
SECTION 4.01 Zoning Districts

- A. Single Family Residential District R-1
1. Purpose. The purpose of this district and its accompanying regulations is to provide for a stable and sound residential environment on lots of sufficient area to accommodate the Village sewer system. It is further the purpose of this zoning district to create low and medium-density areas for single-family dwelling units, in combination with associated accessory buildings and uses.
 2. Permitted and Special Land Uses, See **Section 4.02**
 3. Dimensional Restrictions, See **Section 4.03**
- B. Multiple Family Residential District R-2
1. Purpose. This zoning district is provided to encourage the development of a sound and stable environment for two-family dwelling units and multiple-family dwelling units including pre-planned apartments, garden apartments or condominium apartment complexes, in combination with associated accessory buildings and uses.
 2. Permitted and Special Land Uses, See **Section 4.02**
 3. Dimensional Restrictions, See **Section 4.03**
- C. High Density Single Family Residential District R-3
1. Purpose. The purpose of this district and its accompanying regulations is to provide for a stable and sound environment for single-family dwelling units at a higher density, in combination with associated accessory buildings and uses. There is no intention to promote, by these regulations, a zoning district of lower quality and desirability than in the “R-1” Zoning District, although a higher density is permitted.
 2. Permitted and Special Land Uses, See **Section 4.02**
 3. Dimensional Restrictions, See **Section 4.03**
- D. Village Commons District VC
1. Purpose. The intent of this zoning district is to recognize the fact that central portions of the Village are not separated into homogeneous land uses. The Village developed with various land uses adjacent to one another out of necessity and prevailing development patterns at their time of development. This district recognizes this “mixed-use” characteristic of the Village Commons and is designed to authorize land uses, in combination with associated accessory buildings and uses, that insure compatibility between residential and more intensive land uses.
 2. Permitted and Special Land Uses, See **Section 4.02**
 3. Dimensional Restrictions, See **Section 4.03**

E. Commercial District C

1. Purpose. It is the intent of this zoning district to provide regulations governing use and further development of areas in the Village where there are areas of arterial road oriented commercial development. The regulations and conditions contained in this district are designed to promote the economic viability of arterial road oriented commercial areas by encouraging improved site development standards that will provide more safety and convenience for customers. The regulations in this district are also designed to ensure that development in the Commercial district, including associated accessory buildings and uses, will relate harmoniously to surrounding land uses.
2. Permitted and Special Land Uses, See **Section 4.02**
3. Dimensional Restrictions, See **Section 4.03**

F. Central Business District CBD

1. Purpose. The intent of this zoning district is to recognize the fact that the downtown portion of the Village requires differing regulations due to the high density of structures. This district recognizes a “mixed-use” characteristic of the existing structures of this district and is designed to continue and authorize future mixed land uses, in combination with associated accessory buildings and uses in this higher density area.
2. Permitted and Special Land Uses, See **Section 4.02**
3. Dimensional Restrictions, See **Section 4.03**

G. Manufacturing District M

1. Purpose. This zoning district is intended to accommodate industrial uses, in combination with associated accessory buildings and uses, for the Village and surrounding area of Antrim County in such a manner that no unreasonable, noise, odor, dust, vibration or any other like nuisance shall exist to adversely affect any adjoining properties.
2. Permitted and Special Land Uses, See **Section 4.02**
3. Dimensional Restrictions, See **Section 4.03**

H. Conservation Reserve District CR

1. Purpose. The purpose of this district and its regulations is to preserve State and Village park and recreation uses, in combination with associated accessory buildings and uses.
 2. Permitted and Special Land Uses, See **Section 4.02**
 3. Dimensional Restrictions, See **Section 4.03**
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SECTION 4.02 Table of Land Uses by Zoning District

P=Permitted Use SP= Special Land Use

Land Uses		Zoning Districts							
		R-1	R-2	R-3	VC ²	C	CBD ²	M	CR
		Single Family Residential	Multiple Family	High-Density Single Family	Village Commons	Commercial	Central Business	Manufacturing	Conservation Reserve
A.	Residential Uses								
1.	Single Family Dwellings	P	P	P	P				
2.	Two Family Dwellings		P		P				
3.	Multiple Family Dwellings		P		SP	P			
4.	Residential Development	See Section 3.25							
5.	Upper floor dwelling(s)				P	P	P		
6.	Manufactured Housing Community					P			
7.	Planned Unit Developments	SP ¹	SP ¹	SP ¹	SP	SP	SP		
8.	Rooming and Boarding Houses		SP	SP	SP				
9.	Bed and Breakfast	SP	SP	SP	P				
10.	Accessory Dwelling Unit	SP	P	SP	SP	SP			
11.	State Licensed Residential Facilities	P	P	P					
12.	Dependent Care Facility, including assisted living				SP				
13.	Residential Care Facilities serving 7 or more	SP	P	SP	SP				
B.	Small Scale/home-based Commercial Uses								
1.	Home Occupations	Allowed within any dwelling, per Section 3.07							
2.	Cottage Industry	SP	SP	SP	SP				

