

CITY OF MARQUETTE
RESIDENTIAL LIMITED ANIMAL KEEPING
ZONING COMPLIANCE PERMIT APPLICATION



CITY STAFF USE

Parcel #: _____ File #: _____

Date Submitted: _____ Fee: _____ Rec#: _____ Ck#: _____

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, AND NO ACCESSORY
USE MAY COMMENCE UNTIL THIS APPLICATION IS APPROVED.**

FEE SCHEDULE (We can only accept Cash or Check (Written to the City of Marquette))

Residential Limited Animal Keeping:

Use of Existing Structure	\$75	New Structure or Enclosure	\$90
Use of Existing Structure: Beehives	\$75	New Structure and Enclosure	\$110
Permit Revised within one year of the approval date \$70			

If you have any questions, please call 228-0425 or e-mail alanders@marquettemi.gov. Please refer to www.marquettemi.gov to find the following information:

Excerpts from the Land Development Code

- Section 54.1401 Zoning Permits and Zoning Compliance Review
- Section 54.705(A) Accessory Buildings, etc.
- Section 54.639 Residential Limited Animal Keeping (attached)

PROPERTY OWNER

Name: _____

Address: _____

City, State, Zip: _____

Phone #: _____

E-mail: _____

APPLICANT (if different than property owner)

Name: _____

Address: _____

City, State, Zip: _____

Phone #: _____

E-mail: _____

PROJECT IDENTIFICATION

Property Address: _____ Zoning District (only allowed in LDR & MDR): _____

EXISTING CONDITIONS:

Current Use (please check box): Single-family Two-Family (duplex)

Occupancy (please check box): Owner-Occupied Rental

Parcel Size (width and length): _____

Square footage of all Existing Structure(s) on the parcel:

Residential Structure (single-family home or duplex): _____

Accessory Structures (Detached Garage, shed, patio, etc.): _____

**PROPOSED RESIDENTIAL LIMITED ANIMAL KEEPING ACCESSORY USE
KEEPING OF HENS**

Total Number of Hens: _____

Indoor Usable Floor Space per animal: _____

Outdoor Usable Space per animal: _____

CONDITIONS FOR ENCLOSED OUTDOOR USABLE SPACE

Proposed

Existing

Type of fence/wall, etc. (for the run): _____

Height of fence/wall, etc.: _____

Dimensions of the outdoor space (Example 4-ft long x 3-ft wide): _____

CONDITIONS FOR ACCESSORY STRUCTURE(S)

Proposed

Existing

Type of Accessory Structure: _____

Exterior Dimensions (including exterior stairs or ramp): _____

Height of structure(s): _____

Number of floors/stories: _____

If new structure, eaves size: _____

Total area of parcel being disturbed (including lawns): _____

What utilities (are/will be) available in the accessory structure?

Electricity
Heat

Water

Sewer

Gas (forced air)

Gas (hot water)

Electric

Wood

Other

**PROPOSED RESIDENTIAL LIMITED ANIMAL KEEPING ACCESSORY USE
KEEPING OF RABBITS**

Total Number of Rabbits: _____

Indoor Usable Floor Space per animal: _____

CONDITIONS FOR ENCLOSED OUTDOOR USABLE SPACE

Proposed

Existing

Type of fence/wall, etc. (for the exercise periods): _____

Height of fence/wall, etc.: _____

Dimensions of the outdoor space (Example 4-ft long x 3-ft wide): _____

CONDITIONS FOR ACCESSORY STRUCTURE(S)

Proposed

Existing

Type of Accessory Structure: _____

Exterior Dimensions (including stairs or ramp): _____

Height of structure(s): _____ If new structure, eaves size: _____

Number of floors/stories: _____

Total area of parcel being disturbed (including lawns): _____

What utilities (are/will be) available in the accessory structure?

Electricity

Water

Sewer

Heat

Gas (forced air)

Gas (hot water)

Electric

Wood

Other _____

**PROPOSED RESIDENTIAL LIMITED ANIMAL KEEPING ACCESSORY USE
KEEPING OF HONEYBEES**

Total Number of Honeybee hives: _____

Will the proposal be reducing to 10-ft setback to a lot line due to having a 6-ft high flyaway barrier?

Yes (see below for proposed)

No (must be setback 25-ft from any lot line)

PROPOSED CONDITIONS FOR FENCING OR FLYAWAY BARRIER (if applicable)

Type of proposed fence, wall, or dense vegetation for flyaway barrier: _____

Height of flyaway barrier: _____

(attach a separate sheet if needed)

- Show and label property lines and dimensions.
- Provide the North Arrow.
- Show and label adjoining rights-of-way, curb and pavement location and dimensions.
- Show and label all structures and dimensions.
- Show all structure setback distances from the property lines and between the structures.
- Show driveway location and dimensions and all parking spaces.
- Any other features that affect development (i.e. easements, rock outcrops, etc.)

