SOUTH HAVEN CHARTER TOWNSHIP

RESOLUTION 25-01 TO INTRODUCE ORDINANCE NO. 165, ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING MULTI-FAMILY DWELLING UNIT BUILDINGS

A resolution made and adopted at a regular meeting of the Township Board of the Charter Township of South Haven, County of Van Buren, State of Michigan, held at the Township Hall on January 8, 2025, at 7:30 p.m.

•	•
on January 8, 2025, at 7:30 p.m.	
PRESENT:	
ABSENT:	
The following Resolution was offered by	and
seconded by	
WHEREAS, pursuant to the Michigan Zoning Enabling Act, 2006 PA 1	10, the Township
nas authority to adopt and amend zoning ordinances regulating the use of land	in the Township;
and	
WHEREAS, the Township Planning Commission held a public hearing	on December 17,
2024, to consider amendments to the Township Zoning Ordinance regarding mul-	ti-family dwelling
unit buildings; and	
WHEREAS, on December 17, 2024, the Planning Commission recomme	ended approval of
he amendments to the Township Board; and	
WHEREAS, following the public hearing, the Planning Commissi	on transmitted a
summary of comments received at the hearing and the proposed amendments	to the Van Buren
County Planning Commission; and	
WHEREAS, following the public hearing, the Planning Commissi	on transmitted a
summary of comments received at the hearing and the proposed amendments	to the Township
Board; and	
WHEREAS, the Township Board has determined that amending the Zon	ing Ordinance, as

THEREFORE, the Township Board of the Charter Township of South Haven resolves as follows:

recommended by the Planning Commission, is in the best interests of the health, safety and welfare

of Township residents.

1. The Township hereby introduces Ordinance No. 165, Ordinance Amending the

Zoning Ordinance Regarding Multi-Family Dwelling Unit Buildings (the "Ordinance"), attached

as Exhibit A.

2. The Township Board will consider adopting the Ordinance at its next regular

meeting on February 12, 2025, at 7:30 p.m.

3. Pursuant to Section 20 of the Michigan Charter Township Act, Act 82 of 1994,

MCL 42.1 et seq. (the "Act"), the Clerk is directed to publish the Ordinance in accordance with

Section 8 of the Act by posting it in the office of the Clerk and on the Township's web site. The

Clerk is further directed to publish notice of the posting in a form in accordance with the law in a

newspaper of general circulation in the Township within seven (7) days after the posting. The

notice, which shall be substantially in the form attached as Exhibit B, shall describe the purpose

of the Ordinance and state that the Ordinance is posted in the office of the Clerk and on the

Township's web site.

4. Any resolutions or portions of resolutions that are inconsistent with this resolution

are hereby repealed.

STATE OF MICHIGAN

)) ss.

COUNTY OF VAN BUREN

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of South Haven, Van Buren County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held

pursuant to the Open Meetings Act on the 8th day of January, 2025.

Brenda Bertorelli

Clerk, South Haven Charter Township

EXHIBIT A

CHARTER TOWNSHIP OF SOUTH HAVEN

ORDINANCE NO. 165

ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING MULTI-FAMILY DWELLING UNIT BUILDINGS

THE CHARTER TOWNSHIP OF SOUTH HAVEN ORDAINS:

Section 1. Purpose.

The Township adopts the following amendments for the health, safety and welfare of the Township residents.

Section 2. Amendment to Section 11.03 the Township Zoning Ordinance.

Section 11.03 of the Township Zoning Ordinance is amended by the addition of "Multi-Family Dwelling Unit Buildings" as subparagraph S.

Section 3. Amendment to Section 11.04 of the Township Zoning Ordinance.

Section 11.04 of the Township Zoning Ordinance is amended to read in its entirety as follows:

SECTION 11.04 DIMENSIONAL REQUIREMENTS

Minimum Lot Area	
With public sewer and water	10,000 square feet
With public sewer and water Without public sewer and water	1 acre
Minimum Lot Width	1 dete
M-43, M-140, or Phoenix	
(CR388)	330 feet
(CK366)	330 feet
M-43, M-140, or	
Phoenix (CR 388) - frontage	66 feet, with public water and sewer
access road or service drive	150 feet, without public water and sewer
per 18.26	130 feet, without public water and sewer
All other roads	20 fact with public water and cower
All other roads	80 feet, with public water and sewer
Minimum Front Yard	150 feet, without public water and sewer
	50 fact from the might of year line
M-43, M-140, Phoenix (CR 388)	50 feet from the right-of-way line
Dlug Stor Hyuy Duggles Dood	110 feet from centerline
Blue Star Hwy, Ruggles Road	110 feet from centerine
all other roads	35 feet from the right-of-way line
Minimum Side Yards	10 feet min for one side and a total of 25 feet for both
	sides
	15 feet each side, accessory buildings
Minimum Rear Yard	50 feet
	15 feet, accessory building
	Corner lots do not a have rear yard
Minimum Waterfront Yard	50 feet from the shore of a lake or pond, or centerline
	of a stream, but not within a Flood Hazard Area
	except as provided by law.
Minimum Dwelling Floor Area	680 square feet excluding garage & unfinished
	spaces with at least 500 square feet on the first floor.
Height Limit	Single family dwelling and all accessory buildings
	(commercial or residential) 35 feet
	All other buildings, 55 feet maximum height

All structures are subject to Article XIVA Airport Overlay Zone	provided there is 26 foot wide setbacks on all sides with ground preparation to support 75,000 pound fire apparatus
Maximum Lot Coverage	75%

Section 4. <u>Validity and Severability.</u>

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 the Ordinance.

Section 5. Repealer.

Any ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 6. <u>Effective Date.</u>

This Ordinance takes effect seven (7) days after publication as provided by law.

EXHIBIT B

CHARTER TOWNSHIP OF SOUTH HAVEN

NOTICE OF POSTING OF PROPOSED ORDINANCE NO. 165 AN ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING MULTI-FAMILY DWELLING UNITS

PLEASE TAKE NOTICE that at its meeting on January 8, 2025, the Township Board received a proposed ordinance entitled "An Ordinance to Provide for a Payment in Lieu of Taxes," which will be considered for adoption on **February 12, 2025, at 7:30 p.m.**, at a meeting of the Township Board at the Township Hall, 09761 Blue Star Memorial Hwy, South Haven, MI 49090. The proposed ordinance, among other things, would amend the Township Zoning Ordinance to add multi-family dwelling unit buildings as a permitted special use with conditions and restrict the maximum height to 55 feet as measured from the average grade to the highest peak.

The proposed ordinance is available in its entirety for public inspection. The proposed ordinance is posted at the office of the Township Clerk, 09761 Blue Star Memorial Hwy, South Haven, MI 49090, and on the website of the Township, http://www.southhaventwp.com.

Brenda Bertorelli, Clerk South Haven Township Hall 09761 Blue Star Memorial Hwy South Haven, MI 49090 (269) 637-3305