

TOWNSHIP OF BIRCH RUN
SAGINAW COUNTY, MICHIGAN
ORDINANCE NO. 2022-03

ZONING ORDINANCE AMENDMENT – SLUP REVOCATION

ADOPTION: February 8, 2022
PUBLISHED: February 16, 2022
EFFECTIVE: February 23, 2022

An ordinance to amend the Birch Run Township Zoning Ordinance by amending Articles 5 to permit the revocation of a Special Land Use Approval.

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

ARTICLE I. Article 5 of the Birch Run Township Zoning Ordinance is hereby amended by adding Section 5.09 as shown:

Section 5.09 Revocation of Special Land Use Approval.

A Special Land Use Permit may be revoked by the Planning Commission for failure to comply with the conditions imposed in the approval of the permit, or failure to comply with the general or specific standards for approval in effect at the time the SLUP was approved. If the Planning Commission determines that a parcel with a SLUP is in violation under this section, it shall give the applicant an opportunity to correct the violation. However, repeated violations, shall also be the basis for revocation, even if the applicant subsequently addresses the violation each time. Prior to revocation of the SLUP the Planning Commission shall hold a public hearing, providing notice as required by Section 3.08 of this ordinance. The decision of the Planning Commission shall have the same rights of appeal as the original SLUP.

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 All ordinances and provisions of ordinances of the Birch Run Township in conflict herewith are hereby repealed.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

ARTICLE V. The Township Clerk is hereby ordered and directed to cause this Ordinance to be published, either in full or in the form of a legally-permitted summary, in a newspaper of general circulation within Birch Run Township.

This Ordinance was offered by Board member C. Trinklein, supported by Board member Sheridan and is hereby declared to have been adopted by the Birch Run Township Board of Trustees, County of Saginaw, State of Michigan, at a regular meeting held on the 8th day of February 2022 and ordered to be given publication in the manner prescribed by law.

YEAS: Parlberg, Sheridan, D. Trinklein Jr, C. Trinklein, Watts, Kiessling, Letterman

NAYS: None

ABSENT: None

TOWNSHIP OF BIRCH RUN:

By:

RAY LETTERMAN, Township Supervisor

By:

COREY TRINKLEIN, Township Clerk

Date of Publication: February 16, 2022

Newspaper: Birch Run/Bridgeport Herald

CERTIFICATION

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 8th day of February, 2022, was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date, notice of said meeting was given and said meeting was held in compliance with Act 267, Public Acts of Michigan, 1976. The Ordinance was signed by the Supervisor and Clerk of the Township.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 9th day of February, 2022.

Corey Trinklein, Clerk
Birch Run Township