

OSHTEMO CHARTER TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF ZONING PUBLIC HEARING

PLEASE TAKE NOTICE that the Planning Commission of Oshtemo Charter Township will conduct a public hearing on FEBRUARY 9TH, 2023, commencing at 6:00 p.m. at the Oshtemo Charter Township Hall, 7275 West Main Street, within the Township, as required under the provisions of the Michigan Zoning Enabling Act. This meeting will take place virtually due to a statewide or local state of emergency order being issued; and the access link will be available on Oshtemo Charter Township's website, www.oshtemo.org.

PLEASE TAKE FURTHER NOTICE that the items to be considered at said public hearing include, in brief, the following amendments to the Township Zoning Ordinance concerning:

1. Amendment to Section 50.10 (A) and (C) of the Schedule of Regulations (charts remain unchanged), which should read, in summary, as follows:

50.10 SCHEDULE OF AREA, FRONTAGE, AND/OR WIDTH REQUIREMENTS

- A. No building permit shall be issued therefore, and no buildings constructed, placed or moved upon any Parcel, Lot, or Building site less than the area and frontage requirements as specified in this Section; nor where the same would be located upon a Parcel, Lot, or Building site of land with an area of ten acres or less having a depth of greater than four times the width of said Parcel, Lot, or Building site.

All Parcels must have the contiguous frontage specified in this Section on a dedicated public road or street with the width of said required frontage maintained until at least the required building setback line.

All Lots or Building sites must be situated on a public road or street with the width at building setback line as specified in this Section.

Building sites within nonresidential site condominiums must be situated on a public road or street or a private street easement with the width at building setback as specified in this Section.

Parcels, Lots, or Building sites which meet the requirements of the Nonconforming Uses, Structures and Land section of this Zoning Ordinance may be issued a building permit provided all other requirements of this Ordinance are met.

- C. For any Parcel deemed unbuildable by the foregoing and not subject to Section 50.10.E, the Planning Commission is hereby given the right to grant a deviation for the existing subject Parcel to become buildable where the subject Parcel meets all of the following criteria and

where, in the opinion of said Planning Commission, the spirit of the foregoing provisions are still observed, public safety, health, and welfare secured, and substantial justice thereby accomplished:

1. The existing subject Parcel under consideration was established prior to March 31, 1997;
2. The existing subject Parcel under consideration satisfies the minimum dimensional requirements of a platted Lot within the R-1, R-2, R-3, R-4, and R-C districts as set forth in Section 50.10.A;
3. The dimensions of neighboring lawfully nonconforming properties located within 300 feet would support said deviation.

2. Amendment to Section 64.90(A) regarding Site Plan Review which should read, in summary, as follows:

64.90 CONFORMITY TO APPROVED SITE PLAN

- A. Approval of the Site Plan shall be valid for a period of one year after the date of approval. If a building permit has not been obtained and on-site development actually commenced within said one year, the Site Plan approval shall become void and a new approval obtained before any construction or earth change is commenced upon the site. A one-year extension may be granted by the Planning Director or their designee if requested prior to the expiration of the one-year validity period.

- 3 Amendment to Section 65.60 B and B4 of Special Uses which shall read, in summary, as follows:

65.60 DURATION OF APPROVAL

- B. Extensions. The Planning Director or their designee shall have the authority to grant a one year extension of such Special Use where the applicant therefor satisfies any of the following existing circumstances:

(4) Beyond the one-year extension that can be granted administratively, successive extensions may be granted by the Planning Commission for such periods of time as said Planning Commission determines to be reasonable and proper under the following criteria.

4 Such other and further matters as may properly come before the Planning Commission at the public hearing.

You are invited to attend this public hearing. If you are unable to attend, written comments may be submitted in lieu of a personal appearance by writing to: Planning Commission, 7275 W. Main Street, Kalamazoo, MI 49009, up to the date of the hearing and may be received by the Planning Commission at the hearing. In addition, all materials relating to these requests may be examined at Oshtemo Township Hall during normal business hours.

Oshtemo Charter Township will make reasonable accommodations to allow individuals with disabilities to attend and/or participate in public hearings. Individuals with disabilities requiring auxiliary aids, or other accommodations, should contact the Township by phone, or in writing, at least seven (7) days prior to the scheduled hearing date.

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

By: Iris Lubbert, Planning Director
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