

ORDINANCE #18-05 Z
AN ORDINANCE TO AMEND THE TEXT OF THE LEXINGTON
TOWNSHIP ZONING ORDINANCE TO REGULATE SETBACKS
FROM THE BLUFFLINE

THE TOWNSHIP OF LEXINGTON ORDAINS:

ARTICLE 1:

CHAPTER 3, General Provisions, Schedule B- Site Development Standards, Footnote 5 is hereby amended to add new definitions which shall read as follows:

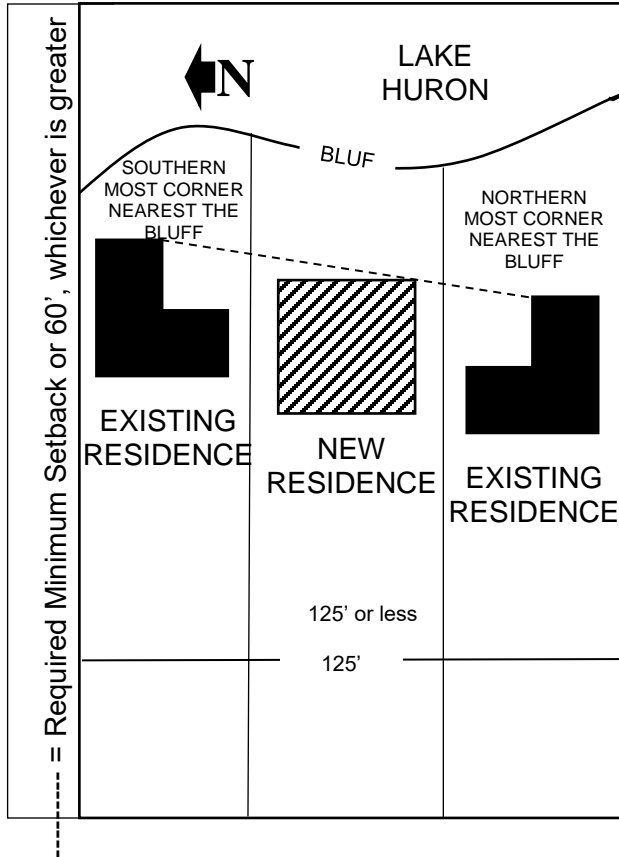
Scenario 1: The setback for new construction, in the case of existing buildings on adjacent parcels where said existing buildings are situated 125' from the bluffline or less, shall be established by drawing a straight line between the adjacent buildings on each side of the subject parcel, and this straight line shall be the required minimum setback for the subject parcel. Said straight line shall be drawn from the southernmost corner nearest the bluff on the building to the north, to the northernmost corner nearest to the bluff on the building to the south.

Scenario 2: In the event only one of the adjacent parcels has an existing building situated 125' or less from the bluff, then the new building shall not extend further eastward than the furthest east corner of said existing building located on the adjacent property situated 125' or less from the bluff.

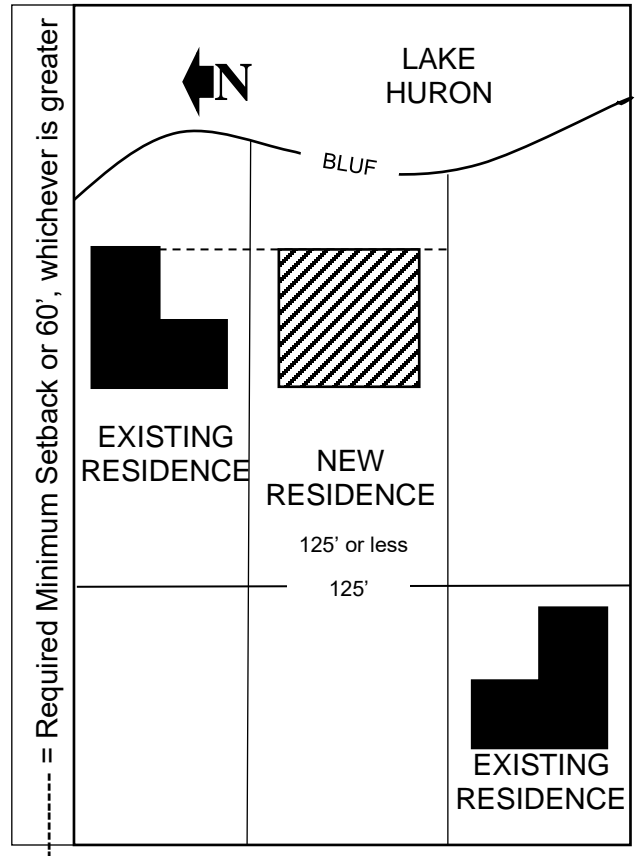
Scenario 3: Notwithstanding the above established setback, in no event shall the minimum setback of any new construction be less than 60' from the bluffline as defined in the definitions section of this Ordinance.

