

**CHARTER TOWNSHIP OF YORK  
WASHTENAW COUNTY, MICHIGAN  
ORDINANCE No. \_\_\_\_\_**

**AMENDMENT OF ORDINANCE NO. \_\_\_\_\_  
ZONING ORDINANCE**

**EFFECTIVE DATE: \_\_\_\_\_**

AN ORDINANCE TO AMEND ORDINANCE NO. \_\_\_\_, THE ZONING ORDINANCE OF THE CHARTER TOWNSHIP OF YORK, PURSUANT TO AUTHORITY GRANTED UNDER P.A. 110 OF 2006, BEING MCL §125.3101, ET. SEQ., AS AMENDED.

**THE CHARTER TOWNSHIP OF YORK, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:**

**SECTION I - AMENDMENTS, ADDITIONS, and DELETIONS.**

- **Make the following change to Article 2.0, Definitions:**

Add the following definitions:

99a. **Garage Sale.** See “Yard Sale.”

204a. **Sale, Incidental Residential.** See “Yard Sale.”

256a. **Yard Sale.** A temporary event, incidental and subordinate to the principal use of the premises as a residence, where excess household goods or personal items owned by the occupant of the residence are offered for sale. This term also includes garage sales, estate sales, estate or household auction sales, and similar activities. To be considered incidental and subordinate to the principal residential use of the premises, signage advertising the event shall be limited to temporary signs permitted in the zoning district and the sales activity on a single premises shall not exceed a maximum total of ten (10) days per calendar year. Any activity that, in the determination of the Zoning Inspector, qualifies as a commercial use (see “Use Groups: Commercial Uses”) or otherwise meets the definition of “Retail Stores and Retail Sales,” “Open Air Business” or “Outdoor Sales or Display” shall be prohibited.

- **Make the following change to Section 3.18, Accessory Structures and Uses, Subsection C2:**

**Section 3.18 Accessory Structures and Uses**

**C. Garages and Utility Structures**

2. For a structure not more than 12 feet high and not less than 12 feet in length and width ~~and not more than 32 feet long or wide~~ and not more than 800 square feet in floor area, the side yard shall not be less than 10 feet, except in the case of a corner lot, where the yard along the street shall not be less than 50 feet. For structures more than 12 feet high or more than 32 feet long or wide or more than 800 square feet in floor area, the side yard requirements in the Table of Dimensional Standards by District (Article 30), shall apply.

- **Make the following change to Section 30.203, Yard Standards, Subsection B:**

**Section 30.203 Yard Standards**

**B. Corner Lots.**

Structures on corner lots shall comply with the minimum front yard setback requirements from all road rights-of-way, except as may otherwise be required by this Ordinance. Such lots shall be deemed to have two (2) front yards for purposes of this Ordinance. The remaining yards on a corner lot not deemed to be a front yard may be deemed to be either a side yard or a rear yard, but all such lots must have at least one (1) rear yard.

- **Make the following change to Section 50.05, Parking and Storage of Vehicles**

Delete in its entirety and replace with the following:

Except for recreational vehicles which shall be regulated as set forth in Section 50.06, all automotive vehicles or trailers without current license plates, or which are uninsured or inoperative, shall not be parked or stored in any district in York Township other than in completely enclosed structures, unless otherwise permitted herein. No vehicle or trailer, including recreational vehicles, shall be used for storage. Storage of vehicles and trailers when permitted in a commercial district as a principal use of a slot shall be located behind all required lot setback lines with all required yards to be landscaped and properly maintained.

- **Make the following changes to Section 51.01, General Provisions For Off-Street Parking, Subsections D, E and F:**

**D.** Overnight Pparking of motor vehicles, in the following districts: R-1, R-2, R-3, ~~and R-4, C-P, and MHP residential districts~~ shall be limited to passenger vehicles, and not more than one (1) commercial vehicle of the light delivery type, not to exceed ~~three fourths (3/4) ton~~ 10,000 LBS Gross Vehicle Weight (GVW), shall be permitted per dwelling unit. The parking of any other type of commercial vehicle, except for those belonging to a church or school and parked on church or school property, is prohibited in ~~a residence district~~ these districts. Parking of recreation vehicles shall be regulated as provided in Section 50.06, herein. Parking spaces for dwelling units may be provided in garages, carports, or parking areas, or combinations thereof, and shall be located on the premises of the principal building(s).

**E.** Parking of motor vehicles in the A-1 and A-2 districts is subject to the provisions of Section 51.01 D, except in the case of a vehicle that exceeds 10,000 LBS GVW that is used as part of a farming operation.

