

**Vergennes Township
Kent County**

Ordinance # _____
Adopted Date _____

AN ORDINANCE TO AMEND CHAPTER 4, GENERAL AND SPECIAL REGULATIONS OF THE VERGENNES TOWNSHIP ZONING ORDINANCE.

VERGENNES TOWNSHIP HEREBY ORDAINS:

Section 1. Amend Section 201.402 (B) "Accessory buildings, construction timing and location limitation" as shown below:

201.402 Accessory buildings, construction timing and location limitation.

- B. In the R-A, R-1, R-2, R-3, FR, R-L, and Court Ordered Districts~~District~~, one (1) accessory building may be permitted as a special exception use on a vacant parcel adjacent to a parcel with an existing residence as the principal use, subject to Section 5.02 and the following standards:
1. The applicant shall document that the two parcels under consideration cannot be permanently combined so as to form one parcel due to ordinance, statutory or other legal constraints.
 2. To be considered adjacent, the two parcels shall share a common boundary extending not less than one hundred (100) feet or be directly across a public street, private street, access easement or right-of-way; such that the side lot lines of both parcels under consideration are aligned or off-set by no more than fifty (50) feet, measured perpendicular to the side lot line.
 3. The applicant shall demonstrate that placement of the accessory building on the parcel with an existing residence as the principal use is physically impractical; or that physical or other constraints exist on the adjacent vacant parcel that limit the use of that parcel. In addition, the applicant shall demonstrate that approval of the special exception application will not have an adverse impact on adjacent lands.
 4. The two parcels must be and must remain in common ownership and a deed restriction, satisfactory to the Township Attorney, shall be recorded for the two parcels, stipulating that the two parcels shall be conveyed jointly so long as the accessory building is in existence.
 5. The provisions of this Section 4.02, B. shall be limited to two (2) parcels, so as to prohibit more than one (1) vacant adjacent parcel from having an accessory building. Only one vacant adjacent parcel shall include an accessory building.

6. The accessory building shall comply with the minimum setback requirements for a principal building, except the Planning Commission or Township Board may require greater or lesser setbacks to preserve rural views or to position the accessory building so that any future dwelling built on the parcel would meet minimum setback requirements.
7. Other applicable provisions pertaining to accessory buildings shall be met.

Section 2. Conflicts. If any provision of the Vergennes Township Ordinance conflicts with this amendment to the Zoning Ordinance, the most restrictive provision shall be applied.

Section 3. Severability. Should any section or part of this Ordinance be declared unconstitutional, null or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining sections or parts of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective eight (8) days after its publication in a newspaper of general circulation in the Township.

VERGENNES TOWNSHIP

Dated: _____

By: _____
Timothy Wittenbach, Supervisor

Dated: _____

By: _____
Mari Stone, Clerk

Date Published: _____