

**NOTICE OF PUBLIC HEARING
THE RESIDENTS OF THE TOWNSHIP OF PARK
OTTAWA COUNTY, MICHIGAN**

There will be a public hearing before the Planning Commission of Park Township, Ottawa County, Michigan at the Park Township Hall, 52 - 152nd Avenue, on **Wednesday, June 13, 2018, at 6:30 p.m.** or thereafter for the purpose of considering the following amendment to the Park Township Zoning Ordinance.

To amend Section 38-6 Definitions. The definition for Lot and Lot Width to be replaced with separate definitions. To create definition for Lot Area, Lot Line Front, Lot Line Rear, and Lot Line Side. To expand the definition of Street to include private right-of-ways.

The specific text for the proposed changes can be examined at the Park Township Office during normal business hours, or below. Written comments will be received at the Park Township Office through the date of the hearing or may be emailed to planning@parktownship.org.

The Township of Park will provide necessary and reasonable auxiliary aids and services at this hearing, such as signers for hearing-impaired persons and audiotapes of printed materials for visually impaired persons, upon receipt of five days prior notice.

Park Township
52 - 152nd Avenue
Holland MI 49424

E. O. Keeter
Township Clerk
(616) 399-4520

Dated: May 29, 2018

Section 1. Definitions. Section 38-6 of the Zoning Ordinance shall be amended to state in its entirety as follows.

Sec. 38-6 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ABUT

To physically touch or border upon, or to share a common property line. A property is considered to abut another property when the two properties share all or a portion of a common property line or the property lines touch, such as at a corner.

ACCESSORY USE OR STRUCTURE

A use, building or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use, building or structure. Without limitation of the foregoing definition of an accessory building, the following buildings are hereby determined to be accessory buildings: garages, storage buildings, guest houses, boat houses, greenhouses, playhouses, pool equipment and storage buildings, and pump houses. Without limitation of the foregoing definition, docks are hereby determined to be accessory structures.

ADJACENT

To be near but not necessarily abut, adjoin, or be contiguous. A property is considered to be adjacent to another property when the two properties are nearby, but do not share a common property line.

ADJOIN

To physically touch or border upon, or share all or part of a common property line with another lot or parcel of land. A property is considered to adjoin another property when the two properties share all or part of a common property line.

ADULT FOSTER CARE FACILITY

A facility licensed under Public Act No. 218 of 1979 (MCL 400.701 et seq.), as well as any other facility of substantially similar character and purpose.

ALTERATIONS, STRUCTURAL

Any change in the supporting members of a building or structure such as bearing walls, columns, beams or girders, any substantial change in the roof, or an addition to or diminution of a structure or building.

BASEMENT

A portion of a building, or a portion of a room, located wholly or partially below grade, but not including any part thereof not so located.

BED AND BREAKFAST OPERATION

An operation located in a single-family dwelling used to house a family unit as its principal place of residence, which offers overnight accommodations and a morning meal to transient guests in return for payment, including, but not limited to any operation designed as an inn or tourist home.

BILLBOARDS and SIGNS

BILLBOARD — Any structure, including the wall of any building, on which lettered, figured, or pictorial matter is displayed for advertising a business, service, or entertainment which is not conducted on the land upon which the structure is located or products not primarily sold, manufactured, processed or fabricated on such land.

BUSINESS SIGN — Any structure, including the wall of any building, on which lettered, figured, or pictorial matter is displayed for advertising a business, service, or entertainment conducted on the land where the structure is located, or products primarily sold, manufactured, processed, or fabricated on such land.

IDENTIFYING SIGN — Any structure on the same premises it identifies which serves only:

- (1) To tell the name or use of any public or semi-public building or recreation space, club, lodge, church, or institution;
- (2) To tell the name or address of an apartment house, hotel, or motel; or
- (3) To inform the public as to the use of a parking lot.

NAMEPLATE — A structure affixed flat against the wall of a building, which serves solely to designate the name or the name and profession or business occupation of a person or persons occupying the building.

REAL ESTATE SIGN — Any temporary structure used only to advertise with pertinent information the sale, rental, or leasing of the premises upon which it is located.

BUILDING

Anything which is constructed or erected, including a mobile home, having a roof supported by columns, walls, or other supports, which is used for the purpose of housing or storing of persons, animals, or personal property or carrying on business activities or other similar uses.

