

ORDINANCE NO: _____

AN ORDINANCE TO AMEND EXISTING SUMPTER TOWNSHIP ZONING ORDINANCE ARTICLE 2 SECTION 2.2 (Definitions), ARTICLE 5 SECTION 5.3 (Accessory Buildings), AND TO AMEND ARTICLE 6 BY ADDING SECTION 6.57 (Special Provisions) TO PROVIDE FOR A PORTABLE STORAGE CONTAINER USE UNDER CERTAIN CONDITIONS FOR THE STORAGE AND SHIPMENT OF HOUSEHLD GOODS, WARES, BUILDING MATERIALS, OR MERCHANDISE ON A TEMPORARY BASIS

Sumpter Township Zoning Ordinances Article 2 Section 2.2, Article 5 Section 5.3, and Article 6 adding Section 6.57, is amended as follows:

ARTICLE 1

Sec. 1. Intent and Purpose.

Sec. 1 Purpose. The purpose of this amendment is to amend Ordinance Nos. Article 2 Section 2.2, Article 5 Section 5.3 and Article 6 adding 6.57 and otherwise establish the requirements required by the Township of Sumpter to allow for a portable storage container to be used on private property under certain conditions as further defined herein.

Sec. 2 Conflict with State Law. Nothing in this Ordinance amendment shall be construed in such a manner as to conflict with any existing law of the State of Michigan or any other regulatory authority having jurisdiction in the matters referred to herein.

ARTICLE 2. Definitions

Sec. 1. Definitions. The following definitions shall be added to Section 2.2.

Portable Storage Container. A non-habitable, transportable, weather-resistant receptacle designed and used for the storage or shipment of household goods, wares, building materials or merchandise on a permanent or temporary basis.

ARTICLE 3. Accessory Buildings, Structures and Uses

Sec. 1. The following language shall amend and otherwise replace the current language in 5.3 (a) pertaining to Detached Accessory Buildings (Residential) and the current language in 5.3(a)(1) and (2):

All accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- (a) Detached Accessory Buildings (residential). Detached accessory buildings which are accessory to single-family residential uses in all residential districts, including the AG, RF, R, RM and RMH districts, with the exception of farm buildings and structures associated with a legally existing farm operation protected under the Right to Farm Act, shall conform to the following requirements:

- (1) Relation to Principal Building. Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building that is occupied by a use permitted in the particular zoning district. In the agricultural (AG) district, an accessory building or structure may be permitted on a separate lot in conjunction with activity of a permitted use on another lot under the same ownership.
- (2) Permit Required and Exemptions. Before a building permit can be issued, a certificate of zoning compliance shall be sought and will be issued if determined by the Zoning Administrator that all ordinance provisions have been satisfied. The following accessory buildings are exempt from this standard:
 - A. One shed of up to two hundred (200) square feet in area, no more than fourteen (14) feet tall and located within the rear yard.
 - B. School bus shelters
 - C. Temporary buildings for the incidental sale of crops or products grown on the premises.
 - D. Portable Storage Containers, subject to section 6.57.

ARTICLE 4. The following language shall amend and otherwise replace the current language in Article 6 Special Provisions by adding the following:

Section 6.57. - Portable Storage Containers.

Portable storage containers may be permitted in all zoning districts subject to the following regulations:

- (a) In agricultural and residential zoning districts, no more than one (1) temporary or permanent portable storage container may be permitted on a property at one time. In commercial and industrial zoning districts (including the Central Business District), no more than two (2) temporary or permanent portable storage containers may be permitted on a property at one time.
- (b) A portable storage container shall not be utilized for or contain habitable space.
- (c) Portable storage containers may not be located in an area that would interfere with vehicular or pedestrian circulation or cause reduced visibility at street intersections.
- (d) A portable storage container may be utilized as a permanent detached accessory structure incidental to a principal structure, subject to the following additional standards:
 - (1) A permanent portable storage container shall be located within the rear yard and shall be set back at least ten (10) feet from side and rear property lines and at least ten (10) feet from the principal structure.
 - (2) An individual permanent portable storage container shall not exceed two-hundred (200) square feet in area and eight and a half (8.5) feet in height.
 - (3) All permanent portable storage container shall provide ventilation for fresh air. Said source of ventilation shall be at a rate of one (1) square foot per every

one-hundred (100) square feet, or portion thereof, of portable storage container floor area. Said ventilation shall be installed at the highest point of the permanent portable storage container.

- (4) The exterior color of all permanent portable storage containers shall match or compliment the exterior of the principle structure on the same property.
- (5) The exterior appearance of all permanent portable storage containers shall be maintained and absent of all rust, holes, and any other evidence of aging or wear.

(e) A portable storage container may be utilized on a temporary basis, subject to the following additional standards:

- (1) A temporary portable storage container may be placed on a paved or gravel off-street surface in the front yard. In all cases, temporary portable storage containers shall be set back at least ten (10) feet from all property lines.
- (2) For properties without an active building permit, the use of not more than one (1) temporary portable storage container is permitted for not more than sixty (60) continuous or separate days per 365 days. Said 365 days shall begin on the initial day the temporary storage container is temporarily placed on the property. Example: if temporary storage container is placed on a property with an active building permit, temporary portable storage containers shall be removed no later than twelve (12) days after the issuance of a certificate of occupancy or the completion of construction.
- (3) An individual temporary portable storage container shall not exceed three-hundred twenty (320) square feet and eight and a half (8.5) feet in height.
- (4) The Zoning Administrator may authorize additional time to utilize temporary portable storage containers based upon reasonable storage needs and construction needs upon the written request of the applicant, but in no case, shall the Zoning Administrator allow such storage containers on properties without active building permits for greater than four (4) months.

ARTICLE 5.

Severability. Should any word, sentence, phrase, or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of this Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

ARTICLE 6.

Conflicting Ordinances. All prior existing ordinances adopted by the Township of Sumpter inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed. All prior ordinances adopted by the Township of Sumpter that are not inconsistent or do not conflict with the provisions of this amending Ordinance shall continue in full force and effect and without modification thereto.

ARTICLE 7.

This ordinance shall become effective thirty (30) days immediately after publication.

ARTICLE 8.

This ordinance shall be recorded by the Township Clerk in the Township Code of Ordinances upon adoption. This ordinance shall be authenticated by the signatures of the Township Supervisor and the Township Clerk. A true copy of the complete ordinance can be inspected at the Sumpter Township Hall, 23480 Sumpter Road, Belleville, Michigan 48111.

This Ordinance was approved for a first reading by the Township of Sumpter, County of Wayne, State of Michigan, at a regular Board meeting held on January 9, 2018 and was further approved and adopted under a second reading by the Township of Sumpter, County of Wayne, and State of Michigan at a regular Board meeting held on January 23, 2018.

I hereby certify that the foregoing is a true copy of the Ordinance exactly as passed and adopted by the Township Board of Trustees of the Township of Sumpter at a regular Township Board Meeting held in the Township of Sumpter on January 23, 2018.

Esther Hurst, Township Clerk

I further certify that the foregoing was published in the Belleville Independent, a newspaper of general circulation in the Township of Sumpter, on the 1st day of February, 2018.

Esther Hurst, Township Clerk