

ORDINANCE NO. 2014 4-1

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF HOPE TOWNSHIP, MIDLAND COUNTY, MICHIGAN.

The Township of Hope, County of Midland, Michigan ordains, pursuant to the authority vested in it by Act 110 of 2006 of the Public Acts of the State of Michigan as amended, the following Zoning Ordinance Amendments to the Hope Township Zoning Ordinance.

SECTION 1.

Chapter 2, Definitions, at its Section 2.2, Definitions, is amended by amendment of the term recreational vehicle, which shall hereafter read as follows:

Recreational Vehicle is a currently licensed vehicle primarily designed and used as temporary living quarters for recreation or camping or a vehicle mounted on or drawn by another vehicle, including, but not limited to, motor homes, travel trailers, pop-up campers and tents.

SECTION 2.

Chapter 5, District Regulations, at its Section 5.7 Residential District (R), Sub-Section 5.7.3, Development Standards, is hereby repealed in its entirety and replaced with the following:

Section 5.7.3 Development Standards

A. Dimensional Requirements.

	<u>without public sewer</u>
Minimum lot size	one (1) acre
Minimum frontage	105 feet
Minimum front setback	50 feet
Minimum side setback	25 feet
Minimum rear setback	50 feet
Maximum height	2½ stories or 35 feet

B. Side Yard Exceptions. The following minimum side yard setback requirements shall apply to lots in state certified subdivision plats in the R (Residential) District lawfully established prior to the effective date of this Ordinance with a lot width of less than 105 feet:

Lot Width	Minimum Side Yard Setback
Less than 75.0 feet	8.0 feet
75.0 to 104.9 feet	10.0 feet
105.0 feet and greater	25.0 feet

C. Front and rear yard exceptions. The following minimum front and rear yard setback requirements shall apply to lots in state certified subdivision plats in the R (Residential) District lawfully established prior to the effective date of this Ordinance with a lot area of less than one (1) acre:

Average Lot Depth	Minimum Front Yard Setback	Minimum Rear Yard Setback
Less than 140.0 feet	25.0 feet	40.0 feet
140.0 to 174.9 feet	30.0 feet	40.0 feet
175.0 feet and greater	50.0 feet	50.0 feet

D. Planned Development. Minimum Planned Development project area is five (5) acres with an allowable dwelling unit density of one (1) dwelling unit per one (1) acre and a minimum of fifty (50%) percent permanently preserved unbuilt open space.

SECTION 3.

Chapter 5, District Regulations, at its Section 5.7.6, Miscellaneous Regulations, is hereby repealed in its entirety and replaced with a new Section 5.7.6, Recreational Vehicle Use, and a new Section 5.7.7, Miscellaneous Regulations, as follows:

Section 5.7.6 Recreational Vehicle Use

A. No recreational vehicle shall be used for occupancy as a permanent dwelling in Hope Township.

Effective Date: May 6, 2014

- B. Any recreational vehicle may be used for temporary occupancy, in any zoning district where single-family dwellings are a permitted principal land use, as specified in this Ordinance.
 - 1. Such temporary occupancy shall not exceed 120 days in any calendar year, and shall be subject to the requirements herein.
- C. A maximum of two (2) recreational vehicles shall be permitted to be parked or occupied on any one (1) lot in a state certified subdivision plat in the R (Residential) zoning district.
 - 1. Recreational vehicle parking and occupancy shall be limited to personal vehicles belonging to the owner or lessee of the subject parcel, and to associated family members or guests.
 - 2. On a vacant parcel without a permanent dwelling, parking or occupancy of any recreational vehicle for more than four (4) days shall be subject to application and issuance of a permit in accordance with this Ordinance.
 - 3. On a parcel improved with a permanent dwelling, occupancy of any recreational vehicle for more than fourteen (14) days shall be subject to application and issuance of a permit in accordance with this Ordinance.
 - 4. On a parcel improved with a permanent dwelling, no permit is required for parking of up to two (2) unoccupied recreational vehicles in compliance with this Ordinance.
- D. Parking and use of one (1) recreational vehicle shall be permitted on a residential driveway within the required front yard setback area of a parcel improved with a permanent dwelling. Parking and use of all other recreational vehicles on any parcel of land shall comply with the minimum yard setback requirements for principal buildings in the zoning district, as specified in this Ordinance.
- E. On-site sanitary facilities shall be present and in compliance with all applicable Midland County Health Department standards prior to any temporary occupancy of a recreational vehicle in accordance with this Ordinance.
- F. There shall be no outside disposal of any type of sanitary waste or household refuse.

- G. Temporary use of a portable toilet facility (“Porta-John”) accessory to an occupied recreational vehicle shall be permitted with proper disposal, subject to the following:
1. Portable toilet facilities shall comply with minimum yard setback requirements for principal buildings in the zoning district, as specified in this Ordinance.
 2. Portable toilet facilities shall be set back a minimum of 50 feet from the edge of any stream, pond, lake or other body of water, and a minimum of 50 feet from dwellings on abutting lots.
 3. Such facilities shall be located on the lot in a manner so that the facility is screened from view from abutting lots and road rights-of-way, and shall be promptly removed from the site when the temporary occupancy period ends.
 4. Documentation of required outside agency approvals for the facility shall be provided to the Zoning Administrator prior to installation on the site.
- H. Permits for temporary occupancy of any recreational vehicle shall be issued on a continuous thirty (30) day block and may be renewed thereafter. No permit shall be renewed which provides for occupancy greater than one hundred twenty (120) days in any calendar year. Permits must be displayed and visible from the road.
1. Permit applications shall be made to the zoning administrator by the owner or the lessee of the subject parcel, and shall include any required fee as established by Township Board resolution. Each application shall include all information necessary to verify compliance with this Ordinance.
 2. Within ten (10) days of the receipt of a complete permit application, the zoning administrator shall:
 - a. Issue a permit if it is found that the application is in conformance with the requirements of this Ordinance and all required fees are paid; or
 - b. Deny a permit if the application is incomplete, not in conformance with Ordinance requirements or required fees have not been paid. The zoning administrator shall inform the applicant in writing of the reasons for the denial.

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3. The zoning administrator shall keep a record of all permits issued and report these periodically to the Township Board.
4. The required permit review fee shall be doubled upon failure of the owner or lessee to obtain a permit prior to any parking or occupancy of a recreational vehicle subject to permit approval under this Ordinance.

Section 5.7.7 Miscellaneous Regulations

- A. The keeping of horses, ponies or other farm animals is not allowed on residential lots within this district.

SECTION 4.

All ordinances and amendments thereto, including Ordinance 50801, in conflict with this Ordinance are hereby repealed.

SECTION 5.

This ordinance shall become effective on the eighth (8th) day following publication thereof.

Adopted by the Township Board, Township of Hope, Midland County, Michigan, at a meeting of the Township Board held on the twenty-fourth day of April, 2014.

Dated: 4-24-,2014

Andy Kobisa, Supervisor

JoAnn Wilke, Clerk

Effective Date: May 6, 2014

CERTIFICATION

The above Ordinance No. 2014-4-1 was adopted at a meeting of the Hope Township Board on the twenty-fourth day of April, 2014, and published in the Midland Daily News, a newspaper of general circulation in the Township of Hope, on the twenty-eighth day of April, 2014.

JoAnn Wilke
Clerk, Hope Township