Land Uses		Zoning Districts							
		R-1	R-2	R-3	VC ²	C	CBD ²	M	CR
		Single Family Residential	Multiple Family	High-Density Single Family	Village Commons	Commercial	Central Business	Manufacturing	Conservation Reserve
C.	Public/Institutional Uses/Utilities								
1.	Religious Institutions		P	SP	P	P			
2.	Public and Private Educational Facilities	SP	P	P	P	P			P
3.	Libraries and Museums		P	P	P	P	P		
4.	Government Buildings and associated Public Facilities				P	P	P		
5.	Public Parks and Recreation Facilities	P	P	P	P				P
6.	Public Docks, Launch Ramps				P				P
7.	Public Utility Offices and Equipment storage							SP	
8.	Telecommunication towers and facilities							SP	SP
D.	Commercial Recreation Uses								
1.	Marinas, Commercial (also see Section 4.02.E.21)				P	P			
2.	Boat and/or Canoe Livery				P	P			
3.	Private recreation, or entertainment facilities					SP			SP
4.	Transient amusement fairs, circuses								P
5.	RV parks and campgrounds					SP			SP
E.	Commercial Uses								
1.	Eating/Drinking Establishments (w/o drive through)				SP	P	P		
2.	Eating Establishment (with drive through)				SP	SP			
3.	Food processing services, including breweries and distilleries* <small>[Added 8-2-2017 by Ord. No. #ZO 1 of 2017, eff. 8-18-2017.]</small>				SP*	SP*		P	

Land Uses	Zoning Districts							
	R-1	R-2	R-3	VC ²	C	CBD ²	M	CR
	Single Family Residential	Multiple Family	High-Density Single Family	Village Commons	Commercial	Central Business	Manufacturing	Conservation Reserve
Commercial Uses (continued)								
4.	Mobile Food Vending				SP	SP	SP	SP
5.	Hotel, Motel or Lodge				P	P		
6.	Professional or Business Office (such as real estate, bank, accounting, attorney, medical, dental, or financial services)		SP		P	P	P	
7.	Personal Services (such as barber, beauty, laundry, or dry cleaning drop-off)* [Added 12-06-2017 by Ord. No. #ZO 2 of 2017, eff. 12-22-2017]				P	P	P	P*
8.	Retail outlet with gross floor area of 5,000sf or less (such as food, drug, gift shop, apparel, sporting goods, copy shop, or workshop) without outside storage.				P	P	P	
9.	Any business with drive through service.				SP	SP		
10.	Automotive Service (fueling station, automobile washing facility, oil change, automotive repair) without outside storage				SP	P		P
11.	Automotive Service <u>with</u> outside storage				SP	SP		P
12.	Vehicle Sales or Leasing (new or used vehicles, including automobiles, motorcycles, recreational vehicles, snowmobiles or motorized watercraft)				SP	P		P
13.	Veterinary Services without outdoor board or dog runs					P		
14.	Veterinary Services <u>with</u> outdoor board or dog runs					SP		P
15.	Sexually Oriented Business					SP		
16.	Commercial Uses with outdoor storage (such as building				SP	SP		P

Land Uses		Zoning Districts							
		R-1	R-2	R-3	VC ²	C	CBD ²	M	CR
		Single Family Residential	Multiple Family	High-Density Single Family	Village Commons	Commercial	Central Business	Manufacturing	Conservation Reserve
	tradesperson, landscaping business, nurseries, equipment rental, trucking/transport)								
17.	Warehousing and wholesale establishments							SP	
18.	Storage Facilities					SP		SP	
19.	Production, processing, assembly, manufacturing, or packaging of goods or materials							SP	
20.	Refuse Collection/Recycle Center/Transfer Station							SP	
21.	Watercraft, motor or related marine repair establishment, and/or watercraft storage					P		P	
22.	Contractor sales office, equipment rental business with inside display areas only.					P		P	
23.	Printing and Publishing Industries					P		P	
24.	Resource Mining and Extraction				SP	SP		SP	SP

Notes

1. Residential PUDs without non-residential uses are permitted in R-1, R-2 & R-3 Zoning Districts.
2. In the Central Business District (CBD), the Village Commons District (VC), and the Manufacturing District (M) a combination of the listed uses in each district are allowed in that district, subject to the applicable zoning approval. The most restrictive or comprehensive approval process for any of the proposed uses shall control. [Amended 12-6-2017 by Ord. No. #ZO 2 of 2017, eff. 12-22-2017.]

