

**Caledonia Township
Ordinance No. 1 of 2021**

**An ordinance to amend the Caledonia Township Zoning Ordinance Article 5
(District Regulations) to change the minimum lot width in R-1 and Article 6
(Nonconforming Buildings, Structures, Uses, Lots, and Signs) to clarify
nonconforming lots of record.**

Caledonia Township, Alcona County, Michigan ordains:

Section 1: Amendment to the Caledonia Township Zoning Ordinance

That the Caledonia Township Zoning Ordinance, Section 5.10 (Schedule of Regulations) is hereby amended to read as follows:

Section 5.10 — Schedule of Regulations

R-1 (Single-Family Residential) District Minimum Lot Width: ~~100 feet~~ **80 feet**.

In the table, add footnote 5 to the columns for Maximum Height, Minimum Setbacks and Minimum Floor Area.

Change the following footnotes to read as follows:

1. Each lot will not exceed a depth to width ratio of 4:1 except as allowed by Act 288 of 1957 (Land Division Act) section 560.109 (1b) (The municipality having authority to review proposed divisions may allow a greater depth to width ratio than that otherwise required based on exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands.) The depth to width ratio requirements of this land division do not apply to parcels larger than then (10) acres. **Minimum lot width and area standards apply to lots created after the adoption of this Ordinance. Lots which do not meet these lot area and lot width standards are regulated by Section 6.3 and Section 6.4.**
5. **Maximum height, minimum setbacks and minimum floor area shall apply only to principal or main buildings and shall not apply to accessory buildings. Accessory buildings are regulated by Section 3.5.**

That the Caledonia Township Zoning Ordinance, Section 6.3 (Nonconforming Lots of Record) is hereby amended to read as follows:

Section 6.3 - Nonconforming Lots of Record

Lots of record which were in existence at the time of adoption of this Ordinance or at the time of amendment to this Section are hereby grandfathered into this Ordinance as nonconforming lots of record and may be developed according to the standards of this Ordinance (except that they are not required to meet the minimum lot size or minimum lot width standards of this Ordinance). ~~Except as provided in Section 6.4,~~ Any nonconforming lot of record may be used for any purpose authorized by the district in which it is located. **A nonconforming lot of record may require a variance if the district setbacks are not**

~~able to be met. Any required variances may be requested pursuant to the procedures and standards of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership as of the date of adoption of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.~~

That the Caledonia Township Zoning Ordinance, Section 6.4 (Nonconforming Contiguous Parcels) is hereby amended to read as follows:

Section 6.4- Nonconforming Contiguous Parcels Under the Same Ownership

If **there are** two (2) or more contiguous lots, parcels, or portions of lots or parcels are under the same ownership and **which** do not individually meet the lot width, depth, and/or area requirements of this Ordinance, then those contiguous lots, parcels, or portions of lots or parcels shall be considered an undivided lot or parcel for the purposes of this Ordinance, and no portion of such undivided lot or parcel shall be used or divided in a manner that diminishes compliance with the lot width, depth, and/or area requirements established by this Ordinance. **Such resulting undivided lot or parcel may be developed according to the standards of this Ordinance (even if the resulting undivided lot or parcel still does not meet the minimum lot size or minimum lot width standards). Furthermore, such resulting undivided lot or parcel may require a variance if the district setbacks are not able to be met. Any required variances may be requested pursuant to the procedures and standards of this Ordinance.**

Section 2: Severability

If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Caledonia Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

Township Supervisor

Township Clerk

I, _____, Clerk for Caledonia Township, hereby certify that the foregoing is a true and correct copy of Ordinance No. 1 of 2021 of Caledonia Township, adopted by at a meeting of the Township Board of Trustees held on _____.

A copy of the complete ordinance text may be inspected or purchased at the Caledonia Township Hall, at 6461 Gillard Rd, Spruce, Michigan 48762.

Adopted: _____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.