

ORDINANCE NO. 263

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE SPRING LAKE TOWNSHIP ZONING ORDINANCE TO AMEND DWELLING STANDARDS AND TO AMEND R-3 DISTRICT DIMENSION STANDARDS; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE TOWNSHIP OF SPRING LAKE, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Dwelling Standards. Section 322.C of the Spring Lake Township Zoning Ordinance (the “Zoning Ordinance”) shall be restated in its entirety as follows.

- C. Any Single-Family Dwelling erected on site, a Mobile Home, or a pre-manufactured or pre-cut Building shall be in conformance with all of the following requirements.
 - 1. In the case of a Mobile Home, the Mobile Home must either be (i) new and certified by the manufacturer and/or appropriate inspection agency as meeting the Mobile Home Construction and Safety Standards of the Department of Housing and Urban Development, as amended, or any similar successor or replacement standards which may be promulgated, or (ii) used and certified by the manufacturer and/or appropriate inspection agency as meeting the standards referenced in subsection (i) above, and found, on inspection by the Building Official to be in excellent condition and safe and fit for residential occupancy.
 - 2. The Dwelling shall comply with all Township building, electrical, plumbing, fire, energy and other similar codes, provided, however, that where a Dwelling is required by law to comply with any federal or state standards or regulations for construction, and where such standards or regulations for construction are different than those imposed by Township codes, then and in such event such federal or state standard or regulation shall apply. Appropriate evidence of compliance with such standards or regulations shall be provided to the Building Official.

3. The Dwelling shall comply with all restrictions and requirements of this Ordinance including, without limitation, Floor Area, Yard requirements and Lot Area for the Zoning District within which it is located.
4. In the event that the Dwelling is a Mobile Home, the Mobile Home shall be installed with the wheels removed.
5. The Dwelling shall be firmly Attached to a permanent continuous foundation constructed on the Building Site, such foundation to have a wall of the same perimeter dimensions as the Dwelling and to be constructed of such materials and type as required by the Building Code for on-site constructed Single-Family Dwellings. If the Dwelling is a Mobile Home, its foundation shall hide the chassis, undercarriage and towing mechanism.
6. If the Dwelling is a Mobile Home, the Mobile Home shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the Building Site by an anchoring system or device complying with the rules and regulations, as amended, of the Michigan Mobile Home Commission, or any similar or successor agency having regulatory responsibility for Mobile Home Parks.
7. The Dwelling shall have a maximum length to width ratio of three (3) to one (1).
8. The Dwelling shall have a minimum width across any front, side or rear elevation of twenty (20) feet.
9. Storage areas totaling no less than one hundred twenty (120) square feet shall be provided. These storage areas may consist of a Basement, closet area, attic and/or a separate Accessory Building whose construction is of equal or better quality to that of the Dwelling and which is in compliance with all other applicable provisions of this Ordinance pertaining to Accessory Buildings.
10. The Dwelling shall be constructed with construction materials of consistent quality. The Dwelling shall contain no additions, rooms or other areas which are not constructed with similar quality workmanship as the original Building, including permanent attachment to the principal Building and construction of a foundation as required by this Section.

11. Permanently Attached steps or porch areas at least three (3) feet in width shall be provided where there is an elevation differential greater than eight (8) inches between the Dwelling's first floor and ground level.
12. Private garages or carports are permitted provided their construction is of equal or better quality to that of the Dwelling, architecturally compatible with the Dwelling, and in conformance with all other requirements of this Ordinance.
13.
 - a. On any Lot, the total square footage of an Attached garage shall not exceed the square footage of the largest Story designed and used for living purposes in the Dwelling, up to one thousand five hundred (1,500) square feet.
 - b. An Attached garage larger than one thousand five hundred (1,500) square feet, but not greater than the square footage of the largest Story designed and used for living purposes in the Dwelling, may be authorized by the Board of Appeals pursuant to Section 603 of the Zoning Act. Further, only on Lots of two (2) acres or greater in size, an Attached garage larger than the largest Story designed and used for living purposes in the Dwelling may be authorized by the Board of Appeals pursuant to Section 603 of the Zoning Act. In order to qualify for either of these authorizations, the application must first comply with the following standards.
 - i. All of the Buildings and the Structures on the Lot shall not exceed the Lot Coverage standards of the underlying Zoning District.
 - ii. The area, height, and massing of the proposed Attached garage shall be proportional to the overall Lot Area upon which it is placed; proportional to the size of the Dwelling on the Lot; and consistent with other residential Buildings and Structures in the surrounding neighborhood.
 - iii. The Board of Appeals shall require a restrictive covenant, such as a deed restriction, recorded with the Ottawa County Register of Deeds, indicating that any future division of the subject Lot shall meet the limits for Lot Area and Accessory Building or Structure size provided in Section 306, and shall satisfy any

