

*Township of Birch Run
Saginaw County, Michigan*

ORDINANCE #2024-04

ADOPTED: 10-08-2024

PUBLICATION: 10-16-2024

EFFECTIVE: 11-15-2024

Birch Run Township

Setback Parking & C1 Non-Conforming

An ordinance to amend the Birch Run Township Zoning Ordinance by amending Table 9-4 (Site Development Requirements) and its accompanying footnotes to allow for parking in the setbacks and reconstruction of C-1 homes per un-purposeful demolition.

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

SECTION I – AMENDMENTS TO ZONING ORDINANCE

The following articles of the Birch Run Township Zoning Ordinance are being amended by the addition, ~~deletion~~, or other changes to the text in red. For easier readability, table 9-4 will appear on the following page.

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Site Development Requirements¹

Zoning District	Minimum Lot Area	Minimum Lot Width and Frontage ²	Maximum Building Height	Minimum Floor Area Per Dwelling (sq. ft.)	Maximum Lot Coverage	Minimum Yard Setback		
						Front ³	Side	Rear
A-1	1 acre ¹⁰	200 ft. ⁵	35 ft.	1,200 ⁷	16%	50 ft.	15 ft. each ⁴	40 ft.
R-1	1 acre	150 ft. ⁵	35 ft.	1,200 ⁷	16%	30 ft.	10 ft. each ⁴	30 ft.
R-2	<u>SFD</u> : 1 acre w/o public sewer, otherwise 12,500 sq. ft. <u>TFD</u> : 1 acre w/o public sewer, otherwise 15,000 sq. ft.	150 ft. w/o public sewer, otherwise: <u>SFD</u> : 70 ft. <u>TFD</u> : 75 ft.	35 ft.	<u>SFD</u> : 1,200 ⁷ <u>TFD</u> : 900 ⁷	25%	30 ft.	10 ft. each ⁴	30 ft.
R-MF	See Section 9.07(B)							
R-MHC	See Section 9.07(C)							
C-1	20,000 sq ft	200 ft. ⁵	40 ft.	NA	50%	40 ft.	10 ft. ⁹	20 ft. ⁹
C-2	20,000 sq ft	200 ft. ⁵	40 ft.	NA	50%	50 ft.	10 ft. ⁹	20 ft. ⁹
I-1	20,000 sq ft	200 ft. ^{5,8}	35 ft.	NA	50%	40 ft.	20 ft. ⁹	20 ft. ⁹

SFD = single family dwelling; TFD = two family dwelling; sq. ft. = square feet;
1 Acre = 43,560 sq. ft.

See Following Page for Footnotes

Footnotes for Table 9-4

1. All uses shall comply with the site development requirements in Table 9-4, unless otherwise specified by Article 5 – Standards for Specific Special Land Uses or Article 20 – General Provisions, or otherwise authorized pursuant to Article 12 – Open Space Communities Overlay District or Article 12 – Planned Unit Development District. In addition, all uses shall comply with all other applicable site development provisions of this Ordinance, including, but not limited to, the following Articles: Article 16 - Off-Street Parking and Loading; Article 17 - Landscaping and Screening; Article 18 - Environmental Protection, Article 19 - Access and Private Roads, and Article 20 - General Provisions.
2. The depth of a lot shall not exceed 4 times its width, except in the A-1 District, in which case the depth of a lot shall not exceed 2 times its width.
3. Front yard setback shall be measured from the road right-of-way.
4. On a corner lot, a minimum 25' side yard setback shall be maintained along the side yard abutting the road.
5. The maximum height of farm structures shall be eighty-five (85) feet. See Section 20.10 for additional height exceptions.
6. The minimum floor area of dwelling units shall comply with the following:
 - a. Single Family Dwellings: Each dwelling unit shall have a minimum of one thousand two hundred (1,200) square feet of heated living area. In the case of a dwelling unit composed of two (2) or more stories, the dwelling unit shall have a minimum of seven hundred fifty (750) square feet of heated living area on the first story.
 - b. Two Family Dwellings: Each dwelling unit shall have a minimum of nine hundred (900) square feet of heated living area. In the case of a dwelling unit composed of two (2) or more stories, the dwelling unit shall have a minimum of six hundred (600) square feet of heated living area on the first story.
7. The minimum lot width/frontage requirement may be reduced by 50% where a lot is located within an industrial park and gains direct access from a road serving the interior of such park.
8. Minimum setback to be increased to 100 feet where the yard abuts a Conservation or Residential District.
9. See Section 9.07(A) regarding the maximum number of development sites that may be created from a parcel in the A-1 District. **Parking is allowed in the front and side yard setbacks if approved by the organization in control of the roads at that location.**
10. **Single family homes constructed prior to January 1, 2024, within the C-1 and C-2 district may expand under the restrictions of the A-1 zoning district and be rebuilt on the same footprint if destroyed by some means other than purposeful demolition.**

SECTION II – SEVERABILITY

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.

SECTION III – REPEAL

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

SECTION IV – EFFECTIVE DATE

This amendatory ordinance shall be published as required by law and shall take effect 30 days after publication.