

ORDINANCE NO. 21

AN ORDINANCE TO AMEND ORDINANCE NO. 10
ENTITLED: CHIKAMING TOWNSHIP ZONING ORDINANCE

THE TOWNSHIP OF CHIKAMING ORDAINS:

ARTICLE I
SECTIONS REPEALED AND AMENDED

Section 1. Section 1(e) of Article VII of the Chikaming Township Zoning Ordinance is hereby repealed in its entirety.

Section 2. The definition "Automobile Trailer" as shown under Article XIV of the Chikaming Township Zoning Ordinance is repealed in its entirety.

Section 3. Section 6, Article VIII of the Chikaming Township Zoning Ordinance is repealed in its entirety and the following substituted therefore:

Section 6. MOBILE HOME PARKS, TRAVEL TRAILERS, MOBILE HOMES AND PRE-FABRICATED MODULAR UNIT DWELLINGS.

A. Definitions: All words used in this section shall have the following meaning:

1. Travel Trailer: A vehicular portable structure designed and intended only for temporary occupancy during travel and for recreation and vacation uses and (a) is identified on the unit by the manufacturer as a travel trailer; (b) is not more than eight (8) feet in body width; (c) is of any length provided its body length does not exceed twenty-eight (28) feet; and is of any weight provided its gross weight, factory equipped for the road does not exceed forty-five hundred (4500) pounds.
2. Mobile Home: A portable unit with all of the following characteristics: (a) designed for long term occupancy and containing sleeping

accommodations, flush toilet, shower bath or tub, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems: (b) designed to be transported after fabrication on its own wheels; (c) arriving at the site where it is to be occupied as a complete unit including major appliances and furniture and ready for occupancy except for minor incidental unpacking and assembly operations and connections to utilities and the like; and provides a minimum floor area of living space, exclusive of porches and patios of at least six-hundred (600) square feet.

3. Modular Unit or Pre-fabricated Dwellings: A non-portable pre-fabricated structure designed for permanent occupancy as a single or two-family dwelling designed to be transported to the site on a flat bed or other type truck or semi-trailer for erection on a permanent foundation either in sections or modular units that have been prefabricated at the factory complete with the plumbing and electrical facilities for connections to outside systems. Such modular units or prefabricated dwellings, as defined herein, are designed to be used and occupied as a permanent dwelling, requiring assembly at the site more than simply unpacking and are ordinarily not equipped with furniture and furnishings. In addition, all such prefabricated dwellings or modular units shall provide a minimum floor area of living space, exclusive of porches, patios, breezeways and garages, of at least seven hundred and twenty (720) square feet for each single family dwelling and a minimum floor area of living space of at least fourteen hundred and forty (1440) square feet for each two-family dwelling.

(B) Location of Travel Trailers, Mobile Homes and Modular Units or Pre-fabricated Dwellings:

1. Travel Trailers: Travel Trailers are limited solely to recreation and vacation use and their occupancy as either a temporary or perman-

ent dwelling shall not be permitted anywhere in Chikaming Township, except for temporary occupancy in any State Licensed Travel Trailer Park that now exists or hereafter may be created in Chikaming Township for recreation and vacation use.

2. Mobile Homes and Mobile Home Parks: Mobile Home occupancy shall be permitted only in State Licensed Mobile Home Parks. After the prior approval by the Planning Commission and the Township Board, as hereinafter provided, and full compliance with subsection C, below, State Licensed Mobile Home Parks may be located only in the following area in the Township of Chikaming:

All property zoned Agricultural in the existing Chikaming Township Zoning Ordinance as of date hereof located in the area lying between Inter State Highway I-94 upon the west and north and the Galien River on the east and south but not including any part of Warren Woods State Park.

3. Modular Units or Pre-fabricated Dwellings: After prior approval of the Township Zoning Board of Appeals and provided such units meet F.H.A. minimum property standards for dwellings, or its equivalent, modular units or prefabricated dwellings may be located anywhere in the Township of Chikaming except in Residence Districts "A".

