

**CHARTER TOWNSHIP OF SOUTH HAVEN**

**ORDINANCE NO. 137**

**ORDINANCE AMENDING THE ZONING ORDINANCE OF SOUTH HAVEN  
CHARTER TOWNSHIP**

**SOUTH HAVEN CHARTER TOWNSHIP ORDAINS:**

**Section 1. Purpose.**

The Township adopts the following amendments for the health, safety and welfare of Township residents.

**Section 2. Amendment of Article XI, Section 11.03.** Subparagraph “S” in Article XI section 11.03 of the Township Zoning Ordinance entitled “PERMITTED SPECIAL USES WITH CONDITIONS” in the “Community Service Commercial District” shall be amended to read in its entirety as follows:

- S. Contractor building, structures, equipment and materials storage yards for building and other types of construction materials.**

**Section 3. Amendment of Article XV.** Article XV of the Township Zoning Ordinance shall be amended to add a new Section 15.32 and 15.33 which shall read, in their entirety, as follows:

**SECTION 15.32 – CONTRACTOR BUILDING, STRUCTURES, EQUIPMENT  
AND MATERIALS STORAGE YARDS FOR BUILDING  
AND OTHER TYPES OF CONSTRUCTION MATERIALS**

Permitted as a Special Use in the CSC (Community Service Commercial) zoning district, subject to the following regulations:

- A. The minimum lot size shall be 90,000 square feet.
- B. The minimum lot width and depth shall be 300 feet.
- C. Required storage yard setbacks shall be:
  - 1. Front setback from street right-of-way – 50 feet
  - 2. Side setbacks on each side – 50 feet
  - 3. Rear setback – 50 feet

- D. Screening and buffering shall conform to Section 18.30 when adjacent properties are zoned for any use except HD and I.
- E. Direct access for all ingress and egress shall be from a Class A road.

**SECTION 15.33 – ELECTRONIC RECEIVING, TRANSMITTING AND RELAY FACILITIES**

Note: Small-cell distribution or Mini-micro transmission (two or fewer) antennas, mounted upon existing structures and extending no more than ten (10) feet above the top of the existing structure are exempt from Special Use requirements and may be approved administratively in any zoning district.

All other transmission towers shall conform to the conditions listed below:

- A. The minimum lot size shall be three (3) acres.
- B. The lot shall be so located that at least one (1) property line abuts a public thoroughfare and the ingress and egress shall be directly upon said thoroughfare.
- C. The front yard setbacks and side and rear yards for each tower from adjacent right-of-ways and/or property lines shall be not less than the height of each tower above ground.
- D. Unless specifically waived by the Planning Commission, an open air fence six (6) feet or more in height shall be constructed on the boundary property lines.
- E. Construction plans shall be approved by an engineer licensed by the State of Michigan.

**Section 4. Validity and Severability.**

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. 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 5. 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 6. Effective Date.**

This Ordinance shall take effect seven days after publication as provided by law.

