

**CHARTER TOWNSHIP OF COOPER**

**RESOLUTION NO. 16-78**

**RESOLUTION INTRODUCING ORDINANCE NO. 238, AN ORDINANCE TO AMEND  
LAND DIVISION AND SITE CONDOMINIUM ORDINANCES**

A resolution made and adopted at a regular meeting of the Township Board of the Charter Township of Cooper, Kalamazoo County, State of Michigan, held at the Township Hall on August 8, 2016, at 7:00 P.M.

PRESENT: **Schiedel, Buiskool, DeHaan, Sorensen, Sytsma, Janssen, Vlietstra**

ABSENT: None.

The following Resolution was offered by DeHaan and seconded by Vlietstra.

WHEREAS, the Township desires to consider amending its General Ordinance sections 111.300 and 112.200 regarding Land Divisions and Site Condominiums to further regulate land divisions, lot line adjustments, and consolidation of parcels. The proposed amendments would add cross-references to the Township's Zoning Ordinance; and

WHEREAS, upon giving notice in accordance with the MZEA, the Township Planning Commission ("Planning Commission") held a public hearing regarding the proposed amendments on July 12, 2016; and

WHEREAS, following the public hearing, the Planning Commission recommended that the proposed amendments be approved; and

WHEREAS, the Township wishes to consider an ordinance approving the proposed amendments;

NOW, THEREFORE, the Township Board of the Charter Township of Cooper resolves as follows:

1. The Township hereby introduces Ordinance No. 238, An Ordinance to Amend Land Division and Site Condominium Ordinances (the "Ordinance," attached as Exhibit A).

2. The Township Board will consider adopting the Ordinance at its next regular meeting on September 12, 2016, at 7:00 p.m.

3. Pursuant to Section 20 of the Michigan Charter Township Act, Act 82 of 1994, MCL 42.1 *et seq.* (the "Act"), the Clerk is directed to publish the Ordinance in accordance with Section 8 of the Act by posting it in the office of the Clerk and on the Township's web site. The Clerk is further directed to publish notice of the posting in a form substantially conforming to Exhibit B to this Resolution in a newspaper of general circulation within the Township within seven (7) days after the posting. The notice shall describe the purpose of the Ordinance and state that the Ordinance is posted in the office of the Clerk and on the Township's web site.

4. A copy of the Ordinance shall be available for examination at the office of the Clerk, and copies may be provided for a reasonable charge.

5. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

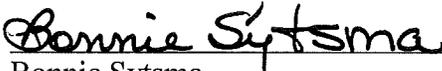
**YEAS: Schiedel, Buiskool, DeHaan, Sorensen, Sytsma, Janssen, Vlietstra**

NAYS: None.

STATE OF MICHIGAN            )  
                                          )  
COUNTY OF KALAMAZOO        )

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Cooper, Kalamazoo County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and

complete copy of certain proceedings taken by the Township Board at a regular meeting held pursuant to the Open Meetings Act on the 8<sup>th</sup> day of August, 2016.

  
\_\_\_\_\_  
Bonnie Sytsma  
Clerk, Cooper Charter Township

79620:00001:2754788-1

**CHARTER TOWNSHIP OF COOPER**

**ORDINANCE NO. 238**

**AN ORDINANCE TO AMEND LAND DIVISION AND SITE CONDOMINIUM  
ORDINANCES**

**THE CHARTER TOWNSHIP OF COOPER ORDAINS:**

**Section 1. Purpose.**

The Charter Township of Cooper (the "Township") adopts the following amendments to the Township's Zoning Ordinance for the health, safety and welfare of Township residents.

**Section 2. Amendment of Section 111.300 of Township Code Regarding Land Divisions.**

Section 111.300(B)(3) of the Township Code, regarding Lot Line Adjustments shall be amended to read as follows:

3. If a lot or unit, and a non-buildable metes and bounds described parcel are combined for tax purposes as provided in subsection C, the metes and bounds portion of the combination remains non-buildable, unless subject to the accessory building exception provided for within the Zoning Ordinance.

Section 111.300(C)(9)(c) of the Zoning Ordinance regarding Consolidation of Parcels shall be amended to read as follows:

- c. A non-buildable parcel shall not be consolidated with a platted lot or site condominium unit for purposes of making a parcel buildable. A non-buildable parcel may be consolidated with a platted lot or site condominium for tax or other non-building purposes (e.g. meeting health department requirements for well and septic systems), unless subject to the accessory building exception provided for in the Zoning Ordinance.

**Section 3. Amendment of Section 112.200(I) of Township Code Regarding Site Condominiums.**

Section 112.200(I)(3) of the Township Code regarding consolidation, unit line adjustments, and accessory buildings on non-buildable parcels in site condominiums shall be amended to read as follows:

3. If a site condominium unit and a non-buildable parcel are consolidated for tax purposes, as provided for in Section 111.300.C, the non-buildable parcel shall remain non-buildable unless subject to the accessory building exception provided for within the Zoning Ordinance.

**Section 4. Validity and Severability.**

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

**Section 5. Repealer Clause.**

Any 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 6. Effective Date.**

This Ordinance shall be effective seven days after publication.

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**CHARTER TOWNSHIP OF COOPER**

**NOTICE OF POSTING OF PROPOSED ORDINANCES:**

**(1) AN ORDINANCE TO AMEND SECTIONS 120.230, 120.240 & 120.250 REGARDING INDUSTRIAL DISTRICTS OF THE TOWNSHIP ZONING ORDINANCE;**

**(2) AN ORDINANCE TO AMEND SECTION 120.410(B) OF THE TOWNSHIP ZONING ORDINANCE;**

**AND**

**(3) AN ORDINANCE TO AMEND LAND DIVISION AND SITE CONDOMINIUM ORDINANCES**

**PLEASE TAKE NOTICE** that at its regular meeting on August 8, 2016, the Township Board received the following proposed ordinances (the “Proposed Ordinances”):

- “An Ordinance to Amend Sections 120.230, 120.240 & 120.250 Regarding Industrial Districts of the Township Zoning Ordinance”
  - The proposed ordinance would amend permitted uses in the I-1, I-2 and I-3 Industrial Zoning Districts and provisions regarding outdoor storage of products or material
- “An Ordinance to Amend Section 120.410(B) of the Township Zoning Ordinance”
  - The proposed ordinance would allow accessory buildings on non-buildable parcels subject to certain conditions.
- “An Ordinance to Amend Land Division and Site Condominium Ordinances”
  - The proposed ordinance would further regulate land divisions, lot line adjustments, and consolidation of parcels and would also add cross-references to the Township’s Zoning Ordinance

The Proposed Ordinances will be considered for adoption on September 12, 2016, at 7:00 p.m., at the Township Board meeting at the Township Hall at 1590 West D Avenue, Kalamazoo, Michigan. The Proposed Ordinances are available in their entirety for public inspection. The Proposed Ordinances are posted at the office of the Township Clerk, 1590 West D Avenue, Kalamazoo, Michigan, and are posted on the website of the Charter Township of Cooper, <http://www.coopertwp.org>.

BONNIE SYTSMA, Clerk  
Cooper Charter Township Hall  
1590 West D Avenue  
Kalamazoo, MI 49009  
(269) 382-0223