

BIRCH RUN TOWNSHIP  
SAGINAW COUNTY, MICHIGAN  
ORDINANCE NO. 2019-04  
ZONING ORDINANCE AMENDMENT (Article 9, Footnotes for Table 9-4)

ADOPTED: May 14, 2019  
PUBLISHED: May 22, 2019  
EFFECTIVE: May 29, 2019

An ordinance to amend the Birch Run Township Zoning Ordinance by amending Article 9 to permit exceptions to lot coverage maximums in the R-2 and R-3 zoning districts.

THE TOWNSHIP OF BIRCH RUN, SAGINAW COUNTY, MICHIGAN, ORDAINS:

**ARTICLE I.** Article 9 of the Birch Run Township Zoning Ordinance is hereby amended by amend the footnote 11 of Table 9-4 to read as follows:

**Article 9 – Zoning Districts, Regulations and Map**

**Table 9.4 – Site Development Requirements**

Footnotes for Table 9-4

- 11.** The following additional maximum lot coverage requirements shall apply:
- a. A minimum of sixty percent (60%) of a lot used principally for residential purposes shall be maintained as open space. For the purposes of this Footnote #11, “open space” shall be defined as areas dedicated to the growth and maintenance of grasses, shrubs, trees and/or other plant material. For clarification purposes, features that shall not be considered as open space shall include, but not be limited to, wood or other decking; stone, brick, asphalt, concrete, gravel, landscape pavers, and hard surface patios and outdoor areas irrespective of the width of the gap between bricks and stones, and similar component surfaces of such areas. For clarification purposes, features that shall be considered as open space include, but are not limited to, lawns, woodlands, gardens, and planting beds including mulched beds.
  - b. In the case of an authorized nonresidential use in the A-1, R-1, R-2 or R-3 Districts, according to table 9-2 and 9-3 or elsewhere in this Ordinance, such as in the case of a museum or nursing home, the allowable maximum lot coverage shall be 25%.
  - c. In the case of an A-1, R-1, R-2 or R-3 lot that is nonconforming due to noncompliance with the minimum lot area standard for the district in which it is located, the allowable maximum lot coverage on such lot shall be the total of the maximum lot coverage standard specified in table 9-4 and 2,000 sq. ft. Furthermore, accessory buildings and structures shall also comply with all of the site development requirements in Table 9-4 and other regulations found in this Ordinance.

**ARTICLE II.** This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

**ARTICLE III.** All ordinances and provisions of ordinances of the Birch Run Township in conflict herewith are hereby repealed.

**ARTICLE IV.** This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

CERTIFICATION

The foregoing ordinance is hereby certified to be the authentic record of the ordinance which was duly adopted by the Township Board of the Township of Birch Run on the 14<sup>th</sup> day of May 2019, and published on the 22<sup>nd</sup> day of May 2019.

YEAS: Moore, Kiessling, Parlberg, Sheridan, Totten, Trinklein

NAYS: None

ABSENT: Letterman

STATE OF MICHIGAN    )  
                                          ) SS  
COUNTY OF SAGINAW    )

I, the undersigned, the fully qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete Copy of an ordinance adopted at a regular meeting of the Township Board of the Township of Birch Run, Michigan, held on the 14<sup>th</sup> day of May, 2019, the original of said meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

I further certify that on the 22<sup>nd</sup> day of May, 2019, I caused a notice of such adoption to be published in the Birch Run/Bridgeport Herald, a newspaper circulated in the Township of Birch Run, and that said Ordinance and the record of publication was duly recorded in the Book of Ordinances of the Township of Birch Run and is available for public use and inspection at the offices of the Birch Run Township Clerk.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 15<sup>th</sup> day of April, 2019.

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Corey Trinklein, Clerk  
Birch Run Township