

**TOWNSHIP OF CHIKAMING
BERRIEN COUNTY, MICHIGAN**

ORDINANCE NO. 127
Adopted: March 8, 2007

AN ORDINANCE TO AMEND ORDINANCE NO. 87 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.

ARTICLE 19, SPECIAL LAND USES, Section 19.03, Requirements for Approval of Special Land Use Permits, is hereby amended to read as follows:

Section 19.03 Criteria for Granting Special Land Use Permit Approval.

A. General Criteria. The Planning Commission shall review the particular circumstances of the proposed special land use in terms of the following general criteria. A recommendation by the Planning Commission for approval of the request requires compliance with each of the following standards. The special land use shall:


1. Satisfy the criteria listed in Section in 21.05.
2. Be able to provide documentation that a need exists for the proposed use within the Township.
3. Be compatible with adjacent uses and the existing or intended character of the surrounding area, and will not have an adverse impact upon or interfere with the development, use or enjoyment of adjacent properties, or the orderly development of the area or Township as a whole.
4. Be listed as a special land use in the zoning district in which the parcel is situated, or be of the same nature or character as a listed use, having no greater degree of adverse impact on the surrounding area than the similar listed use.
5. Where appropriate, provide assurance that the use shall be designed, constructed, operated, and maintained so as to meet the standards of this Ordinance, and any conditions imposed for approval (see paragraph B below).
6. Where applicable for specific uses, satisfy any additional standards or requirements provided in Section 19.09.

B. Conditions of Approval.

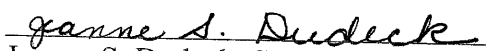
1. The Township Board may impose reasonable conditions with the approval of a special land use permit, to ensure compliance with the general standards stated above and other applicable Township ordinances relating to the health, safety and welfare of the community. These conditions, however, must lie within the authorized police power of the Township.
2. The conditions made as a part of the approval of the special land use permit and site plan shall be considered an integral part of the special land use permit and shall run with the land.
3. The conditions imposed with respect to approval of the special land use permit and site plan, together with the reasons therefor, shall be made a part of the approval record. These conditions shall remain unchanged unless an amendment to the special land use permit is approved by the Township Board (see Section 19.06 below).
4. The conditions, and any amendments thereto, shall be enforced by the Zoning Administrator, who is authorized to make investigations as necessary to ensure continued compliance. Failure to comply with the imposed conditions shall constitute grounds for revocation of the special land use permit, following a duly constituted special land use procedure, including a public hearing and notice to the applicant.

Section 2.

Enactment. The foregoing changes and amendments to Ordinance No. 87, the Chikaming Township Zoning Ordinance, were enacted on the 8th day of March, 2007, by the Township Board of Chikaming Township, Berrien County, Michigan, and ordered to take effect on the 26th day of March, 2007, the same being more than seven (7) days after its publication.


Elizabeth Bohac, Clerk
Township of Chikaming

Attest:


Jeanne S. Dudeck, Supervisor
Township of Chikaming


CERTIFICATION

I do hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 127, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 8th day of March, 2007. I further certify that Markse moved the adoption of said ordinance and Simmons 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	ABSENT
Marske	<u>X</u>	___	___	___
Gibson	<u>X</u>	___	___	___
Simmons	<u>X</u>	___	___	___
Bohac	<u>X</u>	___	___	___
Dudeck	<u>X</u>	___	___	___

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 19th day of March, 2007, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that a synopsis of the foregoing ordinance was published in full in the Southcounty Gazette, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 17th day of March, 2007.

Dated: March 19, 2007



Elizabeth Bohac, Clerk
Township of Chikaming