

TOWNSHIP OF BIRCH RUN  
SAGINAW COUNTY, MICHIGAN

BIRCH RUN TOWNSHIP  
RESOLUTION TO INITIATE AN AMENDMENT TO THE ZONING ORDINANCE  
NO. 2017-09

At a Regular Meeting of the Birch Run Township Board, Township of Birch Run, Saginaw County, Michigan, held at the Township Meeting Room on the 9<sup>th</sup> day of May, 2017, at 7 o'clock Eastern Standard Time.

PRESENT: Letterman, Trinklein, Parlberg, Moore, Kiessling, Sheridan, Totten  
ABSENT: None

The following resolution was made by Totten and seconded by Kiessling:

**WHEREAS**, Article 7 of the Birch Run Township Zoning Ordinance authorizes the Township Board, Planning Commission or a property owner to initiate an amendment to the zoning ordinance.

**WHEREAS**, the Township Board has identified changes to the zoning ordinance.

**NOW, THEREFORE BE IT RESOLVED**, that the Township Board initiates the attached amendment to the Township Zoning Ordinance, and

**BE IT FURTHER RESOLVED**, that this resolution and attached amendment be forwarded to the Township Clerk and that the required notices for a Planning Commission public hearing on the proposed amendment be published and mailed as required.



**AN ORDINANCE TO AMEND THE BIRCH RUN TOWNSHIP ZONING ORDINANCE, AS ADOPTED ON DECEMBER 14, 2004, AS AMENDED; BY AMENDING ARTICLE 9, TABLE 9-3 PERMITTED PRINCIPAL USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS. BY PERMITTING BY RIGHT THE SALE OF NEW OR USED CARS, FARM MACHINERY AND OTHER VEHICLES AND EQUIPMENT, INCLUDING ITEMS INTENDED FOR TOW, AND THE SERVICE AND REPAIR OF SUCH VEHICLES AND EQUIPMENT PROVIDED SUCH SERVICE AND REPAIR IS AN ACCESSORY USE IN THE I-1 INDUSTRIAL ZONING DISTRICT.**

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

**SECTION I**  
**AMENDMENT to Table 9-3**

Article 9, Table 9-3 of the Birch Run Township Zoning Ordinance is hereby amended by the addition of the following use.

**SECTION II**  
**AMENDMENT of TABLE 9-3 of ARTICLE 9**

Line 7, under "Uses of a Primarily Commercial or Business Character" of Table 9-3 of Article 9, of the Birch Run Township Zoning Ordinance, is hereby amended to read as follows:

	<b>PRINCIPAL USES</b>	<b>ZONING DISTRICTS &amp; PRINCIPAL PERMITTED USES <sup>1</sup></b>  <b>“BR” = Use Permitted by Right</b> <b>“S” = Special Land Use</b> <b>“--” = Prohibited Use</b>
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	<b>Uses of a Primarily Commercial or Business Character <sup>1</sup></b>			
<b>7</b>	Sale of new or used cars, farm machinery, and other vehicles and equipment, including items intended for tow, and then service and repair of such vehicles and equipment provided such service and repair is an accessory use.	<b>S</b>	<b>--</b>	<b>BR</b>

**SECTION III**  
**SEVERABILITY**

Should any section, clause or provision of this Ordinance be declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, then and in that event such portion thereof shall not be deemed to affect the validity of any other part or portion of this Ordinance.

**SECTION IV**  
**EFFECTIVE DATE and REPEAL of CONFLICTING ORDINANCES**

This Ordinance shall take effect eight (8) days following publication, following adoption. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**RESOLUTION DECLARED ADOPTED.**

YEAS: Parlberg, Sheridan, Totten, Trinklein, Moore, Kiessling, Letterman  
 NAYS: None  
 ABSTENTIONS: None

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 a resolution adopted at a regular meeting of the Township Board of the Township of Birch Run, Michigan, held on the 9<sup>th</sup> day of May, 2017, the original of said meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.  
 IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 10<sup>th</sup> day of May 2017.

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 Corey Trinklein, Clerk  
 Birch Run Township