same ownership as recorded with the office of the register of deeds with a maximum of four (4) storage buildings allowed for all properties under the same ownership.
- e. The total floor area of the foot print(s) of all private storage buildings on the same lot of record or on one or more contiguous lots of record under the same ownership, as recorded with the office of the register of deeds, shall comply with the following applicable requirements:
 - 1. If the area of the lot of record or the area of the contiguous property on which the private storage buildings are located is two (2) acres or less, then the total floor area shall be no more than 1,600 square feet.
 - 2. If the area of the lot of record or the area of the contiguous property on which the private storage buildings are located is more than two (2) acres but is three (3) acres or less, then the total floor area shall be no more than 3,200 square feet.
 - 3. If the area of the lot of record or the area of the contiguous property on which the private storage buildings are located is more than three (3) acres, then the total floor area shall be no more than 6,000 square feet.
- f. In the P-LS district, all private storage buildings must meet a minimum setback from the water's edge of 50 feet and must meet all other applicable setbacks for the zoning district in which located.
- g. The structure may not be used to house or support animals of any type.
- h. Except for approved home occupations, the structure cannot be used for any commercial and/or business uses including the storage of materials, vehicles or other items used for commercial or business purposes.

Section 3. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By:
John B. Wallace
Its: Chairperson

By:
Karen L. Brewster
Its: Clerk