

ORDINANCE NO. 2022 - 03

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF HARRISON
BY

THE CITY OF HARRISON ORDAINS:

City Code Section 16.003 is hereby repealed and restated, as follows:

A. Applications

1. An application for a proposed land division shall be submitted through the City Clerk. Each application shall be accompanied by the following, unless deemed unnecessary by the Zoning Administrator.

- a) the payment of a fee as established by the City from time to time by resolution;
- b) a completed application form, as provided by the City;
- c) a complete and accurate legal description of each proposed lot or parcel created by the land division;
- d) a detailed written description of the development planned for such land divisions, including a description of any proposed association or other entity which shall be responsible for operation and maintenance of any private streets, open spaces or other similar uses or activities;
- e) a graphic or written description of any previous land divisions from the parent parcel including the size, number, and date of such divisions;
- f) evidence of approvals from the City Public Works Department for City water and sewer service or County Public Health Department for on-site water supply and sewage disposal;
- g) three (3) copies of a complete tentative parcel map drawn to scale, which shall be not less than 1" = 20' for property totaling under three (3) acres and at least 1" = 100' for those totaling three (3) acres or more. The parcel map shall be prepared by a registered engineer or land surveyor or other such person determined by the City to be qualified to complete such parcel maps.
- h) The tentative parcel map shall include, at a minimum:
 - (1) Date, north arrow, scale, and name of the individual or firm responsible for the completion of the tentative parcel map.
 - (2) Proposed lot lines and their dimensions.

(3) Location and nature of proposed ingress and egress locations to any existing public or private streets.

(4) The location of any public or private street, driveway, or utility easements to be located within any proposed lot or parcel. Copies of the instruments describing and granting such easements shall be submitted with the application.

(5) General topographical features including contour intervals no greater than ten (10) feet.

(6) Any existing buildings, public or private streets, and driveways within one hundred (100) feet of all proposed property lines.

(7) The zoning designation of all proposed lots or parcels.

(8) Small scale sketch of properties and streets within one quarter ($\frac{1}{4}$) mile of the area.

(9) Proposed method of handling storm water drainage.

2. Applications for land divisions shall not be accepted unless all of the required materials are submitted and are complete.

3. The application, along with the required materials shall be forwarded to the City Assessor.

B. Land divisions shall be reviewed and approved by the City Assessor. The Assessor shall review the application and such other available information including recommendations or reports from the City Planner, attorney, engineer, or other party, and shall approve, approve with conditions, or deny the request, and incorporate the basis for the decision and any conditions which should be imposed.

C. The approval, approval with conditions, or denial of a land division shall be accomplished within thirty (30) days after the date a completed application is accepted by the City Clerk.

D. Approval of a land division does not grant approval for any specific uses of such divided lot or parcel. Any lot or parcel proposed for division must comply with the requirements of the City of Harrison's Zoning Ordinance.

E. Land division approvals shall be valid for a period of ninety (90) days from the date of approval by the City Assessor. If such lots or parcels proposed by the land division are not properly recorded and accepted by the Clare County Register of Deeds within this period the land division approval shall be considered null and void and a new application shall be submitted in compliance with the requirements of this ordinance.

City Zoning Ordinance Article 6, Section 6.4 is hereby added, as follows:

Section 6.4

Destruction of nonconforming residences.

Any residence in existence at the time that the City enacted this Zoning Ordinance, that would not be permitted under the terms of this ordinance because there is a dimensional deficiency:

- a) The lot or parcel does not meet the requirements of this ordinance for minimum size, width, depth, or road frontage; or
- b) The residence occupies part or all of a required yard or setback specified by this ordinance; or
- c) The residence covers proportionately more of the available lot, than would be possible under the terms of this ordinance;
If destroyed by fire, or a sudden destruction by the elements (as opposed to becoming obsolete or dilapidated by the passage of time itself) may be replaced, as follows:
 - d) The residence is replaced upon the exact footprint of the previous, destroyed home; or
 - e) If practicable given the dimensions of the nonconforming lot, the residence is replaced with the required yards or setbacks observed as required by this ordinance, including the maximum structure height is observed; and
- f) The minimum residence size requirements of this ordinance are met.
- g) The minimum residence size for all residential zones shall be 990 Sq. Ft.

I hereby certify that the foregoing was duly adopted by the CITY COUNCIL of CITY OF HARRISON, Michigan, at its regular meeting on the Seventh (7th) of November, 2022, that of _____ members of the City Council, _____ were in attendance and _____ voted for the adoption of the Ordinance. I further certify that the above and foregoing ordinance is recorded in Ordinances for the CITY OF HARRISON.

Effective Date

This Ordinance shall take effect thirty (30) days following date of publication as required by law. All Ordinances or part Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

City of Harrison

By: _____
Justin Cavanaugh, City Clerk