

**BURR OAK TOWNSHIP
ST. JOSEPH COUNTY, MICHIGAN
ORDINANCE NO. 2020-2**

ADOPTED: October 5, 2020

EFFECTIVE: November 9, 2020

An ordinance to amend the Burr Oak Township Zoning Ordinance (Number 2002-1) (the "Zoning Ordinance").

**THE TOWNSHIP BOARD OF BURR OAK TOWNSHIP, ST. JOSEPH COUNTY, MICHIGAN,
ORDAINS:**

Burr Oak Township's Zoning Ordinance (Ordinance No. 2002-1) shall be amended as follows:

SECTION I: AMENDMENT OF ARTICLE 3

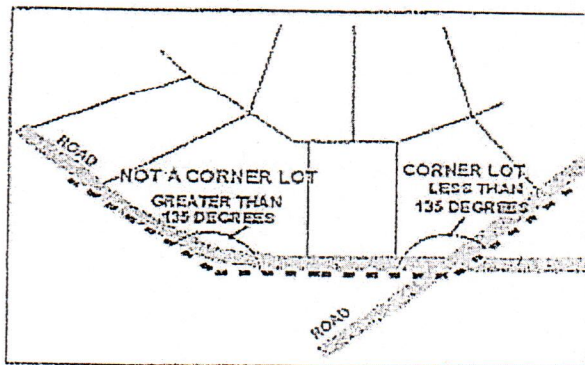
Article 3 is amended as follows:

The definition of "Lot" is amended in its entirety to read as follows:

Lot: A parcel of land adjoining a public or private road separated from other parcels by legal description, deed, or subdivision plat.

The following definitions are added:

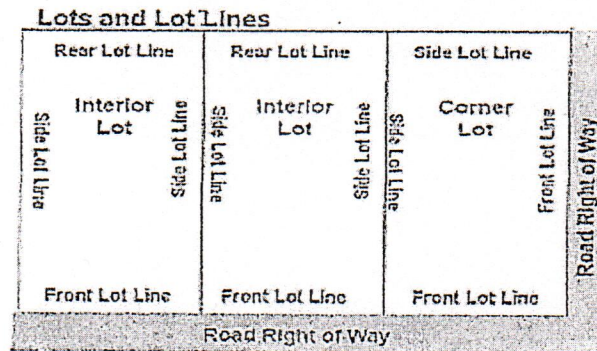
Lot, Corner: A lot located at the intersection of two roads or a lot bounded on two sides by a curving road and two cords of which form an angle of one hundred thirty-five degrees or less.



Lot Lines: The following property lines bounding the lot:

- A. **Front Lot Line:** The line separating the lot from the abutting public or private road right-of-way. A corner or through lot shall have a front lot line abutting each adjacent public or private road right-of-way and no rear lot line.

- B. **Rear Lot Line:** Ordinarily, that lot line which is opposite and most distant from the front lot line of the lot. In the case of an irregular or triangular-shaped lot, a line at least ten feet in length entirely within the lot parallel to and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purposes of determining the depth of a rear yard. In cases where none of these definitions are applicable, the Zoning Administrator shall designate the rear lot line.
- C. **Side Lot Line:** Any lot line not a front lot line or a rear lot line.



Lot, Multiple Frontage: Any lot that is not a corner lot but adjoins a public or private road in more than one location.

Lot, Through: A lot other than a corner lot having frontage on two more or less parallel roads. If there are existing structures in the same block fronting on one or both of the roads, the required front yard setback shall be observed on those where the structures presently front.

The definition of "Highway, Road or Street" is replaced by the following two definitions:

Road or Street, private: An irrevocable easement running with and providing access to two or more parcels or lots adjacent to the road and which has not been dedicated for general public use.

Road or Street, public: Any public road, street or highway which provides access to adjacent properties.

All definitions regarding "yards" are replaced by the following:

Yard: A yard is an open space on the same land with a building or group of buildings, which open space lies between the foundation of the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

- A. **Yard, Front:** A front yard is an open space extending the full width of the lot, the uniform depth of which is measured at right angles to the front lot line.
- B. **Yard, Rear:** A rear yard is an open area extending across the full width of the lot, the uniform depth of which is measured at right angles to the rear lot line.

- C. **Yard, Side:** A side yard is an open, unoccupied area between a main building and the side lot lines, extending from the front yard area to the rear yard area. The width of the side yard shall be measured horizontally from and at right angles to the nearest point of the side lot line.

