



Village of Breedsville

82 E Main St. PO Box 152
Breedsville, MI 49027
(269) 427-9029

ORDINANCE 2023-05

ORDINANCE TO AMEND ARTICLE I OF THE. BREEDSVILLE VILLAGE ORDINANCE FINDING THE ZONING MAP

ORDINANCE TO AMEND ARTICLE I OF THE. BREEDSVILLE VILLAGE
ORDINANCE FINDING THE ZONING MAP THERETO IN PURSUANCE OF THE
AUTHORITY GRANTED BY SEC. 2.04, ART. II, SEC. 3.01, 3.02, 3.03, 3.06 OF ART.
III, SEC. 4.02, 4.10 OR ART. IV, SEC. 5.04, ART. V, SEC. 7.13, AND 7.14 OF ART. VII
OF THE BREEDSVILLE VILLAGE ORDINANCE TO READ AS FOLLOWS:

BREEDSVILLE VILLAGE ORDINANCE AMENDMENTS

Amend section 2.04 sub-paragraph E to read:

E. Limitations on all. dwellings:

1. Minimum width at any point 14 feet.
2. All dwellings must have at least 980 square feet of dwelling room at the time of original construction.
3. Modular homes must be Construction Code Commission approved with the state seal.
4. Site-built homes must meet the State Construction Code.

Amend section 3.01 sub-paragraph A:

A. Principal permitted uses:

1. Detached conventionally built single-family dwellings.
2. Detached, pre-manufactured, BOCA- approved, Modular, single-family dwellings which meet or exceed the requirements and specifications. of the rules of the Michigan Construction Code Commission promulgated pursuant .to Section.6 of the State Construction Code Act. 230, of the Public Acts of 1972, as amended.

Amend section 3.02.

R2 RESIDENTIAL AND MANUFACTURED HOUSING DISTRICT INTENT:

To provide for the establishment and preservation of higher density, varied use types of housing and to permit a compatible mixture of residential land uses including one and two-family dwellings of both types, i.e., conventionally built and manufactured.

Minimum Lot area and Frontage Width: 12,000 square feet lot area; 100 feet frontage width.

Minimum Yard Dimensions: Thirty (30) feet front yard; ten (10) feet side yards; twenty (20) feet rear yard; Also see Section 4.03.

Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

No land shall be used hereafter, and no buildings or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this Ordinance.

PRINCIPAL PERMITTED USES:

1. Same as R 1--subject to regulations of that district.
2. Single-family detached dwellings meeting the following standards:
 - (a) Each dwelling shall be firmly attached to a permanent foundation constructed on the site in accordance with the Village Building Code and the area between The grade elevation of the lot and the structure shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single family dwellings. In the event that the dwelling is a mobile home, as defined herein, the such dwelling shall be installed pursuant to the manufacturer's setup instructions; shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home commission, and shall contain a perimeter wall as required in this subsection.
 - (b) In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage, or class. is.
 - (c) In the event that a dwelling is a mobile home as defined herein, each mobile home shall contain skirting along the entire perimeter of the main frame between the ground and the bottom edge of the mobile homebody. Such skirting shall be a minimum of twenty-six (26) gauge metal with ribbing, or of other

nonflammable materials having similar design and durability. Brick or concrete block wall construction shall be permitted as skirting. Skirting shall be securely attached and sealed to the mobile home body and shall contain a rat-proof wall or slab to prevent the entrance of rodents and other animals underneath the mobile home. One access door shall be permitted in the skirting, and adequate screening vents shall be required in the skirting around, the entire perimeter at intervals of not more than twenty (20) feet so as to provide adequate cross-ventilation. All skirting shall be maintained in good condition. Unprotected flammable materials including hay bales or newspaper shall not be allowed as skirting for mobile homes.

3. Two-family dwellings

PERMITTED ACCESSOR USES:

1. same as R 1--subject to regulations of that district.

