

CASCO TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN  
Zoning Text Amendment Ordinance  
Ordinance # \_\_\_\_\_

AN ORDINANCE TO AMEND THE CASCO TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 2.02, DEFINITIONS – A TO AMEND DEFINITION ‘AVERAGE GRADE’; TO AMEND SECTION 2.03, DEFINITIONS – B TO ADD DEFINITION ‘BUILDING HEIGHT, NONCONFORMING LOTS OF RECORD’; TO AMEND SECTION 3.28.B, NONCONFORMING LOTS OF RECORD TO INCLUDE LANGUAGE PERTAINING TO BUILDING HEIGHT.

CASCO TOWNSHIP, ALLEGAN COUNTY, MICHIGAN HEREBY ORDAINS:

**Section 1. Amendment of Section 2.02.** Section 2.02 – Definitions – A is amended to amend the following defined term to read as follows:

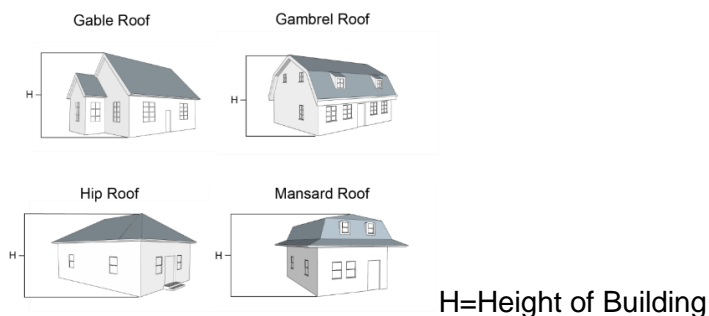
AVERAGE GRADE

A reference plane representing the average of the finished ground level adjoining the building at all exterior walls.

**Section 2. Amendment of Section 2.03.** Section 2.03 – Definitions – B is amended to add the following defined term in alphabetical order:

BUILDING HEIGHT, NONCONFORMING LOTS OF RECORD

The vertical dimension measured from the average grade of the building, to the highest point of the roof, parapet wall, or other uppermost part.



**Section 3. Amendment of Section 3.28.B.** Section 3.28.B – Nonconforming Lots of Record is amended to reads as follows:

**SECTION 3.28 NONCONFORMING LOTS, USES OR STRUCTURES**

B. Nonconforming Lots of Record.

1. A single lot of record is not contiguous with another lot or lots under the same ownership. Where a single lot of record (in existence at the time of the adoption or amendment of this Ordinance) does not meet the minimum requirements for lot width, lot depth or lot area, that single lot of record may be used for any purposes permitted by the zoning district in which the lot is located, provided that:
  - a. the minimum lot width shall be fifty (50) feet;
  - b. the minimum lot depth shall be one hundred (100) feet;
  - c. the maximum lot coverage for all buildings shall be twenty-five (25) percent;
  - d. the setbacks for the main building shall be a minimum of:
    - (1) Twenty-five (25) feet for the front setback.
    - (2) Twenty (20) feet for the rear setback.
    - (3) Ten (10) feet for each side setback; and
  - e. the maximum height of all buildings shall be the lesser of thirty-five (35) feet or two and one-half (2 ½) stories.
2. Where the setbacks cannot be met on the nonconforming lot, the owner may request a variance from the Zoning Board of Appeals under Chapter 20.
3. Contiguous Nonconforming Lots in Common Ownership
  - a. For any two (2) or more nonconforming lots of record or combination of lots and portions of lots of record, in existence at the time of the passage of this Ordinance, or an amendment thereto, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance if they meet the following:
    - (1) Are in the same or similar ownership.
    - (2) Are adjacent to each other or have continuous frontage.
    - (3) Individually do not meet the lot width or lot area requirements of this Ordinance.
  - b. In the case where several contiguous nonconforming lots must be combined the resultant buildable lot or lots shall satisfy the following standards:
    - (1) Minimum lot width of sixty (60) feet;

- (2) Minimum lot depth of one hundred (100) feet;
  - (3) Maximum lot coverage for all buildings shall be twenty-five (25) percent;
  - (4) Front setback of twenty-five (25) feet;
  - (5) Rear setback of twenty (20) feet;
  - (6) Side setback of ten (10) feet;
  - (7) The maximum height of all buildings shall be the lesser of thirty-five (35) feet or two and one-half (2 ½) stories.
- c. No portion of such parcel shall be used or divided in a manner which diminishes compliance with lot, width and area requirements.

**Section 4. Effective Date.** The foregoing amendment to the Casco Township Zoning Ordinance was approved and adopted by the Township Board of Casco Township, Allegan County, Michigan on \_\_\_\_\_, 2018, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on \_\_\_\_\_, 2018, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

\_\_\_\_\_  
Allan Overhiser,  
Township Supervisor

\_\_\_\_\_  
Cheryl Brenner,  
Township Clerk

**CERTIFICATE**

I, Cheryl Brenner, the Clerk for the Township of Casco, Allegan County, Michigan, certify that the foregoing Casco Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on \_\_\_\_\_, 2018. The following members of the Township Board were present at that meeting: \_\_\_\_\_  
\_\_\_\_\_. The following members of the Township Board were absent: \_\_\_\_\_. The Ordinance was adopted by the Township Board with members of the Board \_\_\_\_\_ voting in favor and members of the Board \_\_\_\_\_ voting in opposition. A copy of the Ordinance or a summary was published in the \_\_\_\_\_ on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Cheryl Brenner, Clerk  
Casco Township