BUILDING HEIGHT

The vertical distance measured from the average existing grade measured 3 feet out from the structure, to the highest point of the roof surface.

BUILDING SETBACK

The distance between the adjacent lot line and the nearest wall projection or structural component of any

building as measured along a straight line at a right angle to the lot line. Certain exceptions or additional restrictions to building setbacks can be found in Sections 38-494, 495, 496, 497, 483 and various other parts of this ordinance regulating the location of buildings or structures. A deck or raised patio may be located within the building setback only if it is not more than 30 inches above the average surrounding grade. A deck over 30 inches above grade on a waterfront lot must comply with Section 38-495.

CARPORT

An open-sided vehicle shelter usually, but not always, formed by the extension of the roof from the side of a building. A carport shall be considered both an outdoor parking space and an accessory structure.

COMMON OPEN SPACE

Any area or space other than required yard areas which is unobstructed and unoccupied by buildings, structures, roads, or other man-made objects and is readily accessible to all those for whom it is required.

CONTIGUOUS

To abut or adjoin another property by sharing all or portion of a boundary line or property line. A property is considered to be contiguous to another property when the two properties share all or a portion of a common property line.

CORNER LOT

A lot located at the intersection of two or more public streets, private roads, or combination of public streets and private roads, where the corner interior angle formed by the intersection of the streets, and/or roads, is 135° or less or a lot abutting upon a curved street, and/or road, if tangents to the curve, at the two points where the lot lines meet the curve, form an interior angle of 135° or less.

DOCK

Any structure, whether permanent or removable, that extends from the shoreline into a lake, river or stream and to which one or more boats or other watercraft may be docked or moored.

DWELLING

Any building or portion of a building that is occupied in whole or in part as a home or residence, either permanently or temporarily, by one or more families, but not including motels, hotels, resorts, tourist rooms or cabins. Subject to compliance with the requirements of Section 38-507, a mobile home shall be considered to be a dwelling.

MULTIFAMILY — A building designed for use and occupancy by three or more families.

SINGLE-FAMILY — A building designed for use and occupancy by one family only.

TWO-FAMILY — A building designed for use and occupancy by two families only.

DWELLING UNIT

A building, or a portion of a building, with one or more rooms, including bathroom, kitchen, and sleeping facilities, connected together in a manner designed and maintained as a self-contained unit for residential occupancy by one or more people living as a single housekeeping unit.

FAMILY

One or more persons occupying a single dwelling unit and using common cooking facilities; provided, however, that unless members are related by blood, marriage or adoption, no such family shall contain more than five persons.

FLOOR AREA

The gross floor area of all floors of a building or an addition to an existing building. For all office buildings and for any other building, except dwelling units, where the principal use thereof shall include the basement, the basement floor area shall be included except that part thereof which contains heating and cooling equipment and other basic utilities.

GREENBELT

An undeveloped or natural area, which may only be improved with landscaping and/or nature trails.

GROSS SITE ACREAGE

The total area in acres in any PUD that is determined according to the requirements of Section 38-367 (2) a. and that may include road right-of-way if the legal description for the land includes the road right-of-way.

GROSS USABLE ACRE

The total area per acre in any PUD district that is suitable for development, i.e., excluding areas of swamps steep slopes, or other natural or manmade limitations, which preclude or limit development.

HOME OCCUPATION

An occupation that is traditionally or customarily conducted within a dwelling by the residents of the dwelling, which use is incidental and secondary to the use of the dwelling as a home, and which does not alter the residential character of the property.

HOTEL

A commercial establishment that offers lodging accommodations and additional services, such as restaurants, meeting rooms, entertainment, or recreational facilities, to transient guests in return for payment. Access to the lodging facilities is generally from indoor corridors.

JUNKYARD

A place where junk, waste, or discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including wrecked vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are worn, deteriorated or obsolete.

KENNEL

Any land, building or structure where five or more cats and/or dogs over four months of age are boarded, housed or bred.

LOT

A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory structures, or utilized for a principal use and accessory uses, together with such open spaces as are required by this chapter.

LOT AREA

The total horizontal area within the Lot Lines of a Lot. In the case of a waterfront Lot, the Lot Area shall be measured to the 100-year floodplain elevation as depicted in the December 2011 Flood Insurance Rate Map (FIRM), as amended, issued by the United States Federal Emergency Management Agency. In determining Lot Area, land located within a public street right-of-way and/or a private road easement shall not be considered.

