

CLYDE TOWNSHIP
ORDINANCE #42-96
AMENDS ORB. #42

AN ORDINANCE TO AMEND ORDINANCE NO. 42-93, THE CLYDE TOWNSHIP LOT SPLIT ORDINANCE, TO CLARIFY THAT ANY APPROVED SPLIT IS SUBJECT TO ANY OTHER APPLICABLE LAW AND TO PROVIDE ADDITIONAL STANDARDS FOR THE LOT SPLIT BOARD TO CONSIDER IN MAKING ITS DETERMINATIONS.

THE TOWNSHIP OF CLYDE ORDAINS:

SECTION 1. Purpose

The purpose of this Ordinance is to amend Ordinance 42-93 to clarify that any approved split is subject to any other applicable law and to provide additional standards for the Lot Split Board to consider in making its determinations.

SECTION 2. Amendment of Section 5 Re: Data Required

Section 5(D) of Ordinance 42-93 is amended to read as follows:

D. The Plat Board may require that the applicant furnish such evidence to support the above information as the Board deems appropriate, including such as may be necessary to determine that the proposed split appears to comply with all applicable laws and regulations and all Clyde Township ordinances and regulations.

SECTION 3. Amendment of Section 6 Re: Action by Plat Board

Section 6 of ordinance 42-93 is amended to read as follows:

The Plat Board shall not approve a proposed split unless the Board determines (1) that the resulting splits would appear to conform to all applicable law and specifically the Township Zoning Ordinance, and (2) that the resulting splits will be reasonably in harmony with the surrounding area in terms of size, setbacks, height, density, and shape, and (3) that it is reasonably consistent with an orderly layout and use of land. The Plat Board shall approve or disapprove any proper application by a majority vote and shall set forth its findings and conclusions. The Board may also attach reasonable conditions to any approval. Any approval shall be deemed to be subject to compliance with the State Plat Act and any other applicable law. A determination by the Plat Board that a proposed split appears to comply with all other applicable law shall not preclude or stop any enforcement agency, including the Township, from enforcing the provisions of any applicable law and any approval is subject to this provision.

SECTION 4. Construction

All provisions of Ordinance 42-93 not specifically amended herein shall remain in full force and effect.

SECTION 5. Severability Clause

Should any section, clause or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part thereof other than the part declared to be invalid.

SECTION 6. Effective Date

This ordinance shall become effective upon publication.

Certification

I, Rebecca Farr, Clerk of the Township of Clyde, do hereby certify that this Ordinance Amending Clyde Township Ordinance No. 42-93 was adopted by the Clyde Township Board at a regular meeting of the Clyde Township Board held at the Township Hall on the 21 day of May, 1996.

Vote on this Ordinance, 5 members being present was as follows:

AYES: Dell, Farr, Davis, Currier and London.

NAYS: None

I further certify that said Ordinance No. 42-96 adopted by the Clyde Township Board on the 21 day of May, 1996, was published in the Times Herald, a paper published in St. Clair County and circulated in the Township of Clyde, on the 29 day of June, 1996. This being the first and final day of publication of this Ordinance.

I further certify that an attested copy of Ordinance No. 42-96 was filed with the St. Clair County Clerk on the 26 day of June, 1996.

Rebecca Farr, Clerk
Township of Clyde