This setback shall also apply to any addition or alteration to an existing structure.

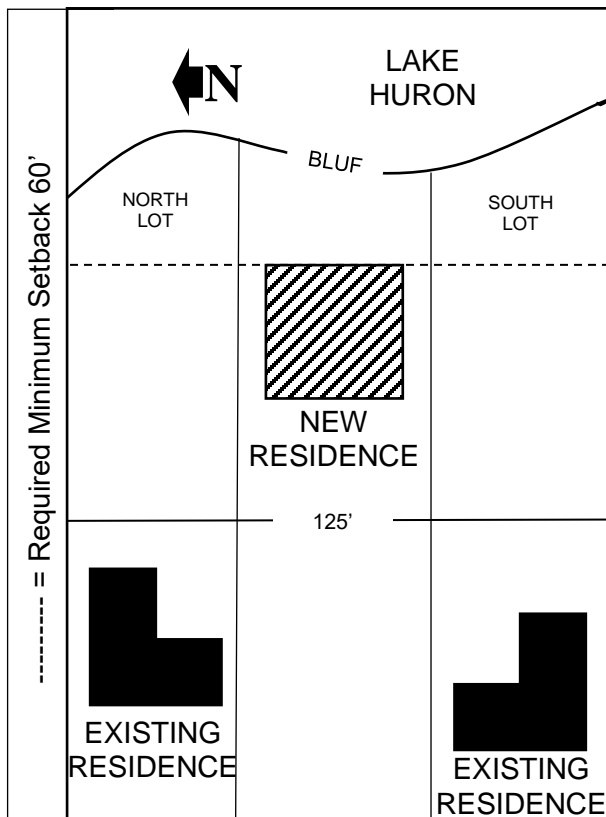
Footnote 5 – scenario 1



Footnote 5 – scenario 2



Footnote 5 – scenario 3



ARTICLE 2 SEVERABILITY CLAUSE:

The various parts of this ordinance shall be deemed severable. Should any section, paragraph, or provision hereof be held by the courts to be unconstitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part held to be unconstitutional or invalid.

ARTICLE 3 REPEAL:

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict, to the extent that this ordinance conflicts with any other ordinance this ordinance shall control (supersede).

ARTICLE 4 EFFECTIVE DATE:

Public hearing having been held hereon, the provisions of this Ordinance shall take effect upon the expiration of seven days after publication, pursuant to the provision of Section 401 (6), Act 110 of the Public Acts of 2006, as amended.

ARTICLE 5 ADOPTION:

Made and passed by the Township Board of Lexington Township, Sanilac County, Michigan, on this 27th day of November, 2018_, A.D.

Date of Public Hearing: September 19, 2018

Date of Adoption by Township Board: November 27, 2018

Date of Publication: December 7, 2018

Date and Time Ordinance Shall Take Effect: December 15, 2018; at 12 noon.

Certification

I, Katherine Calamita, Clerk of the Township of Lexington, do hereby certify that Ordinance No. 18-05 Z was adopted by the Township Board at a regular meeting of the Township Board held at the Township Hall on the 27th day of November 2018.

Vote on this Ordinance, 5 members being present, was as follows:

AYES: PARTAKA CALAMITA MILLETICS McALLISTER JAHN

NAYS: None

I further certify that said Ordinance No. 18-05 Z, adopted by the Township Board on the 27th day of November, 2018, was published once in The Jeffersonian, a newspaper published and circulated in the Township of Lexington, County of Sanilac, on the 7th day of December, 2018 is being the first and final day of publication of this ordinance.

Katherine Calamita, Clerk
Township of Lexington