USES BY SPECIAL PERMIT:

The following uses shall be allowed when determined to be in conformance with provisions of section 5.03:

1. Churches, schools, buildings, libraries, and publicly owned buildings
2. Public utility buildings.
3. Land for parks, playgrounds, public and private swimming pools, and similar facilities for outdoor exercise and recreation when not operated for profit.
4. Accessory buildings, structures, and uses customary and incidental to any of the above-permitted uses, such uses shall include temporary signs.
5. Multiple-family dwellings.

Amend Section 3.03 - District A (Agricultural) Permitted Uses

Minimum Lot Area and Frontage Width 2 acres lot area; 200 feet at the building line.

- A. 1. Farming other than livestock or poultry operations, or dairy farming, but including such uses as horticultural operations, grain farming, forestry operations, and garden plots.

C. Uses by special permit.

The following uses shall be allowed when determined to be in conformance with provisions of section 5,03 with a minimum 20-acre parcel size, 200 feet at the building line, and 10% of the lot width as minimum side setback.

- 1, Same as R1- subject to the regulations of that district.
2. Farming including livestock, poultry, and dairy farming.
3. Food processing and packaging industries; farm equipment sales services.
4. Guide of a non-advertising nature.
5. Oil and brine wells and storage facilities for same. Amend Section 3.06

Section 3.06 - Site Plan Requirements:

Intent: To determine whether certain development proposals specified herein meet applicable requirements and are in harmony with the purpose, intent, and spirit of this Ordinance.

Except as set forth below, the Building Official shall not issue a building permit for any buildings, structures, or uses in the C or I zoning district or any use by special permit until a site Plan has been submitted to and approved by the Breedsville Village council in accordance with this section. To assist the Village council in reviewing design proposals that foster orderly, efficient, compatible, and aesthetic uses of the lands in Breedsville Village.

Amend Section 4.02 - the size of Premises Minimum Dwelling size:

980Sq, Ft. on the main floor.

Amend section 4.10.

C. Mobile Home size new and used:

The minimum size of a mobile home shall be 980 sq. ft, outside dimensions and no less than 14 feet wide exclusive of the tongue,

E. Lot Sizes:

The minimum lot size for a mobile home is 12,000 sq. ft.

G. Mobile Home Foundation:

Unless located within an approved mobile home park, foundations must meet the standards of the State Building Code, enforced in the Village of Breedsville. Mobile home parks are subject to the rules and authority of the Michigan Mobile Home Commission.

Amend Section 5.04

Section 50.4 certificate of occupancy.

(change all “compliance” and “approval” to “Occupancy”)

Amend Section 7.13

A structure is transportable. in one or more sections which is built on a chassis and designed to be used with or without a permanent foundation when connected to. the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. Mobile homes do not include recreational vehicles (Act 4191 Michigan P.A. of 1976). All mobile homes must conform to the U. S. Department of Housing and Urban Development's code for mobile homes, Mobile home includes a double-wide unit.

Add Section 7.14

Section 7.14 – words requiring special interpretation.

Any word requiring interpretation and not listed above shall be used as defined in the Housing Law of Michigan Act 167 of the Public Acts of 1917 as amended.

Section 10 - The zoning map as amended is adopted as part of Article I of the Breedsville Village Ordinance.

Section 11 - This ordinance shall take effect on the 27th day of February 2023, following the adoption thereof and after publication as required by the Breedsville Village Council.

CERTIFICATION

I further certify that Trustee: L. Weniger moved for adoption of said Ordinance No. 2023-05, and that Trustee: T. Weniger seconded said motion.

I further certify that the following Trustees: L. Weniger, T. Weniger, P. Cooley, and President S. Rogusta Voted for the adoption of said Ordinance No. 2023-05 and that the following Trustees NO Trustees voted against such Ordinance. Absent W. Yeager

I further certify that said Ordinance No 2023-05 has been recorded in the Ordinance Book of the Village of Breedsville and that such recording has been authenticated by the signatures of the Village President and Village Clerk

I do hereby certify that a synopsis of this Ordinance No. 2023-63, in accordance with statutory requirements, was published on 27th day of January 2023 in the Van Buren Reminder, a copy of which is attached hereto.

Steven Rogusta
President

Linda Norton
Village of Breedsville, Clerk

ATTEST:

Linda Norton
Village of Breedsville, Clerk

