

NOTICE of ADOPTION of AMENDMENT TO LAKETOWN TOWNSHIP ZONING ORDINANCE

PLEASE TAKE NOTICE that an Amendment to the Township of Laketown Zoning Ordinance was adopted at the Laketown Township Board meeting held on April 10, 2019. A copy of that Amendment Ordinance is attached hereto as Exhibit A.

PLEASE TAKE FURTHER NOTICE that the Zoning Amendment Ordinance is given effect as of April 25, 2019.

PLEASE TAKE FURTHER NOTICE that a copy of the Amendment Ordinance may be purchased or inspected by any person at the Township Hall of the Township of Laketown, 4338 Beeline Road, Holland, Michigan 49423 (Telephone:(616) 335-3050) on any day Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m.

Dated April 17, 2019
Michelle Sall, Clerk
Laketown Township

EXHIBIT A ORDINANCE NO. 192 ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 38, THE ZONING CHAPTER IN THE CODE OF ORDINANCES FOR LAKETOWN TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, SPECIFICALLY PERTAINING TO DWELLING UNITS, HOME OFFICES, AND HOME OCCUPATIONS; AND TO ESTABLISH AN EFFECTIVE DATE.

THE TOWNSHIP OF LAKETOWN, COUNTY OF ALLEGAN, STATE OF MICHIGAN ORDAINS:

Section 1. Definitions. Section 38-5, regarding definitions, of Article I of Chapter 38, shall be amended by adding definitions of Attached Accessory Dwelling Units, Detached Accessory Dwelling Unit, Principal Dwelling Unit, and Home Office; and by restating in its entirety the definition of Home Occupation; all as follows:

Accessory dwelling unit, attached (AADU), means a room or set of rooms in a single-family dwelling that has been designed or configured to be used as a separate dwelling unit and is subordinate in size to the principal dwelling unit on the same lot. AADUs generally include living, sleeping, kitchen, and bathroom facilities and have a lockable entrance door. The lot owner owns the PDU and the AADU, but does not reside in the AADU.

Accessory dwelling unit, detached (DADU), means a room or set of rooms in a separate building, normally in a rear yard but in any event located in compliance with a permitted accessory building, that has been designed or configured to be used as a separate dwelling unit and is subordinate in size to the principal dwelling unit on the same lot. DADUs generally include living, sleeping, kitchen, and bathroom facilities and have a lockable entrance door. The lot owner owns the DADU and the PDU, but does not reside in the DADU.

Principal dwelling unit (PDU) means a room or set of rooms in a dwelling that has been designed or configured to be used as a separate dwelling unit generally include living, sleeping, kitchen, and bathroom facilities and has a lockable entrance door. The PDU is superior in size to any AADU or DADU on the lot. The owner of the PDU must also own any AADU or DADU on the lot.

Home office means a space within an individual's principal dwelling unit that is used for business purposes. A home office may not have any employees working there who do not reside in the PDU, and no clients may visit the home office.

Home occupation means a routine accessory and customary non-residential use conducted within or administered from a portion of a principal dwelling unit or its permitted accessory building. The home occupation:

1. Is conducted primarily by a permanent resident of the PDU;
2. Only employs persons working on the lot who are permanent residents of the PDU plus a maximum of one non-resident working on the lot at any point in time;
3. Only includes uses that are clearly incidental and secondary to the principal residential use;
4. Does not include retail or wholesale sales on the lot other than via telecommunication or through the mail;
5. Does not include any industrial use;
6. Does not generate any traffic that will have a detrimental effect on the surrounding area; and
7. Does not use mechanical equipment generating noise audible beyond the boundaries of the lot.

Section 2. Home Offices. Section 38-183 (13); Section 38-212 (18); Section 38-240 (15); and Section 38-288 (8) are all added to state in their entirety as follows, to allow by right Home Offices in the AG, R-1, R-2, R-3, and R-4 Zoning Districts: Home offices.

Section 3. Home Occupations. Section 38-183 (8); Section 38-212 (6); Section 38-240 (8); and Section 38-286 (4) are amended to state in their entirety, and Section 38-288 (9) is added to state in its entirety, all as follows to allow by special use permit Home Occupations in the AG, R-1, R-2, R-3, and R-4 Zoning Districts:

Home occupations in single family dwellings when authorized as a special use by the planning commission, considering the standards in article II, division 3 of this chapter, the requirements of section 38-488, and the following standards:

- a. The nature of the home occupation must be compatible with the surrounding neighborhood;
- b. The home occupation will not cause a noticeable increase in traffic in the surrounding neighborhood;
- c. The home occupation will not cause negative environmental effects on the surrounding neighborhood such as noise or odors; and
- d. The home occupation will have minimal visual impact on the surrounding neighborhood for reasons such as signage, storage, and outside activity.

Section 4. Attached Accessory Dwelling Units. Section 38-212 (19); Section 38-240 (16); and Section 38-367 (16) are all added to state in their entirety as follows, to allow by special use permit Attached Accessory Dwelling Units in the R-1, R-2, and MU Zoning Districts:

Attached accessory dwelling units in single family dwelling units if limited to 30 percent of the usable floor area of the principal dwelling unit and when authorized as a special use by the planning commission, considering the standards in article II, division 3 of this chapter, and considering the following standards:

- a. The exterior appearance of the AADU shall not appear to be cobbled together as an addition, but shall instead be integrated architecturally into the PDU;
- b. The method of accessing the interior of the AADU shall not negatively impact the character of the surrounding neighborhood (e.g. the PDU shall still appear to be a single-family dwelling);
- c. The lot shall have adequate provisions for parking; and
- d. The AADU shall have adequate access for emergency services.

Section 5. Detached Accessory Dwelling Units. Section 38-212 (20) shall be added to state in its entirety as follows, to allow by special use permit Detached Accessory Dwelling Units in the R-1 Zoning District:

Detached accessory dwelling units on lots with single family dwelling units when authorized as a special use by the planning commission, considering the standards in article II, division 3 of this chapter, and considering the following standards:

- a. The exterior appearance of the DADU shall be compatible with the PDU and the surrounding neighborhood;
- b. The lot shall have adequate provisions for parking;
- c. The proportion of land area to the size of the DADU and PDU is appropriate and consistent with the surrounding neighborhood;
- d. If the lot is five acres or less in lot area, the DADU shall be limited to the smaller of 1,000 square feet or 50 percent of the usable floor area of the principal dwelling unit on the same lot; and
- e. The DADU shall have adequate access for emergency services.

Section 6. Effective Date. This Ordinance was approved and adopted by the Township Board of Laketown Township, Allegan County, on April 10, 2019, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on April 25, 2019, which is the eighth day after publication as is required by Section 401 of Act 110, as amended, provided that the effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.