A full-page sheet of white graph paper. The grid consists of small squares formed by thin gray lines. There are four thicker vertical lines dividing the page into five equal-width columns. Similarly, there are four thicker horizontal lines dividing the page into five equal-height rows. These thicker lines intersect at the center of the page, creating a large central square. The overall layout is symmetrical both horizontally and vertically.

ZONING BASICS

- **All construction requires zoning approval, whether or not a building permit is required by the Marquette County Building Codes Division. Please call 906-225-8180 to find out if you need a building permit.**
- **Assessing Staff will visit the property for tax purposes, as applicable.**
- **Businesses may need to be made accessible to the public and employees per the Americans with Disabilities Act and State Construction Code.**
- **Setback:** The minimum required horizontal distance between the foundation of a building or other structure, excluding allowable projections and encroachments, and the lot line or right-of-way line.
- If the owner and/or builder does not know the exact location of the property lines, a surveyor should be consulted.
- Yard setbacks vary by zoning district and for corner lots. On corner lots, both street frontages are considered to be front lot lines for setback purposes; one of the remaining lot lines may be designated as a side lot line and the other as a rear lot line for purposes of establishing setbacks.
- The above stipulations and requirements are not all-inclusive; it is the applicant's and property owner's responsibility to review the Land Development Code for the applicable standards regarding the proposed project.
- When construction or uses commence prior to obtaining a zoning compliance permit, citations for civil infractions may be issued. The Board of Zoning Appeals may require that a structure be moved or altered if it does not meet the requirements of the Land Development Code.
- The property owner acknowledges review of Section 54.1401 Zoning Permits and Zoning Compliance Review of the Land Development Code and Section 54.659 Residential Limited Animal Keeping (available at www.marquettemi.gov or at the Municipal Service Center).
- **The property owner authorizes the City Staff to inspect the property and verify compliance with this permit.**
- **The property owner acknowledges that the information in this application is correct and accurate.**
- **If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his/her behalf.**

I, the undersigned **Property Owner**, have read and understand the above statements.

PROPERTY OWNER SIGNATURE: _____

PRINTED NAME: _____

DATE: _____

ADDITIONAL SIGNATURE

- The applicant acknowledges review of Section 54.1401 Zoning Permits and Zoning Compliance Review of the Land Development Code and Section 54.659 Residential Limited Animal Keeping (available at www.marquettemi.gov or at the Municipal Service Center).
- The applicant acknowledges that the information in this application is correct and accurate.

APPLICANT SIGNATURE: _____

Date: _____

EXCERPT FROM THE CITY LAND DEVELOPMENT CODE

Permitted Use in the LDR and MDR Zoning Districts only

Section 54.642 Residential Limited Animal Keeping.

(A) Requirements Applicable to All Residential Limited Animal Keeping

- (1) Accessory Use of On-Site Residents.** The accessory use of Residential Limited Animal Keeping is permitted upon application for a non-transferable Residential Limited Animal Keeping Permit approved by the Zoning Administrator, which is for enclosures and structures that are required for chickens and rabbits, or for beehives. Upon approval, the permit is intended to be for the benefit of the occupants of the dwelling on-site, and not for commercial animal uses.
- (1) Applicable Zoning Districts.** This Residential Limited Animal Keeping use is permitted only in the LDR and MDR districts as an accessory use, where there is a separate occupied dwelling.
- (2) General Animal Care.** Animals being kept in a residential environment must be cared for and monitored daily to maintain animal health and to prevent nuisance problems with neighbors and the community.
- (3) Permitted Animals.** Unless classified as a bona fide household pet, only animals explicitly permitted in this Section (i.e., hens, rabbits, and honeybees) qualify as animals that may be kept as a Residential Limited Animal.
- (4) Zoning Compliance Review Required.** Zoning Compliance Review in accordance with [Section 54.1401](#) is required prior to the establishment of the Residential Limited Animal Keeping use.
- (5) Location of Animals on the Same Lot as the Dwelling and in the Rear Yard.** The location of animals permitted in accordance with this Section must be on the same property as the dwelling to which they are accessory and must be located in the rearyard with the exception of properties classified as “through lots”, which may use side yards for locating animal enclosures and beehives if the other requirements of this section can be met. In the event that requirements cannot be met in a side yard, the Zoning Administrator may permit another location on the property, which meet the requirements, to be used as a location for enclosure or beehives.
- (6) Storage of Seed, Fertilizer, and Feed.** All seed, fertilizer, and animal feed shall be stored in secured, rodent- and animal-proof containers and kept within an enclosed structure.