**EF.** The storage of merchandise or vehicle parts in any parking lot in any district is prohibited.

- **Make the following change to Section 52.09, Exemptions, Subsection C:**

C. Names of buildings, dates of erection, monument citations, commemorative tablets and the like, when carved into stone, concrete, or similar material, ~~or made of other permanent type construction and made an integral part of the structure.~~

- **Make the following change to Section 52.03, Signs Permitted in All Zoning Districts, Subsection B:**

Delete Subsection B in its entirety and replace with the following:

B. Temporary signs not otherwise provided for in this Section shall be permitted on a single lot or parcel in accordance with the following table:

<u>Zoning Districts</u>	<u>Maximum Total Sign Area</u>	<u>Maximum Sign Height</u>
<u>Rural Districts</u>	<u>16.0 square feet</u>	<u>6.0 feet</u>
<u>Residential Districts</u>	<u>12.0 square feet</u>	<u>6.0 feet</u>
<u>Business Districts</u>	<u>32.0 square feet</u>	<u>8.0 feet</u>
<u>Other Districts</u>	<u>32.0 square feet</u>	<u>8.0 feet</u>

1. **Removal.** Such signs shall be removed by the property or business owner, agent or person responsible for creating or placing the sign on the lot within seven (7) calendar days following completion or discontinuation of the event, action or activity to which the sign pertains.

2. **Right-of-way.** Such temporary signs shall be located outside of all road rights-of-way.

- **Make the following change to Section 54.13 Q, Expiration of Approval, Subsection 3:**

3. The Township Planning Commission may, at its discretion and upon showing of good cause by the petitioner, extend the time limits of Section ~~54.04P~~ 54.13 Q (1) and (2).

- **Make the following changes to Section 56.11 Variances, Subsection D, Standards of Determination, 3, 4 and 5:**

D. **Standards of Determination** - A variance shall not be granted unless all the following standards are met:

3. The variance granted shall be the minimum variance that will make possible a reasonable use of the land, building, or structure.

4. The variance granted shall be in harmony consistent with the intent of this Ordinance. ~~and will not be injurious to the neighborhood, or otherwise detrimental to the public interest.~~

5. [The variance granted will not be injurious to the neighborhood, the public safety, or otherwise detrimental to the public interest.](#)

[The ZBA shall find that all of the above standards have been satisfactorily met.](#)

## **SECTION II - SEVERABILITY**

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof, or of any other provisions in the Charter Township of York Zoning Ordinance.

## **SECTION III - REPEAL**

All ordinances or parts of ordinances in conflict with this are hereby repealed.

## **SECTION IV - SAVINGS CLAUSE**

The balance of the York Charter Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The repeal and amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution of any right established, occurring prior to the effective date hereof.

## **SECTION V - PUBLICATION AND EFFECTIVE DATE**

The Township Clerk shall cause this Ordinance to be published in the manner required by law.

This Ordinance shall be effective on the 8<sup>th</sup> day after final publication of the Ordinance.

This Ordinance was duly adopted by the York Charter Township Board at its regular meeting called and held on the \_\_\_\_ day of \_\_\_\_\_, 2012, and was ordered given publication in the manner required by law.

\_\_\_\_\_  
Helen Neill  
Charter Township of York Clerk  
Dated: \_\_\_\_\_, 2012

\_\_\_\_\_  
Joseph B. Zurawski  
Charter Township of York Supervisor  
Dated: \_\_\_\_\_, 2012

First Reading: \_\_\_\_\_  
First Publication: \_\_\_\_\_  
Adoption: \_\_\_\_\_  
Final Publication: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**CLERK'S CERTIFICATE**

I, Helen Neill, Clerk of the Charter Township of York, Washtenaw County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of York Charter Township Ordinance No. \_\_\_\_\_, which was duly adopted by the Township Board of York Charter Township at a Regular Meeting of said Board, held on \_\_\_\_\_, 2012, after said Ordinance had previously been introduced at a Regular Meeting of the Board held \_\_\_\_\_, 2012, and published in the form it was introduced in accordance with P.A. 359 of 1947, as amended.

I further certify that Member \_\_\_\_\_ moved for adoption of said Ordinance, and that Member \_\_\_\_\_ supported said motion.

I further certify that the following Members voted for adoption of said Ordinance \_\_\_\_\_, and that the following Members voted against adoption of said Ordinance \_\_\_\_\_, and that the following Members were absent or abstained from voting on the adoption of said Ordinance \_\_\_\_\_.

I further certify that after its passage the Ordinance was published in the \_\_\_\_\_ on \_\_\_\_\_, 2012, in accordance with P.A. 359 of 1947, as amended.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and the Clerk.

\_\_\_\_\_  
Helen Neill  
Charter Township of York Clerk  
Dated: \_\_\_\_\_, 2012