(C) State Licensed Travel Trailer Parks or Mobile Home Parks:

1. All Travel Trailer Parks or Mobile Home Parks having space for three (3) or more trailers or mobile home units must be licensed and operated under the provisions of Act 243, of the Public Acts of 1959, Mobile Home Park Act, as amended, and such use shall require

the prior approval of the Township Planning Commission and the Township Board.

2. In considering such proposed use, the Planning Commission and the Township Board shall consider, among other things, whether such use will materially injure the appropriate use of other premises in the area and the occupancy and enjoyment thereof; and, if the premises are situated near a residential area, that such use will not detract from the desirability of such neighborhood as a residential area.

3. The Planning Commission and the Township Board in reaching their decision as to whether or not to grant a permit for a Mobile Home Park may also consider, among other things, such factors as the density of population created by such use, access roads, traffic patterns and congestion that might arise from such use and whether or not a safe and adequate water supply is available at the site and adequate provisions are available, or may be provided on the site, for the disposal of sanitary waste and such other general matters as would or might substantially affect the public health, safety and welfare.

4. The Planning Commission, in the first instance, shall approve the location and proposed layout for any Mobile Home Park and the Planning Commission shall thereafter submit their recommendations thereon to the Township Board for final approval of such proposed use.

5. The Township Board may, in their discretion, whenever they are in receipt of an application for a permit for a Mobile Home Park together with the recommendations of the Planning Commission thereon, require the applicant to submit such other data, sketches and details relating to the operation, management and control of the proposed Mobile Home Park as the Township Board may deem necessary

to consider whether or not such use in the proposed location would adversely affect public health, safety and the welfare of the inhabitants of Chikaming Township. The Township Board may grant such use, subject to such provisions and conditions that the Township Board may reasonably feel to be essential to preserve the public health, safety and general welfare.

6. If the Township Board approves such use, then the Building Inspector shall issue the necessary permit therefore, subject, however, to conditions, if any, imposed by the Township Board relating to the location, lay out, operation, management and control of the proposed use.

D. General Requirements:

Section 1. All Mobile Home Parks shall be located or situated on a tract of land at least twenty (20) acres in size. The applicant shall be required to submit a proposed layout of the site that will provide a minimum buffer strip or greenbelt of unoccupied area adjacent to any residential dwellings of at least two hundred (200) feet.

Section 2. In addition to meeting all the requirements of the Statutes of the State of Michigan and such cases made and provided, the owner of any Mobile Home Park shall at all times comply with all the local ordinances, codes and regulations then in effect in the Township of Chikaming.

Section 3. All Mobile Home Park sites shall remain under the ownership of the developer or successor owners and sites therein shall be leased rather than purchased.

E. Site Regulations:

Section 1 - Area: Every mobile home site in a state licensed Mobile Home Park shall have an area of not less than six thousand (6,000) square feet and the boundary lines of each site shall be clearly

designated at all times. The area standards herein established are intended expressly to lessen the density and congestion of the population and to preserve light, air and open spaces so that the health, safety and general welfare of the inhabitants will be preserved and protected.

Section 2 - Yards: No mobile home shall be located less than twenty-five (25) feet from the front or rear line of the site on which it is located or less than ten (10) feet from the side line of the site on which it is located; however, when such site fronts on a public street, it shall be set back the same distance as is required for other buildings in the district, but in no instance shall such setback be less than thirty-five (35) feet.

Section 3 - Location: Every site shall front on a private or public street within the Mobile Home Park.

Section 4 - Streets: All streets within a state licensed Mobile Home Park shall be forty (40) feet in width with the travelled portion of such street a minimum of twenty (20) feet in width which shall be surfaced with a minimum of six (6) inches of gravel and double chip and seal coated or hard surfaced with bituminous asphalt. All such streets shall be maintained by the owner of the Mobile Home Park in a good usable condition at all times.

Section 5 - Parking: One off-street parking place shall be provided for each mobile home unit located within a Mobile Home Park.

Section 6 - Minimum Number of Sites: Each Mobile Home Park shall provide at least twenty-five (25) sites before the first occupancy is permitted.

