

KASSON TOWNSHIP
LEELANAU COUNTY

ORDINANCE NO. 2017-01

AMENDMENT TO THE KASSON TOWNSHIP ZONING ORDINANCE

AN ORDINANCE TO AMEND THE KASSON TOWNSHIP ZONING ORDINANCE TO
AMEND THE DEFINITIONS OF “DWELLING, SINGLE FAMILY” AND “MOBILE
HOME”

KASSON TOWNSHIP HEREBY ORDAINS:

Section 1. AMENDMENT OF ZONING ORDINANCE

The Kasson Township Zoning Ordinance is hereby amended in the following manner: TEXT ADDITION – shown as bold, italics, all caps, Deletions – shown as strikethrough, bold, italics.

Section 2. CHAPTER 2 DEFINITIONS; SECTION 2.2 is amended by the following change to the definition of “ Dwelling, Single Family” as follows:

Dwelling, Single Family is a building designed for exclusive use and occupancy as a dwelling unit by one (1) family, complying with the following standards:

1. A single family dwelling shall have a minimum of ~~840~~ ***480*** square feet of living space.
- ~~2. It complies in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Commission under the provisions of 1972 P.A. 230, as amended, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards and regulations for construction are different from those imposed by the state building code, then, and in that event, such federal or state standard or regulation shall apply.~~
- ~~3. It is firmly attached to a permanent foundation constructed on the site in accordance with the building code in effect, and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single family dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's set-up instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission and shall have a perimeter wall as required above.~~
- ~~4. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage or chassis.~~
- ~~5. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local Health Department.~~
- ~~6. The dwelling contains a storage capability area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to, or of~~

better quality than the principal dwelling, which storage area shall be equal to ten (10%) percent of the square footage of the dwelling or one hundred (100) square feet, whichever shall be less. _____

- ~~7. The dwelling contains no additions or rooms or other areas which do not meet the same construction requirements listed above and are permanently attached to the principal structure.~~
- ~~8. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.~~
- ~~9. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance.~~
- ~~10. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable building code provisions and requirements.~~

2. DWELLINGS CONSTRUCTED ON SITE WITH BUILDING MATERIALS BROUGHT TO THE SITE, AND PRE-MANUFACTURED UNITS AS DEFINED UNDER THE MICHIGAN STATE CONSTRUCTION CODE, 1972 P.A. 230 ("PA 230"), AS AMENDED, SHALL COMPLY IN ALL RESPECTS WITH THE MICHIGAN STATE CONSTRUCTION CODE AS PROMULGATED BY THE MICHIGAN STATE CONSTRUCTION COMMISSION UNDER THE PROVISIONS OF PA 230, AS AMENDED. WHERE A DWELLING IS REQUIRED BY LAW TO COMPLY WITH ANY FEDERAL OR STATE STANDARDS OR REGULATIONS FOR CONSTRUCTION AND WHERE SUCH STANDARDS AND REGULATIONS FOR CONSTRUCTION ARE DIFFERENT FROM THOSE IMPOSED BY PA 230, THEN, AND IN THAT EVENT, SUCH FEDERAL OR STATE STANDARD OR REGULATION SHALL APPLY, IN ADDITION TO THOSE IN PA 230.

3. A MOBILE HOME AS DEFINED IN SECTION 2.2.

4. ALL DWELLING SHALL BE CONNECTED TO A PUBLIC SEWER AND WATER SUPPLY OR TO SUCH PRIVATE FACILITIES APPROVED BY THE LOCAL HEALTH DEPARTMENT.

5. A SINGLE FAMILY DWELLING DOES NOT INCLUDE A RECREATIONAL VEHICLE OR MOTOR HOME.

Section 3. CHAPTER 2 DEFINITIONS; SECTION 2.2 is amended by the following change to the definition of "Mobile Home" as follows:

~~**Mobile Home is a structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling only and required to be connected to the required utilities, and includes the plumbing, HVAC, and electrical system contained in the structure. Mobile home does not include a recreational vehicle or motor home.**~~

MOBILE HOME, AS DEFINED IN PA 230 SHALL MEAN A VEHICULAR, PORTABLE STRUCTURE AND SHALL MEET ALL OF THE FOLLOWING REQUIREMENTS:

- (I) IS BUILT ON A CHASSIS PURSUANT TO THE NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974, 42 USC 5401 TO 5426.**
- (II) IS DESIGNED TO BE USED WITHOUT A PERMANENT FOUNDATION AS A DWELLING WHEN CONNECTED TO REQUIRED UTILITIES.**
- (III) IS OR IS INTENDED TO BE, ATTACHED TO THE GROUND, TO ANOTHER STRUCTURE, OR TO A UTILITY SYSTEM ON THE SAME PREMISES FOR MORE THAN 30 CONSECUTIVE DAYS.**
- (IV) A MOBILE HOME SHALL OTHERWISE COMPLY WITH ALL OF THE REQUIREMENTS OF THE MOBILE HOME COMMISSION ACT, ACT 96 OF 1987 (“PA 96”), AS APPLICABLE, SHALL BE INSTALLED PURSUANT TO THE MANUFACTURER’S SET -UP INSTRUCTIONS, AND SHALL BE SECURED TO THE PREMISES BY AN ANCHORING SYSTEM OR DEVICE COMPLYING WITH THE RULES AND REGULATIONS OF THE MICHIGAN MOBILE HOME COMMISSION AND SHALL HAVE A PERIMETER WALL.**
- (V) EACH MOBILE HOME SHALL BE INSTALLED WITH THE WHEELS REMOVED. ADDITIONALLY, NO MOBILE HOME SHALL HAVE ANY EXPOSED TOWING MECHANISM, UNDERCARRIAGE OR CHASSIS.**

THE FOREGOING STANDARDS SHALL APPLY TO A MOBILE HOME LOCATED IN A LICENSED MOBILE HOME PARK EXCEPT TO THE EXTENT OTHERWISE REQUIRED BY STATE OR FEDERAL LAW OR AS SPECIFICALLY REQUIRED IN THIS ORDINANCE.

A MOBILE HOME DOES NOT INCLUDE A RECREATIONAL VEHICLE OR MOTOR HOME.

Section 8: Effective Date

This Ordinance shall become effective thirty (30) days after publication in accordance with law.

At a regular meeting of the Township Board for Kasson Township held on the 13th day of February, 2017, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Voting for:

Voting against:

The Township Supervisor declared the ordinance adopted.

/s/ Gregory Julian
 Gregory Julian
 Township Supervisor

The foregoing is a true copy of Ordinance No. 2017-01 which was enacted by the Township Board for the Kasson Township at a regular meeting held on _____.

 /s/ Traci J. Cruz _____
Traci J. Cruz
Township Clerk