conditions placed by the Board of Appeals upon an authorization granted under this subsection. The covenant shall be provided to the Zoning Administrator prior to the issuance of a permit under Section 116.

14. The pitch of the main roof of the Dwelling shall not be less than two and one-half (2-1/2) feet of rise for each twelve (12) feet of horizontal run. There shall be a roof overhang of not less than eight (8) inches, excluding its gable ends. Flat roof homes are exempt from this section.
15. The exterior finish of the Dwelling shall not cause a reflection that is greater than that from siding coated with clean, white, gloss, exterior enamel.
16. The Dwelling shall have no less than two (2) exterior doors, with the second one being in either the rear or the side of the Dwelling.
17. The Dwelling shall be aesthetically compatible in design and appearance with other Single-Family Dwellings in the vicinity. The compatibility of design and appearance shall be determined in the first instance by the Zoning Administrator upon review of the plans submitted for a particular Dwelling, subject to appeal by the Applicant to the Board of Appeals within a period of fifteen (15) days of the receipt of notice of the Zoning Administrator's decision. In determining compatibility, the following standards shall apply:
 - a. The type and kind of architectural design and appearance of the Dwelling as compared with the type and kind of architectural design and appearance of one or more Dwellings located outside a Mobile Home Park or Mobile Home Subdivision within two thousand (2,000) feet of the Dwelling, where such area is developed with Dwellings to the extent of not less than twenty (20) percent of the Lots situated within such area or, where such area is not so developed, by the type and kind of architectural design and appearance of one (1) or more Dwellings located outside a Mobile Home Park or Mobile Home Subdivision throughout the Township.
 - b. The exterior appearance (exterior wall covering, roof style, roof overhang, door arrangements and other similar items) of Buildings in the neighborhood as compared to the exterior appearance of the Dwelling.

- c. The quality and durability of construction and the probable useful life of Buildings in the neighborhood as compared to the quality and durability of construction and probable useful life of the Dwelling.
- d. The general appearance of the Buildings in the neighborhood as it compares with the general appearance of the Dwelling.

Section 2. R-3 District Dimension Standards. The District Standards in Section 409.B of the Zoning Ordinance shall be amended to include the following under Dimensional Standards - R-3 (the rest of Section 409.B shall remain unchanged).

****Front Yards** - Front Yard Building Setbacks may be reduced to the average Front Yard Building Setback of existing Dwellings within 200 feet of the subject Lot on the same side of the Street in the same Zoning District. The average Front Yard Building Setback shall not be reduced to less than 15 feet.

Section 3. Effective Date. The foregoing amendment to the Spring Lake Township Zoning Ordinance was approved and adopted by the Township Board of Spring Lake Township, Ottawa County, Michigan on April 9, 2018, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on April 21, 2018, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

John H. Nash,
Township Supervisor

H. Carolyn Boersma,
Township Clerk

SLT 10 and 18 Setbacks and Residential Aesthetics Zoning Text Amendment Ordinance 03232018 BLANKS

CERTIFICATE

I, H. Carolyn Boersma, the Clerk for the Township of Spring Lake, Ottawa County, Michigan, certify that the foregoing Spring Lake Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on April 9, 2018. The following members of the Township Board were present at that meeting: John Nash, Jim Koster, H. Carolyn Boersma, Ron Lindquist, Cathy Pavick, Jerry Rabideau, and Rachel Terpstra. The following members of the Township Board were absent: None. The Ordinance was adopted by the Township Board with members of the Board Nash, Koster, Lindquist, Pavick, Rabideau, and Terpstra, voting in favor and members of the Board Boersma, voting in opposition. The Ordinance or a summary of the Ordinance was published in the *Grand Haven Tribune* on April 13, 2018.

H. Carolyn Boersma, Clerk
Spring Lake Township