SECTION II: AMENDMENT OF ARTICLE 19

Section A of Article 19 is hereby amended in its entirety to read as follows:

- A. No building permit shall be issued for and no building shall be constructed, placed or moved upon an unplatted lot (a lot outside of a platted subdivision or a recorded site condominium) unless all the following are met: The lot has frontage upon a public or private road as required by this ordinance; the lot has the required minimum lot width provided for in Article 25 of this ordinance; and, the ratio of depth to width of the lot meets the requirements set forth in the Township's Land Division and Boundary Change Ordinance.

SECTION III: AMENDMENT OF ARTICLE 25

Footnote 2 to the chart in Article 25 is amended in its entirety to read as follows:

2. The minimum lot width shall be measured at the front lot line along the public or private road, but corner lots and multiple frontage lots shall only be required to meet the minimum lot width in one location. The width of lots other than corner lots and multiple frontage lots shall not narrow to a width which is less than 50% of the required minimum width of the lot at the front lot line at any point between the front lot line and the rear lot line. The width of any corner lot or multiple frontage lot shall not narrow to a width which is less than 50% of the required minimum width of the lot at any point between any front lot line and the side yard line opposing that front lot line.

SECTION IV: SEVERABILITY

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof other than the part or portion thereof so declared to be invalid.

SECTION V: REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION VI: SAVING CLAUSE

All suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to this amendment, may be commenced, maintained and/or prosecuted as if this amendment had not been made.

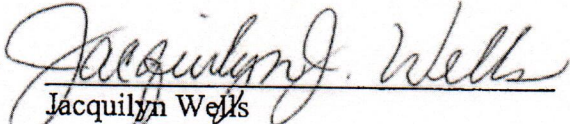
SECTION VII: EFFECTIVE DATE

This ordinance shall take effect 30 days after publication as required by law.

The foregoing ordinance was offered by _____ and supported by _____, the vote being as follows:

YEAS: _____
NAYS: _____
ABSENT: _____

Ordinance declared adopted.


Jacquilyn Wells
Township Clerk

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a regular meeting of the Burr Oak Township Board held on October 5, 2020. I further certify that a summary of the foregoing Ordinance was published in the Sturgis Journal, Sturgis, Michigan, on October 10, 2020 and an attested copy of the Ordinance was filed with the St. Joseph County Clerk's office on _____, 2020.

Dated: _____

Jacquilyn Wells, Township Clerk

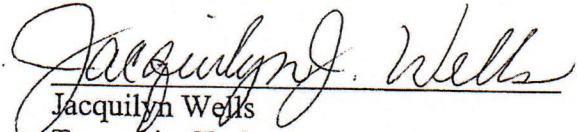
The foregoing ordinance was offered by _____ and supported by _____, the vote being as follows:

YEAS: _____

NAYS: _____

ABSENT: _____

Ordinance declared adopted.


Jacquilyn Wells
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Dated: _____

Jacquilyn Wells, Township Clerk

**NOTICE OF ADOPTION OF ORDINANCE AMENDING
THE BURR OAK TOWNSHIP ZONING ORDINANCE**

BURR OAK TOWNSHIP, St. Joseph County, Michigan

Ordinance No. 2020-2, which amends the Burr Oak Township Zoning Ordinance (Ordinance No. 2002-1) (the "Zoning Ordinance"), was adopted by the Burr Oak Township Board on October 5, 2020. The following is a summary of the ordinance adopted. All references to the articles, sections, and sub-sections amended refer to the articles, sections, and sub-sections of the Zoning Ordinance.

Ordinance No. 2020-2 amends the Zoning Ordinance as follows:

Section I: Amends Article 3 by revising the definitions for "lot," "highway, road or street," and "yards" and by adding definitions for "corner lot," "lot lines," "multiple frontage lot," and "through lot."

Section II: Amends Section A of Article 19 which addresses lot requirements and the issuance of building permits.

Section III: Amends Footnote 2 of Article 25 and clarifies minimum lot width requirements.

Sections IV, V, and VI contain standard severability, repeal, and savings clause provisions.

Section VIII: Provides that Ordinance No. 2020-2 becomes effective 30 days after its publication.

A true copy of Ordinance No. 2020-2 may be reviewed or purchased by contacting Jacquilyn Wells at 269-689-3342 or mailing a request to: Township Clerk, Burr Oak Township Hall, 208 Front Street, P.O. Box 241, Burr Oak, Michigan 49030. Jacquilyn Wells, Burr Oak Township Clerk.