

TOWNSHIP OF CHIKAMING  
BERRIEN COUNTY, MICHIGAN

ORDINANCE NO. 61  
Adopted January 11, 1990

AN ORDINANCE TO AMEND ORDINANCE NO. 44 OF CHIKAMING TOWNSHIP ENTITLED: AN ORDINANCE TO ESTABLISH COMPREHENSIVE ZONING REGULATIONS FOR THE TOWNSHIP OF CHIKAMING, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE TOWNSHIP RURAL ZONING ACT, ACT 184 OF THE PUBLIC ACTS OF 1943, AS AMENDED, BY ACT 637, OF THE PUBLIC ACTS OF 1978, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith AND TO PROVIDE PENALTIES FOR VIOLATIONS HEREOF.

THE TOWNSHIP OF CHIKAMING, BERRIEN COUNTY, MICHIGAN, ORDAINS:

Section 1.

The official zoning map of Chikaming Township, as provided for by Article I of the Chikaming Township Zoning Ordinance, is changed and amended to provide that the following described property is zoned R-2, Residential Rural Estate, to-wit:

That part of the Northwest Quarter of Section 14, Township 7 South, Range 20 West, Chikaming Township, Berrien County, Michigan, lying Westerly of Highway I-94.

**ALSO**, that part of the Southeast Quarter of Fractional Section 17, Township 7 South, Range 20 West, Chikaming Township, Berrien County, Michigan, lying South of the CSX Railroad;

**ALSO**, the East Half of the Northeast Quarter, the East Half of the East Half of the Northwest Quarter of the Northeast Quarter and the Southeast Quarter, all of Section 20, Township 7 South, Range 20 West, Chikaming Township, Berrien County, Michigan;

**ALSO**, the Northeast Quarter of the Southwest Quarter of Section 20, Township 7 South, Range 20 West, Chikaming Township, Berrien County, Michigan; **excepting** therefrom the following parcel to-wit: Beginning at the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 20; thence East along the East and West quarter line 337 feet; thence South 660 feet; thence West, parallel to the East and West quarter line, 205 feet; thence South to a point 825 feet South and 132 feet East of the place of beginning; thence West to a point 825 feet South of the place of beginning; thence North to the place of beginning.

**ALSO**, that part of the Northeast Quarter of Section 29, Township 7 South, Range 20 West, Chikaming Township, Berrien County, Michigan, lying Northerly of Warren Woods Road and Highway I-94.

**ALSO**, that part of the Northwest Quarter of Section 29, Township 7 South, Range 20 West, Chikaming Township, Berrien County, Michigan, lying South of Warren Woods Road and Northerly of Highway I-94, except that part described as beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 29, thence East along the East and West eighth line of said Section 440 feet, thence South, parallel with the West line of said Section 990 feet, thence West, parallel with the East and West quarter line of said Section, to the West line of said Section, thence North on the West line of said Section to the place of beginning.

The change shall be made on the Official Map as required by the Chikaming Township Zoning Ordinance.

Section 2.

ARTICLE 5, Section 5.13--Schedule of District Regulations  
Yard, Height, and Lot Size Requirements for Principal and Accessory  
Uses, is hereby amended to read as follows:

	SECTION 5.13--SCHEDULE OF DISTRICT REGULATIONS				MINIMUM YARD SETBACK		MAXIMUM BUILDING HEIGHT <sup>b</sup>		MINIMUM LOT SIZE	
	YARD, HEIGHT, AND LOT SIZE REQUIREMENTS FOR PRINCIPAL AND ACCESSORY <sup>(a)</sup> USES				IN FEET <sup>b</sup>		HEIGHT <sup>b</sup>		Square Feet	
	Front Yard <sup>c</sup>	Side Yard <sup>d</sup>	Rear Yard <sup>e</sup>	In Feet	In Stories	Front Yard <sup>c</sup>	Side Yard <sup>d</sup>	In Feet	In Stories	Lot Frontage
R-1 Single-family Residential	30	10	50	30	2-1/2					100'
R-2 Rural Residential	40	10	50	40	3					150'
R-3 Multiple-family Residential <sup>d</sup> Except two-family and Multiple-family Residential uses by Special Land Use Permit	30	10	50	36	3					100'
R-4 Residential Mobile Home Park	20 <sup>e</sup>	10 <sup>e</sup>	15 <sup>e</sup>	--	--					60 each site
C Commercial <sup>d</sup>	25	10 <sup>f</sup> <sup>g</sup>	30 <sup>h</sup>	40 <sup>h</sup>	2-1/2					80'
M-1 Industrial-Restricted	25	10 <sup>f</sup> <sup>g</sup>	30 <sup>h</sup>	40 <sup>h</sup>	2					165'
M-2 Industrial General <sup>d</sup>	25	10 <sup>f</sup> <sup>g</sup>	30	40 <sup>h</sup>	2					165'
AG Agricultural	30	10	50	40 <sup>h</sup>	2-1/2					165'
RE Recreational	--	--	--	--	--					--
HR High Risk Erosion <sup>b</sup>	--	--	--	--	--					--
F Flood Plain	--	--	--	--	--					--