SECTION 4.03 Schedule of Regulations

Zoning District	District Name	Minimum Lot Area		Maximum Height of Structure (f)(h)		Minimum Setbacks** (a)(g)(j)			Minimum dwelling width (b)
		Area	Width	Stories	Feet	Front	Side	Rear	Feet
R-1	Single Family Residential	6,000 sf	50'	3	35'	15'	5' (c)	10' (d)	20' (i)
R-2	Multiple Family Residential			3	35'	15'	20' (c)	20'	14'
R-3	High Density Single Family Residential	5,000 sf	50'	3	35'	15'	5' (c)	15'	14'
VC	Village Commons	6,000 sf	50'	3	35'	15'	5' (c)	15'	20' (i)
C	Commercial	20,000 sf	100'	3	35'	25' (e)	20'(c)	30'	--
CBD	Central Business District	2,500 sf	25'	3	35'	None	None	5'	--
M	Manufacturing	½ acre*	100'*	3	35'	25'	20' (c)	25'	--
CR	Conservation Reserve	Parks, forest, open space, may include structures							

Footnotes:**

- (a) For lots which border on the river, a 25' setback is imposed from the Ordinary High Water Mark.
- (b) Exclusive of unenclosed porches, garages, basements and patios
- (c) Side yard setback (on the street side) shall be the same as the front setback on the lot.
- (d) For parcels immediately adjacent to the Bellaire walking path, the setback for accessory buildings shall be reduced to a minimum of five (5) feet.
- (e) Front setback shall be reduced to allow the front of a new building to align with existing buildings located on immediately adjacent lots, but cannot be located within road right-of-way
- (f) Ornamental architectural features, not used for human occupancy, such as church spires, belfries, cupolas, domes, ornamental towers, flagpoles and monuments shall not be subject to the height limitations of this Section, but shall be subject to the applicable provisions of this Ordinance and the Antrim County Airport Zoning Ordinance.
- (g) Chimneys, flues, cornices, eaves, gutters and similar features may extend a maximum of twenty-four (24) inches into the required setback, provided the foundation location complies with the required setback.
- (h) Noncommercial towers, alternative tower structures, transmission and communication towers, noncommercial wind turbine generators, and commercial wind turbine generators shall not be subject to the height limitations of this Section, but shall be subject to the applicable provisions of this Ordinance and the Antrim County Airport Zoning Ordinance.
- (i) The minimum dwelling width may be reduced when proposed as part of a Planned Unit Development and is subject to Planning Commission approval.
- (j) In addition to the required setbacks specified in this Schedule of Regulations, each corner lot in every zoning district shall establish and maintain a clear vision area on the lot. The clear vision area shall be the area between the intersection of the front and side lot lines and an imaginary line drawn between two (2) points on the front and side lot lines measured 25' from the intersection of the front and side lot lines.

*[Amended 12-6-2017 by Ord. No. #ZO 2 of 2017, eff. 12-22-2017]

**[Amended 11-6-2019 by Ord. No. #ZO 1 of 2019, eff. 11-22-2019]

SECTION 4.04 Zoning Map and Rules of Interpretation

A. Zoning Map

The areas assigned to each Zoning District and the boundaries thereof shown on the map entitled "Village of Bellaire Zoning Map, Antrim 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.

B. 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 Antrim County Register of Deeds on the date of the enactment of the Zoning Ordinance. The official Zoning Map shall be the final authority in any dispute concerning district boundaries. 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 Village Clerk. Where uncertainty exists as the exact district boundaries, the following shall prevail:

1. Where boundary lines are indicated as approximately following streets, alleys, or highways; the center lines of the said streets, 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.

C. Zoning of Vacated Lands

Whenever any street, alley, highway, or other public right-of-way within the Village has 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.

D. Zoning of Annexed Areas

Whenever any area is annexed to the Village of Bellaire, it will be zoned the same as the immediately adjacent Village parcel. If there are two parcels with different zoning classifications that are contiguous to the newly annexed parcel, the most restrictive shall apply.

E. Zoning District Changes

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

