

DANBY TOWNSHIP

ORDINANCE NO. _____

Adopted: 5-30-19

Effective Date: 5-16-19

**AN ORDINANCE TO AMEND THE DANBY TOWNSHIP ZONING
ORDINANCE OF CHAPTER 13, SECTION 13.07 K a-b, SHOWN
BELOW IN ITS ENTIRETY.**

THE TOWNSHIP OF DANBY ORDAINS:

SECTION 1:

The section 13.07 K a-b as shown below is the current language.

Section 13.07 K.2 a-b

2. Setbacks, Buffers, and Separation.
 - a. Setbacks for excavation areas shall be no less than 100 feet from lot lines. Separation of excavation areas from off-site residential dwellings shall be no less than 200 feet.
 - b. The Township Board may approve requests for setbacks and separations less than those required by this section if the owners of abutting property where the reductions are proposed provide written support of the request. However, setbacks shall not be reduced less than 50 feet from any lot line. When considering requests for reduction, the Township Planning Commission and Board shall consider the health, safety, and welfare of the community.

The above language being replaced is shown below as the amendment.

2. Setbacks, Buffers and Separation.
 - a. No excavation shall occur within 100 feet of a road right-of-way; within 200 feet of an off-site residence, housing development or residential district; and within 100 feet of a property line other than the above limits.
 - b. The special land use permit may allow mineral extraction within the required setback area set forth above if a property owner, or owners, abutting that portion of the site affected by the minimum setbacks provide written consent prior to the Planning Commission's recommendation of the site plan. However, in no case shall an excavation occur within 200

feet of an off-site residence or 100 feet of a property owned by a non-consenting party.

SECTION 2:

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 3:

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 Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.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 4:

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

ADOPTED:

Yeas: 4

Nays: 0

Absent: 1

STATE OF MICHIGAN)

)

COUNTY OF IONIA)

I, the undersigned, the duly elected Clerk of Danby 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 30th day of May, 2019.

Kristina Platte

Danby Township Clerk