

VILLAGE OF CLIMAX

KALAMAZOO COUNTY, MICHIGAN

ORDINANCE No. 41

AN ORDINANCE TO AMEND THE CLIMAX VILLAGE CODE TO PERMIT EXISTING SINGLE FAMILY AND TWO FAMILY RESIDENTIAL STRUCTURES TO REMAIN AS A PERMITTED USE IN THE C-1 COMMERCIAL DISTRICT, GENERAL; TO PROVIDE STANDARDS FOR SETBACKS, SCREENING AND ACCESSORY STRUCTURES ASSOCIATED WITH RESIDENTIAL USES IN THE C-1 DISTRICT; TO PROVIDE FOR SPECIAL EXCEPTION REVIEW OF PROPOSED RESIDENTIAL STRUCTURES IN THE C-1 DISTRICT; TO REQUIRE SITE PLAN APPROVAL FOR CONVERSION OF RESIDENTIAL STRUCTURES TO PERMITTED COMMERCIAL OR OFFICES USES IN THE C-1 DISTRICT; TO DELINEATE ADDITIONAL PERMITTED COMMERCIAL AND OFFICE USES IN THE C-1 DISTRICT AND TO PROVIDE OTHER REGULATIONS FOR DEVELOPMENT IN THE C-1 DISTRICT.

THE VILLAGE OF CLIMAX ORDAINS:

Section 1. Amendment to Article V, Section 5.113 (B).

Article V, Section 5.113(B) (Permitted Uses) is hereby amended to add a new subsection 28, which shall now read:

“28. Single family and two family residential structures existing within the present C-1 Commercial District, General, as of the effective date of this Ordinance. Such residential structures shall be considered conforming and shall be permitted to be reconstructed, enlarged and improved in accordance with the lot, yard and area requirements of the R-3 Residential District, single and two family.”

Section 2. Repealer.

All Ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

Section 3. Severability.

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any Court of competent jurisdiction hold any section,

term provision or clause void and/or invalid, all remaining sections, terms, provisions and/or clauses not held void and/or invalid shall continue in full force and effect.

Section 4. Effective Date.

This Ordinance shall take effect eight days following publication after adoption.

Adopted on April 5, 2005

Published in the Climax Crescent newspaper April 8, 2005

Effective Date: April 16, 2005

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CERTIFICATE

I, Scott Torrance, Village Clerk for the Village of Climax, do hereby certify that the foregoing Climax Ordinance No. 41 adopted by the Village Council at a regular meeting held on April 5, 2005, and that the following is a record of the vote of the members of said Village Council on said Ordinance.

AYES: Bill Rogers, Salli Thompson, Bill Twiss, Tricia Willis and Bradley J. Wyant.

NAYS: None

ABSENT: Tom Jones.

ABSTAIN: Terry Strong.

Scott Torrance, Village Clerk