

Burt Township
Ordinance Number _____ of 2010

An Ordinance to amend the definitions of Accessory Structure, Road Right-of Way and Setback in Article II: Definitions; to amend Section 3.09 Schedule of Regulations of Article III: Zoning Districts and Map; and to amend Section 6.12, subsection 1 of Article VI: General Provisions of the Burt Township Zoning Ordinance.

The Township of Burt Ordains:

Section 1. Amendment of Article II.

The definitions of Accessory Structure, Road Right-of-way and Setback in Section 2.02 of the Burt Township Zoning Ordinance are hereby amended to read respectively as follows:

Accessory Structure: Any building or structure that is customarily incidental and subordinate to the use of the principal building or structure, including but not limited to accessory buildings, and signs. Satellite dishes and television antennae are specifically not considered accessory structures for this ordinance.

Road Right-of-Way: A street, alley or thoroughfare or easement permanently established primarily for passage of motorized vehicles which, if used to establish a lot front, provides adequate permanent access.

Setback: The minimum required horizontal distance from the applicable road right-of-way line, private road easement, water feature or property line of a lot within which no buildings or structures may be placed or extended, except as otherwise provided in this Ordinance.

Section 2. Amendment of Article III, Section 3.09

Article III, Section 3.09 of the Burt Township Zoning Ordinance is hereby amended to add footnote l) reference to the 'Minimum Yard Setbacks' column and footnote m) reference to the 'Maximum % Lot Coverage' column; and footnotes l) and m) are hereby added to read respectively each in its entirety as follows:

- l) A building eave may extend up to twenty-four inches into the required setback, provided the foundation is in compliance with the required setback.
- m) The impervious area directly associated with a public trail crossing a property, which connects to larger trail system, shall be excluded from the lot coverage calculation, due to the overall public benefit

Section 3. Amendment of Article VI, Section 6.12, subsection 1

Article VI, Section 6.12, subsection 1 of the Burt Township Zoning Ordinance is hereby amended to read in its entirety as follows:

1. No principal use structures or accessory structures shall be allowed except for steps meeting the side yard setback for the district in which they are located. Satellite dishes and television antennae are not considered accessory structures and thus are not subject to this regulation.

Section 4. Severability.

If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses be declared invalid.

Section 5. Conflicts.

If any provision of the Burt Township Zoning Ordinance conflicts with this Zoning Ordinance Amendment, then the provisions of this Zoning Ordinance Amendment shall control.

Section 6. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.

Township of Burt

By:
Harold Koviak, Supervisor

By:
Donna McDougall, Clerk

Adoption date: _____

Effective date: _____

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