

permitted purposes shall provide parking areas sufficiently large to accommodate all motor vehicle units. Such vehicles shall be parked in this area when not in use.

**Sec. 15. Nonconforming uses, structures and lots of record.**

Nonconforming uses shall be treated under this ordinance as follows:

- (a.) Lawful nonconforming uses or structures in existence at the time of passage of this ordinance may be continued but shall not be extended, added to or altered unless such extension, alterations or additions are in conformity with the provisions of this ordinance, and result in a conforming use as required by the district regulations where such use is located, provided however:
  - 1. Single-family dwellings located within a C-1, C-2, I-1 or I-2 district may be enlarged by an addition containing floor space which does not exceed 25 percent of the existing floor space as defined in Article III, Sec. 7 of this ordinance, or containing up to 300 sq. ft., whichever is greater. Provided further, subsequent to such enlargement, there shall be no further additions except in accordance with the regulations of the district in which the dwelling is located, both as to use and size requirements.
  - 2. Enlargement of a single-family dwelling in the C-1, C-2, I-1 or I-2 district shall be subject to the minimum property space requirements of the district in which the dwelling is located, if stated. If not stated, the property space requirements shall be as in the R-1 district for a single-family dwelling.
  - 3. A single-family residence which fails to conform to the minimum floor space requirement of this zoning ordinance, but which at least meets the minimum requirements of the township building code as to number of rooms and room sizes and which is lawfully occupied as a nonconforming structure, may be repaired and occupied and occupancy continued, and its floor space may be increased with additions meeting the building and construction codes of the township. In the event of such addition, all requirements of said code shall be met. There shall be no limit to the size of the addition except the limits set forth above where such a dwelling is located in a C-1, C-2, I-1 or I-2 district. In the event occupancy has ceased for 90 days as hereinafter set forth, occupancy or additions shall not be allowed.
- (b.) One residential garage and one residential storage building may be constructed accessory to an existing nonconforming single-family dwelling subject to the general regulations of this ordinance pursuant to "accessory buildings" provided however, said accessory buildings shall not exceed one story or 12 feet in height.
- (c.) If a nonconforming structure or use is damaged or destroyed, repairs or replacements shall be started within 90 days and completed with reasonable diligence. The repaired or replaced area shall not exceed the original area without a permit under article VI.
- (d.) If occupancy of a nonconforming use or structure shall terminate for a continuous period of 90 days or the use or structure has been changed to that permitted in the district in which it is

located, the said nonconforming use or occupancy shall not be resumed or reestablished and any future use or occupancy of the land or structure shall be in conformity with the requirements of its district and the other sections of this ordinance.

- (e.) A lot of record that was legally established prior to the effective date of this ordinance, and that does not comply with zoning district lot area and width requirements, may be used as permitted by district regulations provided:
1. The use established on the lot complies with front, side and rear setback requirements for the zoning district in which the lot is located;
  2. The lot may not be further reduced in area or width;
  3. That the lot has not at any time been owned or controlled together with contiguous lots which could have been combined to form a parcel at the time of said ownership or control. Any conveyance or separation of such lots at any time shall be considered an illegal lot split, and shall not result in the creation of a buildable lot or lot of record. Common owners or controllers of contiguous nonconforming lots of record shall be required to combine lots to conform to the present zoning ordinance in the event they seek to place improvements of any kind thereon.
- (f.) A lot of record that was legally established prior to the effective date of this ordinance, and that does not comply with zoning district lot area and width requirements, may not be divided or altered in any way that results in the creation of any single lot that does not comply with applicable area and width requirements.

**State Law References:** Nonconforming uses or structures, MCL 125.3208.

#### **Sec. 16. Hobby farming--Gardening.**

Hobby farming as defined in Article II, Section 2(19.), shall be allowed in any district.

#### **Sec. 17. Home occupations.**

When allowed as a special land use, home occupations in dwellings shall comply with the following standards:

- (a.) They shall be operated in the entirety within the dwelling and not within any garage or accessory building located upon the premises, except for incidental storage or in the use of a residential garage upon the premises.
- (b.) Such occupation shall be conducted only by the person or persons occupying the premises as their principal residence, provided, however, the planning commission shall have the authority in granting the special use to permit additional subordinate assistants who do not so reside within the said dwelling to be employed therein where the same would not materially impair the residential character of the neighborhood or cause traffic congestion or parking problems. In no event, however, shall such additional assistants exceed three in number.