

**AMENDMENTS to the C – COMMERCIAL DISTRICT and CHAPTER 3
GENERAL PROVISIONS**

ENSLEY TOWNSHIP

COUNTY OF NEWAYGO, MICHIGAN

At a regular meeting of the Township Board of the Township of Ensley, Newaygo County, Michigan, held in the Ensley Township Hall, 7163 E. 120th Street, Sand Lake, Michigan, on the fifth day of April, 2011 at 7:30 p.m.

PRESENT: Members: Starr, Harwood, Folkema, Bird and VanderMeulen

ABSENT: Members: None

The following ordinance was offered for adoption by Member Bird and supported by Member Harwood.

ORDINANCE NO. 11-2

**AN ORDINANCE TO AMEND SECTIONS 3.15, 9.02G, AND
9.04 OF THE ZONING ORDINANCE OF ENSLEY
TOWNSHIP BY AMENDING THE FOLLOWING
LANGUAGE:**

THE TOWNSHIP OF ENSLEY (“Township”) ORDAINS:

ARTICLE 1 Subsection 9.02G of Chapter 9 of the Ensley Township Zoning Ordinance, as amended, is hereby amended to read as follows:

G. Vehicle service stations, including vehicle service stations that include retail sales of convenience goods. A body shop or body shop uses are excluded from this subsection G.

Except as expressly amended above, all other portions of Section 9.02 remain unchanged and in full force and effect.

ARTICLE 2 The introductory paragraph of Section 9.04 of Chapter 9 of the Ensley Township Zoning Ordinance, as amended, is hereby amended to read as follows:

No building, structure, or use of land, nor the enlargement of any building, structure, or use of land, shall hereafter occur unless the following requirements are met and maintained in connection with such building, structure, use or enlargement. However, structures lawfully existing as of January 1, 2011 shall be deemed to be conforming in regard to height, required yards, lot area, lot width,

and lot coverage. Existing structures that violate setback requirements shall be permitted to be enlarged or altered so long as the existing structure's setbacks are not decreased (*i.e.*, do not encroach further into the setback area). In no case shall an existing structure be enlarged or expanded such that the structure extends into the public or private road right-of-way. If existing structures are enlarged or expanded, the total area of all principal buildings, accessory buildings, and structures on a lot shall not exceed a coverage of 40% of the lot area of that lot.

The balance of Section 9.04, including the Commercial District Schedule chart, shall remain unchanged and in full force and effect.

ARTICLE 3 Section 3.15 of Chapter 3 (General Provisions) of the Ensley Township Zoning Ordinance, as amended, is hereby amended to read as follows:

**SECTION 3.15 RESIDENTIAL STRUCTURES-USE FOR
COMMERCIAL OR INDUSTRIAL**

Residential structures, or buildings accessory thereto and additions to the same, may not be used for commercial or industrial purposes, except as may be permitted in Section 3.14 and Chapter 11A.

ARTICLE 4 SEVERABILITY:

The various parts, section, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance will not be affected thereby, and shall remain valid and in full force and effect.

**ARTICLE 5 THE BALANCE OF THE ENSLEY TOWNSHIP ZONING ORDINANCE
REMAINS UNCHANGED AND IN FULL FORCE AND EFFECT**

Except as expressly amended by this document, the Ensley Township Zoning Ordinance, as amended, remains unchanged and in full force and effect.

ARTICLE 6 EFFECTIVE DATE:

This Ordinance shall take effect upon the expiration of eight (8) days after its publication or eight (8) days after the publication of a summary of its provisions in a local newspaper of general circulation.

The vote in favor of this amendment was as follows:

AYES: Starr, Harwood, VanderMeulen, Folkema and Bird

NAYS: None.

ORDINANCE DECLARED ADOPTED.

Cynthia Harwood, Township Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF NEWAYGO)

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Ensley at a regular meeting held on the date first stated above, and I further certify that the public notice of such meeting was given as provided by law.

Cynthia Harwood, Township Clerk

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