<sup>a</sup> See Section 6.02 on Accessory Uses.  
<sup>b</sup> See Section 5.12 on High Risk Erosion Regulations.  
<sup>c</sup> See Section 6.10 on Lake Front Setbacks.  
<sup>d</sup> See Article XI on Planned Unit Development.  
<sup>e</sup> See Section 5.04 Residential Mobile Home Park.  
<sup>f</sup> Side yards requirements, except those adjacent to a residential district boundary, may be waived by the Zoning Board of Appeals.  
<sup>g</sup> No building, sign or storage facility shall be closer than twenty-five (25) feet to any residential boundary.  
<sup>h</sup> The height of a sign, building or storage facility shall not exceed fifty (50) percent of the horizontal distance to the nearest residential district boundary.  
<sup>i</sup> One to three lots of at least 1-acre with a minimum of 150' width at the road may be sold from an existing lot of record (existing at the time of adoption of this ordinance). All other lots sold must follow the 10-acre minimum lot size.

Section 3.

ARTICLE 7, Section 7.03--Signs in Residential Districts and Mobile Home Park Districts, is hereby amended to read as follows:

A. On-site signs are permitted for the following uses only:

1. One bulletin, announcement or directory board not exceeding thirty-two (32) square feet in area, in each mobile home park and residential development.
2. "For Sale" or "For Rent" signs, not to exceed six (6) square feet in area, advertising only the premises on which erected.
3. In residential developments, one (1) residential development sign advertising the sale of dwellings having an area of not more than thirty-two (32) square feet with an overall height of not more than twelve (12) feet above the ground.
4. One (1) trespassing, safety or caution sign not over two (2) square feet in area shall be permitted for each two hundred (200) lineal feet of perimeter lot line.

Section 4.

ARTICLE 8, Section 8.01--Special Land Use Permit Required, Paragraph A.3., is hereby amended to read as follows:

3. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one (1) sign not exceeding two (2) square feet in area and nonilluminated.

Section 5.

ARTICLE 14, Section 14.02--Zoning Board of Appeals: Power and Duties, Paragraph A.2, is hereby amended to read as follows:

A.2. Hearings. The Board of Appeals shall fix a reasonable time for a hearing, not to exceed 30 days from the filing of the Notice of Appeal. Not less than 10 days prior to the hearing date written notice of the hearing shall be given by mail or personal delivery to the appellant, to all persons to whom real property is assessed within 300 feet of the boundary of the property in question and to the occupants of all structures within 300 feet. At the hearing, any person may appear in person or by agent or attorney.

Section 6.

ARTICLE 18, Section 18.20 ("S"), Sign, Paragraph a), is hereby amended to read as follows:

- a) Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, name of occupants of premises or other identification of premises not having commercial connotations, except a home occupation for which a special land use permit has been granted pursuant to the Zoning Ordinance may be identified.

Section 7.

Enactment. The foregoing changes and amendments to Ordinance No. 44, the Township Zoning Ordinance, were enacted on the 11th day of January, 1990, by the Township Board of Chikaming Township, Berrien County, Michigan, and ordered to take effect immediately.

Jeanne Dudeck  
Jeanne Dudeck, Clerk  
Chikaming Township

Attest:

Dennis E. Scheer  
Dennis E. Scheer, Supervisor  
Chikaming Township

CERTIFICATION

I do hereby certify that that the foregoing constitutes a true and complete copy of Ordinance No. 61, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 11th day of January, 1990. I further certify that Dudeck moved the adoption of said ordinance and Conley supported said motion. The names and the members of the Township Board and their vote on the foregoing ordinance were as follows:

MEMBERS	AYES	NAYS	ABSTAIN
Gibson	_____	X	_____
Sandtveit	_____	X	_____
Conley	X	_____	_____
Dudeck	X	_____	_____
Scheer	X	_____	_____

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 12<sup>th</sup> day of January, 1990, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that the foregoing ordinance was published in full in The Gazette, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 18th day of January, 1990.

Date: January 12, 1990

Jeanne Dudeck  
Jeanne Dudeck, Clerk  
Township of Chikaming