

**ORONOKO CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN**

ORDINANCE NO. 76

AN ORDINANCE TO AMEND THE ORONOKO CHARTER TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 2.03 TO ADD NEW DEFINITIONS AND AMEND AN EXISTING DEFINITION; TO AMEND SECTION 3.11 PERTAINING TO MINOR HOME OCCUPATIONS; TO AMEND SECTION 3.12 PERTAINING TO THE KEEPING OF ANIMALS; TO AMEND SECTION 4.07 PERTAINING TO EXISTING BUILDINGS, STRUCTURES AND USES; TO AMEND SECTION 5.07 PERTAINING TO THE TABLE OF DIMENSIONAL STANDARDS; TO AMEND SECTION 8.06 PERTAINING TO DISTRICT REQUIREMENTS IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; TO AMEND SECTION 9.06 PERTAINING TO DISTRICT REQUIREMENTS IN THE R-2 SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT; TO AMEND SECTION 10.05 PERTAINING TO DIMENSIONAL STANDARDS IN THE R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT; TO AMEND SECTION 10.06 PERTAINING TO DISTRICT REGULATIONS IN THE R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT; TO AMEND SECTION 11.05 PERTAINING TO DIMENSIONAL STANDARDS IN THE BUSINESS DISTRICT; TO AMEND SECTION 11.06 PERTAINING TO DISTRICT REGULATIONS IN THE BUSINESS DISTRICT; TO AMEND SECTION 12.06 PERTAINING TO DISTRICT REQUIREMENTS IN THE UC UNIVERSITY-COLLEGE DISTRICT; TO AMEND SECTION 16.03 PERTAINING TO PARKING REGULATIONS; AND TO AMEND THE ORONOKO CHARTER TOWNSHIP ZONING MAP.

ORONOKO CHARTER TOWNSHIP, BERRIEN COUNTY, MICHIGAN ORDAINS:

Section 1. Amendment of Section 2.03. Section 2.03 is amended to include the following definitions, in alphabetical order:

Certificate of Occupancy: A certificate issued by the Township Building Official authorizing the occupancy and/or use of land and/or buildings or structures pursuant to the Township Building Code and the terms of this Ordinance.

Certificate of Completion: A certificate issued by the Township Zoning Administrator or Building Official certifying that all work pursuant to a zoning permit application or building permit application has been completed and is in compliance with the terms of this Ordinance and all other applicable local, state and federal regulations.

In addition, the definition for “Lot Types”, subsection A, in Section 2.03 is amended to read as follows:

- A. corner lot, defined as a lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the

foremost point of the lot meet on an interior angle of less than one hundred thirty-five (135) degrees.

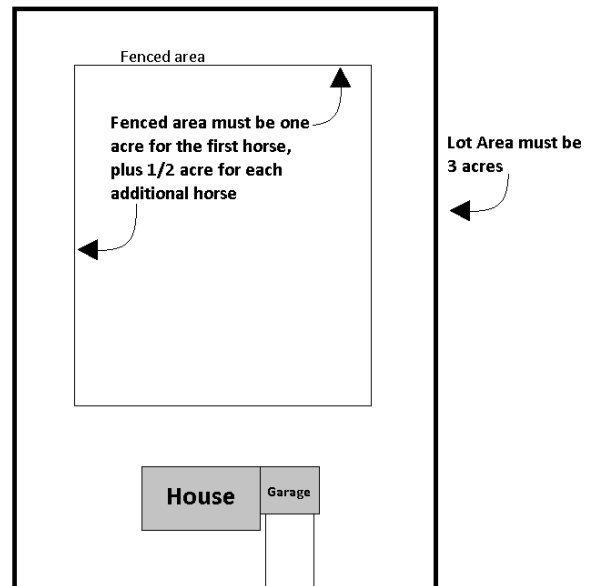
Section 2. Amendment of Section 3.11. Section 3.11 is amended to include subsections K and L, which reads as follows:

- K. Home occupations that meet the standards of this Section may be approved by the Zoning Administrator under the provisions of Section 19.03.
- L. Minor home occupations shall comply with all applicable local, state and federal regulations.

Section 3. Amendment of Section 3.12, D. Section 3.12, D, is amended to read as follows:

- D. The keeping of horses shall be permitted in the A-R and E-1 districts only, provided that the parcel on which the horses are kept maintains a minimum lot area of 3 acres.

Further, horses shall be kept within a fenced area that provides a minimum of one acre for the first horse and an additional ½ acre for each additional horse. The fenced area shall be set back at least ten (10) feet from any property line and shall not be within fifty (50) feet of any domestic well. Horses shall be provided with an accessory structure for protection against the weather.



Section 4. Amendment of Section 4.07, C. Section 4.07, C, is amended to read as follows:

- C. In any business or manufacturing district, where the building, structure or use is only nonconforming in that it does not meet the required minimum rear or side yard setback for lots that abut properties in the E-1, R-1, R-2 or R-3 district.