Section 7 - Mobile Home Permits: A permit for the use and occupancy of a mobile home in a state licensed Mobile Home Park shall be obtained from the Township Building Inspector prior to moving the

mobile home upon the lot or parcel of land upon which it is to be located. A permit for such use shall not be given by the Building Inspector until the applicant has showed full compliance with all local ordinances. The application for such a permit shall be accompanied by a fee in an amount established by the Township Board by resolution from time to time.

Section 8 - Additions and Accessory Buildings: A mobile home located in a state licensed Mobile Home Park may be situated on permanent foundations. Patios, porches, garages and other accessory buildings may be constructed in connection with mobile homes provided all provisions of the Chikaming Township Building and Zoning Ordinances relating to construction of such structures and the location and yard requirements of such ordinances are fully met. Nothing in this section shall be construed to permit building rooms or living quarters on a mobile home located in a Mobile Home Park.

Section 9 - Occupancy: Any Mobile Home located in a Mobile Home Park permanently occupied for living and/or sleeping purposes shall be limited to the occupancy of not more than one person for each two hundred (200) square feet of living area. No space in a Mobile Home Park shall be leased for residential use except for periods of thirty (30) days or more.

Section 10 - Buffer Fence: Act 172 of the Public Acts of 1970 requires the construction of a Buffer Fence, if demanded by an owner of improved property abutting a Mobile Home Park, the cost of which is to be shared by the operator of the park and the property owner. If the property owner makes such demand, the construction of such fence shall be completed before residents of the Mobile Home Park are permitted to occupy any site located adjacent to pre-existing dwellings.

F. Travel Trailers or Mobile Homes Located Outside State-Licensed Parks:

No person shall occupy as a dwelling any travel trailer or mobile home anywhere in Chikaming Township outside of a state-licensed travel trailer or Mobile Home Park. Emergency or temporary parking of a travel trailer in any street, alley or highway will be permitted for a period of not to exceed twenty-four (24) hours, subject to any and other and further regulations or ordinances for that street, alley or highway. Not more than one (1) unoccupied travel trailer shall be stored or parked on any one piece of property at any time, except in a state-licensed Travel Trailer Park, Mobile Home Park or trailer sales lot. Such an unoccupied travel trailer may be stored as follows: (a) in a garage provided for same; or (b) in the side or rear yard of a dwelling provided it is located not less than ten (10) feet from any other structure, side yard or rear yard property line. Nothing in this section shall be construed as permitting the owner or occupant of any parcel of land to store unoccupied travel trailers on his land where such travel trailers are owned by others than the owner or occupant of said land.

ARTICLE II
CONFLICTING ORDINANCES


Any ordinance or parts of ordinance in conflict with the provisions of this ordinance are hereby repealed.

ARTICLE III
VALIDITY


If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

ARTICLE IV
EFFECTIVE DATE

This Ordinance shall be effective on the 14th day of June, 1971.


Lena Abrahamsen, Clerk
Chikaming Township

Attest:


Herbert Seeder, Supervisor
Chikaming Township

ENACTMENT AND CERTIFICATION


A motion that the aforesaid Ordinance be enacted was made by
Mr. Harrington and supported by Mr. Gibson.

The names of the Township Board members and their vote on
the enactment of the aforesaid ordinance were as follows:

	<u>Yes</u>	<u>No</u>
Mr. Seeder	X	
Mrs. Abrahamsen	X	
Mrs. Sperry	X	
Mr. Gibson	X	
Mr. Harrington	X	

CERTIFICATION

I hereby certify that the foregoing is a true, complete and accurate copy of an Ordinance Amending the Chikaming Township Zoning Ordinance adopted by the Chikaming Township Board, Berrien County, Michigan on the 6th day of May, 1971 and I further certify that the aforesaid ordinance was published in the Herald Press, St. Joseph, Michigan, a newspaper circulated in Chikaming Township, on the 13th day of May, 1971.


Lena Abrahamsen, Clerk
Chikaming Township