

**HEATH TOWNSHIP**

**ALLEGAN COUNTY**

**ORDINANCE NO. 66**

**AMENDMENTS TO HEATH TOWNSHIP ZONING ORDINANCE**

Adopted: October 9, 2006

Effective: October 27, 2006

An Ordinance to amend certain text changes to the Heath Township Zoning Ordinance.

**ORDAINS:**

**SECTION I**

**AMENDMENT TO CHAPTER III "DEFINITIONS" SECTION 3.46**

Section 3.46 "Zoning Act" shall be amended to read:

"The Michigan Zoning Enabling Act (ZEA) P.A. 110 of 2006 (MCL 125.3101, et seq)."

**SECTION II**

**AMENDMENT TO CHAPTER VI "R-1 RURAL ESTATE DISTRICT" SECTION 6.04**

R-1 Rural Estate District, Section 6.04, Area Regulations, (b) "Side Yard," shall be amended by adding to the end of the paragraph:

"Buildings or structures intended to be used for a family business shall have a side yard setback of not less than 25 feet."

**SECTION III**

**AMENDMENT TO CHAPTER VI "R1-A RURAL RESIDENTIAL DISTRICT"  
SECTIONS 6.03a AND 6.05a(b)**

Section 6.03a shall be amended by adding subsection (c) to read as follows:

"(c) "Family Business" when authorized as a Special Use by the Planning Commission, utilizing the same standards that are provided in Section 6.02(k)."

Section 6.05a(b), "Side Yard," shall be amended by adding to the end of the sentence:

Buildings or structures intended to be used for a family business shall have a side yard setback of not less than 25 feet.

#### **SECTION IV**

#### **AMENDMENT TO CHAPTER VII, R-2, SINGLE-FAMILY RESIDENTIAL DISTRICT, SECTION 7.04(b)**

Section 7.04(b) shall be amended by adding at the end of the sentence:

"Buildings or structures intended to be used for a family business shall have a side yard setback of not less than 25 feet."

#### **SECTION V**

#### **AMENDMENT TO CHAPTER IX "C-1 GENERAL BUSINESS DISTRICT" SECTIONS 9.02 AND 9.03(a)**

Section 9.02 shall be amended by adding subsection (xxx) to read:

"Section 9.02(xxx). Outdoor displays beyond the roof eave are subject to special use conditions".

Section 9.03(a) shall be amended to read:

"With the exception of automobile parking and off-street parking, all business, service or processing shall be conducted wholly within a completely enclosed building."

#### **SECTION VI**

#### **AMENDMENT TO CHAPTER XI "GENERAL PROVISIONS" SECTION 11.22(2)**

Section 11.22(a)(2) regarding "Notice Provisions" in the second sentence shall be amended to read:

"The Notice shall be given not less than fifteen (15) days before the date the application will be considered."

Section 11.22(a)(2)(b) shall also be amended to read as follows:

“Indicate the property that is the subject of the request shall include a listing of all existing street addresses within the property.”

## **SECTION VII**

### **AMENDMENT TO CHAPTER XV “BOARD OF APPEALS” SECTION 15.01**

Section 15.01, “Creation,” shall be amended to read as follows:

“There is hereby created, under the Zoning Act, a Township Board of Appeals, referred to in this Ordinance as the “Board of Appeals”. The Board of Appeals shall be constituted and appointed as provided in the Zoning Act. The Zoning Board of Appeals shall consist of three (3) members. The first member shall be a member of the Planning Commission and the second member shall be from the Township Board. The Township Board may also appoint two (2) alternate members to serve in the absence of a regular member if the regular member is unable to attend one or more meetings.”

## **SECTION VIII**

### **AMENDMENT TO CHAPTER XX “PLANNED UNIT DEVELOPMENT” SECTION 20.15 “PUBLIC HEARING BY THE PLANNING COMMISSION”**

Section 20.15 shall be amended to read:

“Within sixty (60) days after receipt of the preliminary development plan, the Planning Commission shall hold a public hearing, the notice of the public hearing shall be given in one (1) or more newspapers of general circulation in the Township not less than fifteen (15) days before the date of the public hearing. The notice shall set a time and place of the public hearing and a general description of the PUD. Written notice of the public hearing shall be sent by mail or delivered by hand not less than fifteen (15) days before the hearing date to persons to which real property is assessed within three hundred (300) feet of the boundary of the proposed PUD.”



## **SECTION IX**

### **EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This Ordinance shall take effect eight days following proper publication of notice of its adoption with and subject to Michigan Public Act 110 of 2006. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

#### **HEATH TOWNSHIP**

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