LOT LINE, FRONT

In the case of a Lot not located on a corner, the line separating said Lot from the Street right-of-way. In the case of a Corner Lot, the Front Lot Line shall be that line that separates said Lot from the Street which is designated as the front Street on the site plan, or which is designated as the front Street on the site plan review

LOT LINE, REAR

Ordinarily, that Lot Line which is opposite and most distant from the Front Lot Line. In the case of irregular, triangular, wedge shaped, or Lots that are pointed at the rear, the Rear Lot Line shall be an imaginary line parallel to the Front Lot Line, not less than ten (10) feet in length, lying farthest from the Front Lot Line and wholly within the Lot.

LOT LINE, SIDE

Any Lot Line other than the Front or Rear Lot Lines. A Side Lot Line separating a Lot from a Street is a side Street Lot Line. A Side Lot Line separating a Lot from another Lot or Lots is an interior Side Lot Line.

LOT WIDTH

The horizontal distance between the Side Lot Lines of a Lot parallel to the Front Lot Line. Lot Width shall be measured at the Front Lot Line and shall not be less than the minimum width required within the zoning district in which it is located continuously to the minimum depth necessary to meet the minimum lot area of the zoning district in which it is located.

MAJOR AUTOMOBILE REPAIR

General repair, rebuilding, or reconditioning of engines, or vehicles, collision service, including body repair and frame straightening, painting or upholstering; or vehicle steam cleaning and undercoating.

MARINA

A place where any one or more of the following conditions exist:

- (1) A commercial enterprise is operated for the sale, service or storage of boats or other watercraft; or
- (2) A dock and/or mooring is extended into or over an inland lake or stream for use by the public and/or land, condominium or dock owners and more than four boats will be moored to any one dock and/or more than four moorings will be located.

MINOR AUTOMOBILE REPAIR

Minor repairs, incidental replacement of parts, or motor service to passenger automobiles and trucks not exceeding two tons capacity; provided, however, there is excluded any repair or work included in the definition of the term "major automotive repair" in this section.

MOBILE HOME

A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained in the structure, excluding, however, a vehicle designed and used as temporary living quarters for recreational, camping or travel purposes, including a vehicle having its own motor power or a vehicle moved on or drawn by another vehicle.

DOUBLE WIDE — A combination of two mobile homes designed and constructed to be connected along the longitudinal axis, thus providing double the living space of a conventional single wide unit without duplicating any of the service facilities such as kitchen equipment or furnace.

SINGLE WIDE — A mobile home with longitudinal width of no greater than 14 feet for its full length.

MOBILE HOME COMMISSION ACT

The Michigan Public Act No. 96 of 1987 (MCL 125.2301 et seq.), or other similar successor statute having similar licensing jurisdiction.

MOBILE HOME LOT

A measured parcel of land within a mobile home park which is delineated by lot lines on a final development plan and which is intended for the placement of a mobile home and the exclusive use of the occupants of such mobile home.

MOBILE HOME PAD

That portion of a mobile home lot reserved for the placement of a mobile home, appurtenant structures, or additions.

MOBILE HOME PARK

A parcel of land under single ownership which has been planned and improved for the placement of mobile homes on a rental basis for non-transient use.

MOBILE HOME SUBDIVISION

A mobile home park except that the mobile home lots are subdivided, surveyed, recorded, and sold in

accordance with Public Act No. 288 of 1967 (MCL 560.101 et seq.).

MOTEL

A commercial establishment consisting of a building or group of buildings on the same lot, whether detached or in connected rows, which offers lodging accommodations and sleeping rooms to transient guests in return for payment. Access to the lodging facilities is generally from the outside.

MOTOR VEHICLE

Every vehicle that is self-propelled.

NET BUILDABLE ACREAGE

The area in acres in any PUD that is determined according to the requirements of Section 38-367 (2).

NONCOMMERCIAL ORGANIZATION

An organization which does not produce an income for any person; a nonprofit organization which raises funds for itself and which has 15 or more stockholders or members shall be considered a noncommercial organization.

NURSING HOME

A facility licensed under Public Act No. 368 of 1978 (MCL 333.1101 et seq.).

