

(May 8, 2024)

NOTICE OF PUBLIC HEARING
THE MERRILL TOWNSHIP PLANNING COMMISSION
NEWAYGO COUNTY, MICHIGAN

(New Zoning Ordinance and Zoning Map)

Notice is hereby given that the Merrill Township Planning Commission will conduct a public hearing on June 20th, 2023 at 7 p.m. for the purpose of receiving public comments on a proposed new Zoning Ordinance and Zoning Map for Merrill Township to replace the existing Zoning Ordinance and Zoning Map pursuant to the Zoning Enabling Act, Public Act 1 10 of 2006, as amended. The public hearing will be held at the Merrill Township Hall at 1585 W. 11Mile Rd., Bitely MI 49349 in Merrill Township. Comments may be made in person during the public hearing or written comments may be submitted beforehand. Written comments should be received by the Township Clerk by noon on the day of the public hearing and addressed to the Township Planning Commission, or emailed to Clerk@Merrilltownship.com

A summary of the proposed new Zoning Ordinance is as follows:

Article 1: Title and Purpose

This Article discusses the title and purposes regarding the proposed new Zoning Ordinance and Zoning Map. The new ordinance shall be known as the "Merrill Township Zoning Ordinance". There are multiple purposes and intent supporting the new Zoning Ordinance and Zoning Map.

Article 2: Definitions and Rules of Construction

This Article contains the definitions of various words, phrases and clauses for purposes of the Zoning Ordinance.

Article 3: General Provisions

General regulations apply to all zoning districts and properties except as otherwise expressly noted herein.

This Article discusses and regulates many matters regarding the general administration and enforcement of the new Zoning Ordinance and Zoning Map. The topics covered by this Article include, but are not limited to:

Accessory Buildings, Adult Foster Care Home, Animal Enclosures for Nonfarm Animals, Area or Space Required, Basement Dwellings, Camping, Channelization, Clear Vision Corners, Corner Lots, Construction Time Limits, Driveways, Dwellings on More Than One Lot, Dwelling Units, Flood Plain Areas, Essential Public Services, Front Yard, Front Yards - Basis for Determining, Greenbelts, Height Exceptions, Home Occupations, Institutional and Public Uses, Keyhole Development (Funneling), Lot Accessibility, Lot Splits and Land Divisions, Lot Width, Lot Width-to-Depth Ratio, Lots of Record - Existing Platted, Lots of Record – Nonconforming, Mobile Homes and Prefabricated Housing, Motor Home Storage and Recreational Vehicle Storage/Use, Moving of Structures, Multiple Use of Buildings, Parking Vehicles, Principal Use - One Dwelling Per Lot, Private Roads and Shared Driveways, Razing of Buildings, Recreational Vehicle, Required Yards and Lots, Residential Uses in Commercial Districts, Swimming Pools, Temporary Buildings, Topsoil, Unwholesome Substances, Use and Construction of Accessory Buildings, Vehicles - Storage Of, Working and Storage Surfaces for Certain Operations, Walls and Fences, Use of Basement for Dwelling Purposes, Temporary Uses or Structures, Governmental Improvements, Site Condominiums, Division of Parcels or Lots, Grade and Grade Modifications, Representations and Promises of Developers and Property Owners, Grade Limits,

Lots Partially Outside Township Boundaries, Construction Time Limits, Non-waiver; Rule of Non-estoppel, Adult Uses/Adult-Oriented Businesses, Wind Energy Conversion System ("WECS"), Prohibition on Exotic and Dangerous Animals, Categories or Businesses or Uses not expressly Designated; Unlawful Uses, Outdoor Heating Units.

Article 4: Nonconformities

This Article specifies the rights, obligations and limitations involving lawful nonconforming lots, uses and structures, including interpretations, abandonment, expansions, extensions and other matters relating to lawful nonconforming situations.

Article 5: Signs

This Article governs and regulates a variety of different matters regarding signs and signage, including, but not limited to, defining certain types of signs, general sign regulations and standards, lawful nonconforming signs, permitted signs by zoning district, additional signs allowed in all zoning districts. temporary signs, abandonment of sign rights and other sign matters.

Article 6: Parking and Loading Spaces

This Article contains numerous regulations regarding off street parking and loading, including general regulations, site plan and site development requirements, spacing requirements for parking, loading and unloading, spacing requirements regarding solid waste collection stations and related regulations.

Article 7-12: Zoning Districts, Regulations and Maps

Among other matters, these Articles indicate that the Zoning Map is an integral part of the Zoning Ordinance, establishes various zoning districts, sets rules regarding the interpretation of district boundaries, discusses permitted uses, sets site development requirements for certain zoning districts, lists certain special zoning district provisions, contains detailed tables for uses, activities, building and structures allowed in specific zoning districts, defines permitted uses and defines special land uses.

Article 13: Planned Unit Development (PUD) District

This Article contains the regulations, specifications, procedures and other matters regarding the Planned Unit Development (PUD) zoning district, together with other matters.

Article 14: Special Uses

This Article authorizes, regulates and controls special land uses, including, but not limited to, application requirements, special land use review procedures, required site plans, approval standards for special land uses, appeals, reapplication, changes to approved special land uses and site plans, expiration and revocation of special land use approvals and many other matters pertaining to special land uses.

Article 15: Site Plans

This Article governs, regulates and covers site plans, including, but not limited to, when site plan review and approval is required, site plan review and approval procedures, standards for site plan approval, conformity to approved site plans, changes to approved site plans, pre-existing site plans under current review, the expiration of a site plan approval, revocation of approved site plans and many other issues and matters pertaining to site plans.

Article 16: Zoning Board of Appeals (ZBA)

This Article authorizes and regulates the Zoning Board of Appeals, specifies the powers of the ZBA, deals with the creation and membership of the ZBA and its organization, specifies the jurisdiction of the ZBA, governs appeals to the ZBA, specifies the procedures and standards for approving or denying variances, authorizes appeals to the Newaygo County Circuit Court and addresses a variety of other matters regarding the ZBA.

Article 17: Administration and Enforcement

This Article provides for the Duties of the Zoning Administrator and Zoning Permits. The topics covered by this Article include, but are not limited to, enforcement, performance Guarantees, zoning agreements and conditional rezoning. Procedure for application, review and approval, notice and hearings, time limits, proof of ownership, surveys, revocation or termination of zoning approvals.

Article 18: Amendments and Rezoning

This Article covers amendments to the Zoning Map and/or the Zoning Ordinance itself, including procedures, citizen petitions, conditional re-zonings and other amendments to the Zoning Ordinance or Zoning Map. Any amendment to this Ordinance (including rezoning) shall be done pursuant to the requirement's of the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), as amended.

Article 19: Miscellaneous Provisions

This Article covers severability, repeal of prior ordinance and effective date.

A full copy of the proposed Zoning Ordinance and Zoning Map can be obtained, reviewed, inspected or purchased at the Merrill Township Hall by contacting the Township Clerk [517.304.1885](tel:517.304.1885)

or viewed via the Township website at www.merrilltownship.com

Merrill Township will provide necessary auxiliary aids and services at the hearing, such as signers for the hearing impaired, upon seven (7) days' prior notice to the Township by writing or calling the following: Township Clerk Telephone: [517.304.1885](tel:517.304.1885), or E-mail : Clerk@Merrilltownship.com .

This notice is disseminated and posted pursuant to the Michigan Zoning Enabling Act, PAI 10 of 2006, as amended.

Respectfully submitted by.

Tabatha Glezman
Merrill Township Clerk
517.304.1885

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