

CHARTER TOWNSHIP OF COOPER

NOTICE OF POSTING OF PROPOSED ORDINANCE:

**AN ORDINANCE TO ADOPT AMENDMENTS TO THE TOWNSHIP ZONING
ORDINANCE**

PLEASE TAKE NOTICE that at its meeting on March 16, 2020, the Township Board received the following proposed ordinance (the “Ordinance”):

- “An Ordinance to Adopt Amendments to the Township Zoning Ordinance”
 - The ordinance would amend definitions, special exception uses in the CBD "Cooper Business District", review procedure over the extension, addition, alteration or improvement of non-conforming uses, building permit restrictions on the number of principal buildings per parcel, which construction requires site plan review, and changes to the minimum ground floor area and setback requirements in the “Schedule of Lot, Parcel, Building Sire, Yard and Area Requirements”;

The Ordinance will be considered for adoption on May 11, 2020, at 7:00 p.m., at the Township Board meeting at the Township Hall at 1590 West D Avenue, Kalamazoo, Michigan. The Proposed Ordinances are available in their entirety for public inspection. The Proposed Ordinances are posted at the office of the Township Clerk, 1590 West D Avenue, Kalamazoo, Michigan, and are posted on the website of the Charter Township of Cooper, <http://www.coopertwp.org>.

DEANNA JANSSEN, Clerk
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Kalamazoo, MI 49009
(269) 382-0223

**COOPER CHARTER TOWNSHIP
ORDINANCE NO. 255**

**AN ORDINANCE TO ADOPT AMENDMENTS TO THE TOWNSHIP ZONING
ORDINANCE**

The Charter Township of Cooper ordains:

SECTION 1. AMENDMENT OF SECTION 120.14

Sec. 120.014 of the Township’s Zoning Ordinance entitled “Definitions” is hereby amended to remove the definition of "Accessory Building" as that term is defined under "Building, Accessory" and to add the following definitions:

Building, Size: The measurement of the area (square footage) of a building shall be based upon the outside wall dimension. Where the roof line extends more than 1 foot from this line, or where the roof line extends with a wall support (carport, lean-to, porch, etc.), the measurement shall be from this roof eave to the ground below. (See Floor Area for residential dwellings)

Lot, Corner: A corner lot shall have two front yards, with setbacks determined based upon primary or secondary road frontage.

Storage, Temporary: The use of containers, "PODs" or similar structures for temporary storage of personal residential items during relocation or renovation of a dwelling. Such containers shall not be used in agricultural or residential areas in place of customary accessory buildings (barns, sheds, etc.) but may be utilized for storage in the side or rear yard within commercial or industrial districts, subject to site plan review.

Temporary Use or Structure: A use or structure that is not intended to be permanent in nature, based upon monthly or seasonal restrictions not exceeding six (6) months in duration.

SECTION 2. AMENDMENT OF SECTION 120.190

Sec. 120.190 of the Township’s Zoning Ordinance entitled "CBD" Cooper Business District is hereby amended to add a subsection (C)(8) which shall read as follows:

C.8. Animal hospital, dog training or show facility, kennels or similar facilities

SECTION 3. AMENDMENT OF SECTION 120.330

Sec. 120.330 of the Township’s Zoning Ordinance entitled “Nonconforming Uses, Lots or Structures” is hereby amended to amend subsection A as follows:

Nonconforming uses, lots or structures in existence at the time of passage of this Ordinance shall not be extended, added to or altered unless such extensions, alterations or additions are in

conformity with the provisions of this Ordinance. Notwithstanding, the Township **Zoning Board of Appeals** shall have the authority to waive conformity with the provisions of this Ordinance for the extension, addition, alteration, or improvement of a nonconforming use, lot or structure in existence at the time of passage of this Ordinance if such extension, addition, alteration, or improvement does not: (1) increase the non-conformity with the provisions of this Ordinance and (2) does not have a negative impact on the public health, safety or welfare.

SECTION 4. AMENDMENT OF SECTION 120.390

Sec. 120.390 of the Township's Zoning Ordinance entitled "Restriction on Number of Principal Buildings Per Parcel" is hereby amended to delete subsection (B) in its entirety.

SECTION 5. AMENDMENT OF SECTION 120.430

Sec. 120.430 of the Township's Zoning Ordinance entitled "Site Plan Review" is hereby amended to delete subsection (B)(7) in its entirety.

SECTION 6. AMENDMENT OF SECTION 120.600

Sec. 120.600 of the Township's Zoning Ordinance entitled "Schedule of Lot, Parcel, Building Site, Yard and Area Requirements" is hereby amended to add a sentence under the Minimum Floor Area per Dwelling Unit heading as follows:

The minimum ground floor area for a two story dwelling shall be 600 square feet.

Section 120.600 is also amended to delete the entire "For Corner Lot, Parcel or Building Site" row of the Minimum Side Yard Setback graph.

Section 120.600 is also amended to amend Note "J" as follows:

(J) Attached garages shall not exceed the square footage of the **ground floor area** of the dwelling unit to which they are attached.

SECTION 7. VALIDITY AND SEVERABILITY.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 8. REPEALER.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall be published and take effect seven days after publication as provided by law.

Approved this _____ day of _____, 2020.

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