OWNERSHIP INTEREST

A proprietary interest in land which confers certain rights and responsibilities, held by any individual, firm, association, syndicate, partnership, or corporation.

OUTDOOR POND

Any outdoor body of standing water accumulated in a natural or artificially constructed basin or depression in the earth, either above or below or partly above or partly below grade, capable of holding water to a depth of greater than two feet when filled to capacity.

PARKING AREA, SPACE OR LOT

An off-street open area, the principal use of which is for the parking of automobiles, whether for compensation or not, or as an accommodation to clients, customers, visitors or employees. The term "parking area" includes access drives within the actual parking area. For purposes of this definition, and as used throughout this chapter, the term "off-street," when related to off-street parking requirements, includes both public streets and private roads, thereby requiring the parking area to be located off both public streets and private roads.

PARKING BAY

A hard surface area adjacent and connected to, but distinct from a street or private road, intended for parking motor vehicles.

PIER

Concrete posts embedded in the ground to a depth below the frost line at regular intervals along the longitudinal distance of a mobile home and intended to serve as a base for supporting the frame of the mobile home.

PRINCIPAL OR MAIN USE

The primary or predominant use of a lot.

RESORT

A commercial establishment, generally used as a vacation facility by the general public, which offers lodging accommodations, restaurants or meals, recreation and entertainment to transient guests in return for payment, and which provides onsite activities such as golfing, horseback riding, skiing, swimming, snowmobiling, hiking, biking, tennis, other court sports or other similar activities.

ROADSIDE MARKET STAND

A temporary building or structure designed or used for the display and/or sale of agricultural products produced on the premises upon which the stand is located.

SATELLITE DISH ANTENNA

A parabolic or spherical reflective type of antenna used for communications with a satellite based system located in planetary orbit.

STREET

A publicly or privately owned and maintained right-of-way which affords traffic circulation and principal means of access to abutting property, including any avenue, place, way, drive, lane, boulevard, highway, road or other thoroughfare, except an alley. The Street right-of-way shall include all land deeded or dedicated for Street purposes or, in the absence of a deed or dedication for Street purposes, the Street right-of-way shall be considered to be 66 feet in width.

STRUCTURE

Anything except a building, constructed or erected, the use of which requires permanent location on the ground or lake, river or stream bottom or attachment to something having a permanent location on the ground or lake, river or stream bottom.

SWIMMING POOL

A structure either above or below or partly above and partly below grade, located either in part or wholly outside of a permanently enclosed and roofed building, designed to hold water to a depth of greater than two feet when filled, and intended to be used for swimming purposes.

TOURIST HOME

A building, other than a hotel, boardinghouse, lodging house, or motel, where lodging is provided by a resident family in its home for compensation, mainly for transients.

TRAVEL TRAILER

A transportable unit intended for occasional or short-term occupancy as a dwelling unit during travel, recreational, or vacation use.

UNDIVIDED PERMANENT OPEN SPACE

Property that is contiguous (i.e., undivided by any road, street, etc.) and in common ownership that will perpetually remain as undeveloped open space via a conservation easement, plat dedication, restrictive covenant, or other legal means that run with the land.

USABLE FLOOR AREA

The floor area of a dwelling exclusive of garages, porches, basement or utility area.

VEHICLE

Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices propelled by human power or used exclusively upon stationary rails or tracks.

WATERFRONT LOT

A lot abutting or having frontage on either Lake Michigan or Lake Macatawa.

YARD

An open space other than a court unoccupied and unobstructed by any building or structure; provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility. "Yards" or "minimum yards" as required in other provisions of this zoning ordinance shall be considered as "required yards" and allowable building projections shall be the same as defined in this section for building

setbacks.

YARD, FRONT

A yard extending across the full width of the lot, the depth of which is the distance between the street right-of-way (or private road easement) line and the main wall of the building or structure. In the case of waterfront lots, the yard fronting on the street (or private road) shall be considered the front yard.

YARD, REAR

A yard, unoccupied except for accessory buildings, extending across the full width of the lot, the depth of which is the distance between the rear lot line and the rear wall of the main building.

YARD, SIDE

A yard between a main building and the side lot line, extending from the front yard to the rear yard, or any yard that is not considered a front or rear yard.

ZONING ACT

The Michigan Zoning Enabling Act, Public Act No. 110 of 2006 (MCL 125.3101 et seq.).