

CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF ORDINANCE ADOPTION

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF OSHTEMO, KALAMAZOO COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that on the 14th day of August, 2012, at a regular meeting of the Township Board of the Charter Township of Oshtemo, Kalamazoo County, Michigan, the Township Board of said Township amended the Oshtemo Charter Zoning Ordinance, by revising the following sections to read, in summary, as follows:

1. Amendment of Section 11 entitled, Definitions, to add the Subsection 11.230 Bed & Breakfast Inn definition, to read, in summary, as follows:

11.230 Bed & Breakfast Inn.

A private residence that offers sleeping accommodations to lodgers on a temporary basis in the innkeeper's residence in which the innkeeper resides.

2. Amendment of Section 19.000 Agricultural District, Subsection 19.400 Special exception uses to add Subsection 19.406, which in summary, shall read as follows:

19.406 Bed & Breakfast Inns, subject to the following conditions and limitations:

- (a) **Residency.** The dwelling unit shall be the principal residence of the real property owner and operator.
- (b) **Rooms.** The number of rooms shall be limited to six.
- (c) **Occupancy.** Occupancy shall be of a transient nature for periods not to exceed 14 consecutive days.
- (d) **Character.** Residences shall be suitable in character for the use proposed.
- (e) **Meals.** Meals shall only be available to residents, employees, and overnight guests.
- (f) **Licenses.** Proof of state and county licenses shall be submitted.
- (g) **Sign.** A non-animated sign not exceeding six square feet in area may be provided.
- (h) **Parking.** Parking shall be provided in accordance with the requirements in Section 68 and as set in the Ordinance.
- (i) **Refuse Storage.** Beyond what might normally be expected for a detached single-family dwelling shall be screened from view.
- (j) **Annual Review.** Special use permits shall be subject to annual review with on-site inspections.

(k) **Impact.** Bed and Breakfast Inns shall comply with the provisions of the Township Anti-Noise and Public Nuisance Ordinance.

3. Amendment of Section 20.000 Rural Residential District, Subsection 20.400 Special exception uses, to add Subsection 20.411, which in summary, shall be as follows:

20.411 Bed & Breakfast Inns subject to the conditions and limitations set forth in Section 19.406.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed Ordinance has been posted in the Office of the Township Clerk and on the Township's Website.

PLEASE TAKE FURTHER NOTICE that this Ordinance will take effect August 31, 2012. A copy of this Ordinance may be purchased or inspected at the office of the Township Clerk at any time during regular business hours of regular business days at the following stated address.

DEBORAH L. EVERETT, CLERK
OSHTEMO CHARTER TOWNSHIP
7275 West Main Street
Kalamazoo, MI 49009
Telephone: (269) 375-4260

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 529

Adopted: August 14, 2012

Effective: August 31, 2012

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, Section 19 Agricultural District, Subsection 19.400 Special exception uses, by the addition of Subsection 19.406 Bed & Breakfast Inns, as well as the amendment of Section 11 Definitions to add Subsection 11.230 to define a Bed & Breakfast Inn, and the amendment of Section 20 Rural Residential District, Subsection 20.400 Special exception uses to add Subsection 20.411 Bed & Breakfast Inns. The Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 11.000 DEFINITIONS. Section 11.000 Definitions of the Oshtemo Charter Township Zoning Ordinance is hereby amended to add Subsection 11.230 Bed & Breakfast Inn to read as follows:

11.230 Bed & Breakfast Inn.

A private residence that offers sleeping accommodations to lodgers on a temporary basis in the innkeeper's residence in which the innkeeper resides while renting the rooms to lodgers and serves meals at no extra cost to its lodgers.

SECTION II.

AMENDMENT OF COMPILED SECTION 19.000 AGRICULTURAL DISTRICT. Section 19.000 Agricultural District, Subsection 19.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of Subsection 19.406 to read as follows:

- 19.406 Bed & Breakfast Inns, subject to the following conditions and limitations:
- (a) **Residency.** The dwelling unit in which the bed and breakfast inn is located shall be the principal residence of the real property owner and operator, and the real property owner and operator shall live on the premises when the bed and breakfast operation is active.
 - (b) **Rooms.** The number of rooms available for guests shall be limited to six.
 - (c) **Occupancy.** Occupancy shall be of a transient nature for periods not to exceed 14 consecutive days in duration in any one month by any particular guest. A guest registry shall be maintained and could be subject to inspection by the Township upon request.
 - (d) **Character.** Residences used for bed & breakfast inns shall be suitable in character for the use proposed and shall not be cause for a change in character of the neighborhood.
 - (e) **Meals.** Meals or other services provided on the premises shall only be available to residents, employees, and overnight guests of the establishment.
 - (f) **Licenses.** Proof of application for state and county licenses shall be submitted. Required licenses shall be obtained prior to commencement of the use.
 - (g) **Sign.** A non-animated sign not exceeding six square feet in area may be provided. Such sign may be provided as a ground sign or a wall sign. The location of the sign shall be approved by the Planning Commission at the time of site plan review. If illuminated the sign shall satisfy the requirements of Section 76.410 of the Township Zoning Ordinance.
 - (h) **Parking.** Parking shall be provided in accordance with the requirements in Section 68.
 - (1) One off-street parking space shall be provided for each lodging room and two off-street spaces shall be provided for the owner. Required spaces may be provided in an enclosed structure.
 - (2) No parking shall be permitted in the front yard.
 - (3) Parking spaces shall be screened from the road and adjacent properties in accordance with the requirements of Section 75.140.
 - (4) Parking spaces shall be configured so as not to disturb the residential appearance of the neighborhood. The Planning Commission may require additional landscape buffering to preserve neighborhood appearance.

- (i) **Refuse Storage.** Exterior refuse storage facilities beyond what might normally be expected for a detached single family dwelling shall be screened from view in accordance with the standards in Section 75.160. Landscape screening may be substituted for the fence or wall required in said section provided it will provide similar, opaque, all-season screening.
- (j) **Annual Review.** Special use permits shall be subject to annual review with on-site inspections. The review shall be conducted administratively unless significant changes or problems warrant Planning Commission review. Annual approval must be received from local fire and building inspectors for adequate exits, smoke alarms, and general fire prevention and health department code adherence, which may be subject to an inspection fee in accordance with the Township Fee Schedule.
- (k) **Impact.** Bed and Breakfast Inns shall comply with the provisions of the Township Anti-Noise and Public Nuisance Ordinance (Part 214 of the General Code of Ordinances) and shall produce no offensive noise, traffic, glare, vibration, smoke, electrical interference, dust, odors, or heat that would be detrimental to the character of the neighborhood. Any glare, vibration, smoke, electrical interference, dust, odors, or heat detectable beyond the property lines shall constitute a violation of the terms of this provision. Any such violations shall be enforceable under the terms of the Anti-Noise and Public Nuisance Ordinance and/or Zoning Ordinance as applicable.

SECTION III.

AMENDMENT OF COMPILED SECTION 20.000 RURAL RESIDENTIAL DISTRICT. Section 20.000 Rural Residential District, Subsection 20.400 Special exception uses of the Oshtemo Charter Township Zoning Ordinance is hereby amended by the addition of Subsection 20.411 to read as follows:

20.411 Bed & Breakfast Inns subject to the conditions and limitations set forth in Section 19.406.

SECTION IV.

EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect eight (8) days after publication.

DEBORAH L. EVERETT, Clerk
OSHTEMO CHARTER TOWNSHIP