

Amendment to Zoning Ordinance

An ordinance to amend the Saline Township Zoning Ordinance by deleting the existing regulations and adopting new regulations regarding Home Occupation standards

THE TOWNSHIP OF SALINE ORDAINS:

Section 1. Amendment to Section 18.02

Amend Section 18.02, Definitions, by deleting the current definition of Home Occupation (Section 18.02.84) and replacing with the following:

84. **Home Occupation:**
- a. Home Occupation / Category One: A definition describing home occupations customarily carried on within a home with no exterior alteration or effects to the residential character of the area. It is intended that no permit would be required by the Township for a Home Occupation / Category One.
 - b. Home Occupation / Category Two: A definition describing home occupations customarily incidental and secondary to the residential use of the property but may be allowed within an accessory structure in the A-1 Agriculture-Conservation District and approved after Special Use review pursuant to Section 12.02 of the Saline Township Zoning Ordinance.

Section 2. Amendment to Section 5.204

Amend Section 5.204, Home Occupation, by deleting the current Section 5.204 regarding Home Occupations and replacing with the following:

Section 5.204 Home Occupations.

- A. Category One
 - 1. A home occupation / category one shall be a permitted use in any Zoning District.
 - 2. A home occupation / category one must be clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes, and shall not change the character of the residential nature of the premises, both in terms of use and appearance.

Such home occupation shall be carried on within the dwelling that is occupied by the owner of the home occupation/ category one. Outdoor storage of goods or materials associated with a home occupation/category one is strictly prohibited.

3. A home occupation / category one use shall not create a nuisance or endanger the health, safety, welfare, or enjoyment of any other person in the area by reason of noise, vibration, glare, fumes, odor, unsanitary or unsightly conditions, fire hazards, or the like, involved in or resulting from such home occupation.
4. No employees shall be permitted, either gratuitously or for compensation of any kind, other than members of the resident family.
5. There shall be limited additional vehicular traffic permitted for the home occupation / category one, such as is normally generated for a dwelling unit in a residential area, both as to volume and type of vehicles.
6. A home occupation / category one permit shall not require a permit from Saline Township, however all standards of this section must be met.

B. Category Two

1. A home occupation / category two shall be a Special Use solely in the A-1 District and shall be reviewed in accordance with the procedures and standards set forth in Section 12.02 Special Uses.
2. A home occupation / category two must be clearly incidental and secondary to the primary use of the dwelling unit for dwelling purposes, and shall be compatible with the character of the agriculture and residential nature of the premises, both in terms of use and appearance. Such home occupation shall be carried on either within the dwelling that is occupied by the owner of the home occupation or within an approved accessory building located on the same parcel as the dwelling unit.
3. Accessory structures used for the purpose of accommodating a category two home occupation shall not exceed 1000 square feet in area.
4. Outdoor storage of goods or materials associated with a home occupation / category two may be permitted upon the recommendation of the Planning Commission and approval of the Township Board. All outdoor storage must be setback a

minimum of fifty (50) feet to all residentially used or zoned property and be screened using 1 or more of the methods described in Section 8.04 Methods of Screening found in this ordinance as approved by the Township.

5. A home occupation / category two use shall not create a nuisance or endanger the health, safety, welfare, or enjoyment of any other person in the area by reason of noise, vibration, glare, fumes, odor, unsanitary or unsightly conditions, fire hazards, or the like, involved in or resulting from such home occupation.
6. Up to two (2) employees shall be permitted other than members of the resident family.
7. The nature, location and size of the home occupation/category two shall not change the essential character of the surrounding area or disrupt the orderly and proper development of the AG-1 District.
8. The Township may impose additional conditions and regulations, as it deems necessary, to adequately protect adjoining residents and property owners. It may require that the particular business be operated only for a specified period of months or years unless an additional permit is granted. A home occupation / category two shall operate within the hours and days, as set in the conditional land use permit.
9. Any expansions to the building or structure approved to contain the home occupation / category two, or any additional buildings or structures proposed to be built on the subject property that will increase or expand the home occupation / category two shall be considered an amendment to the original permit, subject to review and approval by the Township Board, upon a review and recommendation by the Planning Commission.
10. An application for a home occupation / category two permit shall be submitted to the Township Clerk in accordance with Section 12.02 of the Zoning Ordinance.

Section 3 Inconsistencies Repealed.

Any and all other ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Section 4 Severability.

Should any section, clause or paragraph of this Ordinance be declared by court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance

as a whole or part hereof other than the part declared to be invalid.

Section 5. Saving Clause.

That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 6. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect seven (7) days following publication in a newspaper of general circulation within the Township. This Ordinance is hereby declared to have been adopted by the Saline Township Board of Trustees in a meeting duly called and held on August 8, 2011.

YEAS: (5) Prehn, J. Marion, K. Marion, Gordon and R. Marion
NAYS: (0)

ORDINANCE DECLARED ADOPTED ON AUGUST 8, 2011.