

**ORONOKO CHARTER TOWNSHIP**  
**ORDINANCE 89**

AN ORDINANCE TO AMEND THE ORONOKO CHARTER TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 3.04 PERTAINING TO ACCESSORY BUILDINGS, STRUCTURES, AND USES; TO AMEND SECTION 5.06 TO AMEND THE TABLE OF USES TO INCLUDE GUEST HOUSES; TO AMEND SECTION 6.03 TO INCLUDE GUEST HOUSES; TO AMEND SECTION 7.03 TO INCLUDE GUEST HOUSES; AND TO AMEND CHAPTER 18 TO INCLUDE REGULATIONS FOR GUEST HOUSES.

ORONOKO CHARTER TOWNSHIP, BERRIEN COUNTY, MICHIGAN, ORDAINS:

**Section 1. Amendment of Section 3.04.** Section 3.04 of the Oronoko Charter Township Zoning Ordinance is amended to read as follows:

**3.04 ACCESSORY BUILDINGS, STRUCTURES, AND USES**

Accessory buildings, structures, and uses shall be compatible with the principal use, and no accessory building or structure shall be constructed on any lot prior to the construction of the principal building to which it is accessory.

- A. Accessory buildings, structures, and uses shall be located in compliance with the setback requirements for the applicable Zoning District.
- B. Except as otherwise required, accessory buildings shall comply with the following requirements:
  - 1. Accessory buildings shall not exceed twenty (20) feet in height and 1 ½ (1.5) stories. [see 2.03 Definitions Figure 2-2]
  - 2. Accessory buildings shall not occupy more than thirty (30) percent of the area of the yard in which it is located.
  - 3. Accessory buildings shall not be located less than ten (10) feet from a lot line, except:
    - a. On corner lots - not less than the required side yard setback.
    - b. On through lots that do not have a rear lot line adjoining a nonaccess strip, not nearer to the rear lot line adjoining a street than the distance required for a front yard.
  - 4. Except as otherwise provided in this Ordinance, not more than three (3) accessory buildings are permitted on a lot in any district.

- 5. All accessory buildings shall be located in the side yard or rear yard.
- C. The Planning Commission may, upon the recommendation of the Zoning Administrator, waive or modify the standards of this section for Farms and Farm Operations.
- D. Guest Houses may be permitted as a special land use subject to the requirements of Section 18.35 of this Ordinance.

**Section 2. Amendment of Section 5.06.** The table of uses in Section 5.06 of the Oronoko Charter Township Zoning Ordinance is amended such that a row containing “Guest House” is added in alphabetical order and reads as follows:

Use	AR	E-1	R-1	R-2	R-3	B	U-C	M
Guest House	S	S						

**Section 3. Amendment of Section 6.03.** Section 6.03 of the Oronoko Charter Township Zoning Ordinance is amended such that the special land use “Guest House” is added in alphabetical order and reads as follows:

- Guest House

**Section 4. Amendment of Section 7.03.** Section 7.03 of the Oronoko Charter Township Zoning Ordinance is amended such that the special land use “Guest House” is added in alphabetical order and reads as follows:

- Guest House

**Section 5. Amendment of Chapter 18.** Chapter 18 of the Oronoko Charter Township Zoning Ordinance is amended such that a section containing “Guest House” is added to read as follows:

**18.35 GUEST HOUSES (this is all new)**

- A. Guest Houses shall be subject to the following requirements:
  1. Only one (1) guest house shall be permitted per premises unless otherwise permitted. Guest houses shall only be permitted on the second floor of an accessory building. Such buildings shall comply with the standards of Section 3.04 regulating Accessory Buildings, Structures, and Uses.
  2. The residential living area of a guest house shall not comprise more than fifty (50) percent of the total cumulative area of the accessory building in which it is located. The guest house shall be clearly subordinate and incidental to the primary residential use of the property on which it is located.
  3. The residential living area of a guest house shall not exceed the total floor area of the principal dwelling located on the property.

4. Guest houses shall comply with all Building Code requirements and any other applicable codes and regulations.
5. Guest houses shall not have potable water or sewer facilities that are separate from those serving the principal dwelling.
6. Guest houses shall not have an address which is separate from the principal dwelling.
7. Separate sale or ownership of a guest house from the principal dwelling on a lot or parcel is prohibited, as is division of the parcel unless each new lot with a dwelling complies with all applicable requirements of this Ordinance.
8. Guest houses located in accessory buildings that are nonconforming on the effective date of this Ordinance due to building height may be permitted.
9. Payment, Rent or Bartering of any kind is prohibited.
10. The Planning Commission may establish time limitations during which a guest house may be occupied.

**Section 6. 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 7. 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 8. 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 Robert Palmer

Supported by Board member: Trustee Don Damron

**Roll Call:**

Ayes: Trustee Marc Kerlikowske, Trustee Robert Palmer, Trustee Don Damron, Clerk Suzanne Renton, Trustee Rich Albers, Supervisor Mike Hildebrand.

Nays: None.

Abstain: None.

Absent: Treasurer Lawrence Schalk

**ORDINANCE DECLARED ENACTED:**

The foregoing Ordinance was enacted by the Oronoko Charter Township Board of Trustees, Berrien County, State of Michigan on the 11th day of October 2016 and approved by its Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

By: \_\_\_\_\_  
Michael Hildebrand, Supervisor

and

By: \_\_\_\_\_  
Suzanne Renton, Clerk

First Reading: August 3, 2016

Second Reading: October 11, 2016

Publication of Notice: October 19, 2016