Section 5. Amendment of Section 5.07. The sixth row, pertaining to Business (B), in the Table of Dimensional Standards in Section 5.07 shall be amended to read as follows:

District	Lot Area		Width	Setback (in feet)		
	With Sewer	Without Sewer		Front	Side	Rear
Business (B)	12,500 sq ft		100 Feet	40	10	20

Section 6. Amendment of Section 8.06, C, 2. Section 8.06, C, 2 is amended to read as follows:

2. Side Yard - A side yard on each side of not less than ten (10) feet. On corner lots, there shall be maintained a side yard of not less than forty (40) feet on the side adjacent to the street.

Section 7. Amendment of Section 9.06, C, 2. Section 9.06, C, 2 is amended to read as follows:

2. Side Yard - A side yard on each side of not less than ten (10) feet. On corner lots, there shall be maintained a side yard of not less than forty (40) feet on the side adjacent to the street.

Section 8. Amendment of Section 10.05. Section 10.05 is amended to read as follows:

<u>Minimum Lot Area</u>	<u>Required Setbacks (in feet)</u>
12,000 sq ft for single and two family dwellings with sewer	Front 30 Feet
20,000 sq ft for single and two family dwellings without sewer	Side 10 Feet
	Rear 25 Feet
12,000 sq ft plus 3,000 sq ft per dwelling for multiple family dwellings with sewer	<u>Maximum Building Height</u>
25,000 sq ft plus 3,000 sq ft per dwelling for multiple family dwellings without sewer	4 stories or 40 feet, whichever is less
<u>Minimum Lot Width</u>	90 feet

Section 9. Amendment of Section 10.06, C, 2. Section 10.06, C, 2 is amended to read as follows:

2. Side Yard - A side yard on each side of not less than ten (10) feet. On corner lots, there shall be maintained a side yard of not less than thirty (30) feet on the side adjacent to the street.

For multiple family dwellings, the side yard setback shall be ten (10) feet, plus an additional two (2) feet on each side for every story the building exceeds beyond two (2) stories.

Section 10. Amendment of Section 11.05. Section 11.05 is amended to read as follows:

<u>Minimum Lot Area</u>	12,500 sq ft	<u>Required Setbacks (in feet)</u>
<u>Minimum Lot Width</u>	100 feet	▪ Front 40 Feet
<u>Maximum Building Height</u>		▪ Side 10 Feet
3 stories or 45 feet, whichever is less		▪ Rear 20 Feet

Section 11. Amendment of Section 11.06, D, 2. Section 11.06, D, 2 is amended to read as follows:

2. Side Yard. A side yard on each side of not less than ten (10) feet. On corner lots there shall be maintained a side yard of not less than forty (40) feet on the side adjacent to the street.

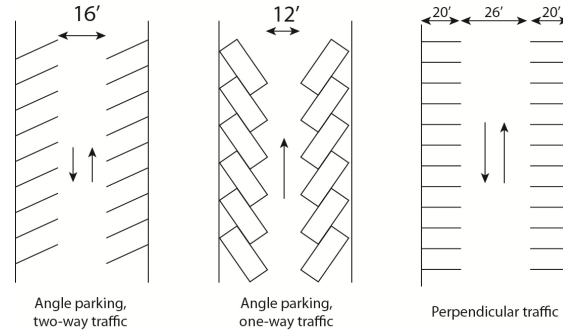
Section 12. Amendment of Section 11.06, F. Section 11.06, F is amended to read as follows:

- F. Maximum Lot Coverage: Forty-five percent (45%)

Section 13. Amendment of Section 12.06, A, 2. The first paragraph of Section 12.06, A, 2 is amended to read as follows:

2. Side Yard. A side yard for each side of the residential building of not less than ten (10) percent of the lot width, but not less than ten (10) feet. On corner lots, there shall be maintained a side yard of not less than thirty (30) feet.

Section 14. Amendment of Section 16.03 (E). The graphic in Section 16.03, (E) is amended to be shown as follows:



Parking Area Dimensions
(for standard-sized vehicles)

Section 15. The Oronoko Charter Township Zoning Map is amended to color the various parts of streets, alleys and rights-of-way to reflect the zoning district of adjacent properties.

Section 16. Severability and Captions. This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

Section 17. Repeal. Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

Section 18. Effective Date. This Ordinance is ordered to take effect seven (7) days following publication of adoption in the Journal Era, a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

MOTION TO ADOPT ORDINANCE:

Proposed by Board member – Trustee Richard Albers
Supported by Board member – Treasurer Lawrence Schalk

Roll Call:

Ayes: Trustee Richard Albers, Trustee Marc Kerlikowske, Trustee Robert Krause, Treasurer Lawrence Schalk, Trustee Don Damron, Clerk Suzanne Renton, Supervisor Mike Hildebrand.

Nays: None.

Abstain: None.

Absent: None.

ORDINANCE DECLARED ENACTED:

The foregoing Ordinance was enacted by the Oronoko Charter Township Board of Trustees, Berrien County, State of Michigan on the 13th day of May 2014, and approved by its Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

By: _____
Michael Hildebrand, Supervisor

and

By: _____
Suzanne Renton, Clerk

First Reading: May 7, 2014

Second Reading: May 13, 2014

Publication of Notice: May 21, 2014