Article 6: Standards Applicable to Specific Uses

- (7) **On-Site Commercial Sale Prohibited.** The commercial sale of animal products including eggs, honey, hens or rabbits is prohibited on the site.
 - (8) **Sanitation, Waste, and Odors.** All animal structures and roaming areas must be kept sanitary and free from accumulations of animal excrement and objectionable odors. Waste must be composted or disposed of in accordance with all City requirements. The City may require a Residential Refuse Collection Agreement as a condition of Zoning Permit approval. Piling of waste materials on the property is not permitted unless composted in accordance with [Section 54.618\(F\)](#).
 - (9) **Runoff.** No runoff from nutrient sources shall be allowed to leave the property, nor be discharged into the storm sewer.
- (B) **Requirements Applicable to Residential Limited Animal Keeping of Female Chickens (Hens).** In addition to the requirements of [Section 54.642\(A\)](#), the following shall apply to the Residential Limited Animal Keeping of hens:
- (1) **Maximum Number of Hens.** A maximum of six (6) hens per single-family or two-family dwelling unit may be kept.
 - (2) **Male Chickens (Roosters) Prohibited.** Male chickens (roosters) are prohibited.
 - (3) **Prohibited Locations of Keeping Hens.** Hens are prohibited in a residence, porch, or attached garage.
 - (4) **Keeping of Hens Required on the Lot.** Hens must be confined to the lot.
 - (5) **Enclosure Housing for Hens.** Enclosed housing for hens (the hen house or coop) is prohibited in a front yard. Enclosed housing must be fully enclosed, roofed, and provide at least one (1) square foot of indoor usable floor space per animal. Enclosed housing must be designed to discourage rodents, dogs, cats, and wildlife from gaining entry.
 - (6) **Access to Fresh Water.** Fresh water must be provided for hens at all times.
 - (7) **Outdoor Usable Space for Hens.** Outdoor usable space (a run) of at least two (2) square feet per hen must be provided and be attached to the coop. Outdoor usable space must be enclosed to prevent hens from leaving the lot and must not be located in a front yard (with the possible exception for “through lots” shown stated in [54.642\(A\)\(6\)](#)).

 - (a) If the outdoor space has a roof or cover, then it has to meet [Section 54.705\(A\)](#) for the LDR or MDR zoning district requirements.
 - (b) If the outdoor space is just enclosed with a fence, it has to meet [Section 54.706\(C\)\(1\)](#) for the LDR or MDR zoning district requirements.

- (8) **Setback of Housing for Hens.** Enclosed housing for hens must meet the same setback requirements for accessory buildings ([Section 54.705\(A\)](#)), except that the enclosed housing must be set back at least 20 feet from a principal building on an adjoining property. Mobile chicken housing must meet the required setbacks at all times.
- (C) **Requirements Applicable to Residential Limited Animal Keeping of Rabbits.** In addition to the requirements of [Section 54.642\(A\)](#), the following shall apply to the Residential Limited Animal Keeping of rabbits:
- (1) **Maximum Number of Rabbits.** A maximum of six (6) adult rabbits per single-family or two-family dwelling unit may be kept.
- (2) **Keeping of Rabbits Required on the Lot.** Rabbits must be confined to the lot.
- (3) **Enclosure Housing for Rabbits.** Enclosed housing for rabbits (cage or hutch) is prohibited in a front yard. Enclosed housing must be fully enclosed, roofed, and provide at least five square feet of indoor usable floor space per animal. Enclosed housing must be designed to discourage rodents, dogs, cats, and wildlife from gaining entry.
- (4) **Access to Fresh Water.** Fresh water must be provided for rabbits at all times.
- (5) **Outdoor Usable Space for Rabbits.** Rabbits shall only be kept within enclosed housing except for monitored exercise periods. Outdoor usable space must be enclosed to prevent rabbits from leaving the lot and must not be located in a front yard (with the possible exception for “through lots” shown stated in [54.642\(A\)\(6\)](#)).
- (6) **Setback of Housing for Rabbits.** Enclosed housing for rabbits must meet the same setback requirements for accessory buildings ([Section 54.705\(A\)](#)), except that the enclosed housing must be set back at least 20 feet from a principal building on an adjoining property. Mobile rabbit housing must meet the required setbacks at all times.
- (D) **Requirements Applicable to Residential Limited Animal Keeping of Honeybees.** In addition to the requirements of [Section 54.642\(A\)](#), the following shall apply to the Residential Limited Animal Keeping of honeybees:
- (1) **Maximum Number of Honeybee Hives or Colonies.** A maximum of 10 honeybee hives is permitted on a lot.
- (2) **Location.** Honeybee hives must be located on an undeveloped area of the lot.
- (3) **Minimum Setback.** Honeybee hives must be set back at least twenty-five (25) feet from any lot line. The setback for hives may be reduced to ten (10) feet to a lot line if a six (6) foot high flyway barrier surrounds the immediate vicinity of

the hive(s) consisting of a solid fence, wall, or dense vegetation that prevents a direct line of flight from the hives into neighboring properties or public use rights-of-way.

- (4) **Honeybee Hive Manipulation.** Beekeepers must make every reasonable effort to perform hive manipulations as quickly as possible, with minimum disturbance to the bees and at times of the day when outdoor activity of neighbors is minimized.
- (5) **Honeybee Swarm Prevention.** Beekeepers must use best beekeeping management practices to prevent or minimize swarming. Beekeepers must take reasonable measures to retrieve swarms.
- (6) **Access to Fresh Water.** A supply of fresh water shall be provided for all honeybee hives throughout the active flight season.