

KEENE TOWNSHIP

ORDINANCE NO. 23-11-14

ADOPTED DATE 11-14-2023

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
ARTICLE II DEFINITIONS AND ARTICLE XII SPECIAL USES**

THE TOWNSHIP OF KEENE ORDAINS:

Section 1: Amend the Definition Section with a new definition as shown below:

Accessory Dwelling: A single family dwelling unit consisting of either a stick built house, mobile home, converted out-building or other habitable space/structure used in conjunction with the main dwelling for the housing of non-paying visitors, guests or family, separate from the primary dwelling containing separate kitchen, and sleeping and bathroom facilities. Recreational vehicles or anything licensed or registered with the Secretary of State cannot be considered as an ADU.

Section 2: Amend the Special Use Section to add a new section as shown below:

Section 12.31 - Accessory Dwellings

- A. Accessory dwelling units (ADU), as defined in section 2.02, are allowed with a special exception use permit and subject to the following provisions:
1. The design of the ADU shall be compatible with the height, mass, and general design of local buildings and not detract from the general character in the immediate vicinity of the site.
 2. A maximum of one ADU is permitted per lot or parcel and must accompany a primary residence.
 3. ADU's shall be allowed in the AG, AR, RR, NR and LDR district and on a parcel of at least 2.5 acres.
 4. Setbacks for the underlying zoning district shall apply to ADU's but it may not be located in front of the primary residence.
 5. Height of ADU shall not exceed the height of the primary dwelling.
 6. Minimum square footage of an ADU shall be 400 square feet.
 7. Maximum square footage of an ADU shall not exceed the size of the main floor of the primary dwelling on the lot.
 8. Owners of the property may occupy as a primary residence either the principal or the accessory dwelling but must live on the parcel. For purposes of this section, the "owner" shall mean one who holds legal or beneficial title.

9. Regulations and permits for water and septic/sewer must be approved by the Ionia County Health Department.
10. A building permit must be approved by Ionia County Building Dept. and all codes met before a certificate of occupancy is issued.
11. No ADU shall be separated by ownership from the principal dwelling unit unless sufficient land area and frontage is met for the underlying zoning district and the regular dwelling square footage size of the ADU is met or exceeded.
12. In addition to parking area required for the principal dwelling, sufficient additional parking spaces shall be provided for the accessory residence.
13. The ADU shall not be rented or used for commercial or business purposes. The occupants may share or pay for expenses such as utility costs, internet, phone, television costs or maintenance of the ADU.
14. All ADU permits, conditions and standards for a second dwelling unit shall be passed on to future purchasers of the property to provide them with the details and restrictions of the ADU approval.
15. The application for such special exception use permit shall be made in accordance with Article XII, section 12.03 of this ordinance.

Section 3:

Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 4:

Repealer Clause. Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5:

Effective Date. This Ordinance shall be effective seven (7) days after publication.

ORDINANCE ADOPTED:

Yeas: 5

Nays: 0

Abstain: 0

Absent: 0

STATE OF MICHIGAN)

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COUNTY OF IONIA)

I, the undersigned, the duly elected Clerk of Keene Township, Ionia County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete representation of certain proceedings conducted by the Board of Trustees of said Township at a meeting held on this 14th day of November, 2023.

Tami Hardy

Keene Township Clerk

Published Date: November 24, 2023

Effective Date: December 1, 2023