

STATE OF MICHIGAN
COUNTY OF BERRIEN
ORONOKO CHARTER TOWNSHIP
ORDINANCE NO. 108

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; TO AMEND CHAPTER 18 TO INCLUDE REGULATIONS FOR GUEST HOUSES; AND TO REPEAL ORDINANCE 89.

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 and structures shall be located in compliance with the setback requirements as stated in section B-3 below. Uses shall be in compliance with 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. All accessory buildings shall be located in the side yard or rear yard, and accessory buildings shall not be located less than ten (10) feet from a side or rear 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.
- C. Accessory buildings or structures containing livestock that are not regulated by Generally Accepted Agricultural Management Practices (GAAMPs) shall be setback at least 50 feet from any property line, unless modified by the Zoning Administrator or Planning Commission.
- D. Guest Houses may be permitted as a special land use subject to the requirements of Section 18.35 of this Ordinance.
- E. All accessory buildings or structures shall be secured to the premises by an anchoring system approved by the Building Official, sufficient to retain the building/structure in place during high wind conditions.

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

- 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.

Section 9. Repeal. Upon the effective date of this Ordinance, the provisions of Ordinance No. 89 of Oronoko Charter Township are hereby repealed.

MOTION TO ADOPT ORDINANCE:

Proposed by Board member: Treasurer Lawrence Schalk
Supported by Board member: Clerk Suzanne Renton

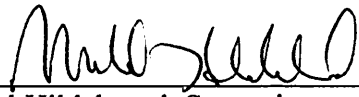
Roll Call:

Ayes: Trustee Marc Kerlikowske, Treasurer Lawrence Schalk; Clerk Suzanne Renton,
Trustee Don Damron, Trustee Robert Palmer, Supervisor Mike Hildebrand.
Nays: None.
Abstain: None.
Absent: Trustee Richard Albers.


ORDINANCE DECLARED ENACTED:

The foregoing Ordinance was enacted by the Oronoko Charter Township Board of Trustees,
Berrien County, State of Michigan on the 12th day of November 2019 and approved by its
Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

By: 
Michael Hildebrand, Supervisor

and

By: 
Suzanne Renton, Clerk

First Reading: October 8, 2019
Second Reading: November 12, 2019
Publication of Notice: November 20, 2019