

TOWNSHIP OF WELLS

ZONING ORDINANCE AMENDMENT

Ordinance No. 100-06

An Ordinance to amend the Wells Township Zoning Ordinance No. 100 adopted on May 10, 2012, Ordinance No. 100-01 adopted on January 8, 2015, and Ordinance No. 100-05, adopted on December 9, 2021, to adjust the amperage requests for residential properties, to regulate excavating and recreation vehicles.

THE TOWNSHIP OF WELLS ORDAINS:

Section 3.02 of the Zoning Ordinance Amendment 100-05 is hereby amended to provide as follows:

Section 3.02. ZONING PERMITS. A zoning permit shall be acquired from the Zoning Administrator before any construction is undertaken, any structure is moved, any pond is excavated, or any change in the use of any land or structure is undertaken within the Township. A zoning permit shall not be required for the first accessory structure containing less than 200 square feet placed on the property. The term “change in use” shall mean a land use which is new to or different from how the property was previously used. However, a use that is accessory to an existing land use (and which conforms to this Ordinance) is not considered a change in use. Except that, “Home Occupations” and the “Caregiver Cultivation of Marijuana for Medical Use” within residential dwellings shall be deemed changes in use requiring a zoning permit. Additionally, it will be presumed that a change in use occurs when electrical equipment that has an ampacity of ~~more than 200 amperes~~ **200 amperes or more** is to be installed at a residential property. This presumption can be overcome by the Applicant filing a “Accessory Use Affidavit” (in a form to be supplied by the Township) with the Zoning Administrator, which indicates that the purpose for the installation is not for a home occupation or the caregiver cultivation of marijuana for medical use. Township representatives have the right to conduct annual or random notified inspections to verify compliance.

Section 12.15 of the Wells Township Zoning Ordinance 100 is hereby amended to provide as follows:

Section 12.15 C.

On properties which do not have an occupied single-family dwelling, a maximum of two (2) recreational vehicles may be stored or used. Such storage or use shall not exceed one hundred eighty (180) days during any calendar year **and such usage shall be regulated by a policy adopted by the Wells Township Board.**

Section 5.02 D.1. C. of the Wells Township Zoning Ordinance Amendment 100-01 is hereby repealed and thereafter amended to provide as follows:

Section 5.02 D.1. C

c. Agricultural use within a property owner's own agricultural operation.

Section 5.02 D.2. of the Wells Township Zoning Ordinance 100 is hereby amended to provide as follows:

Section D.2.

~~Each application for special approval shall contain the following:~~ **Removal of more than two hundred (200) cubic yards from a parcel requires an application for special approval which shall contain the following:**

- a) Names and addresses of property owners and proposed operators of the premises.
- b) Legal description of the premises.
- c) Aerial photograph of property as it exists.
- d) Detailed statement as to the method of operation, type of machinery or equipment to be used and estimated period of time that the operation will continue.
- e) Detailed statement as to the type of deposit or material proposed for extraction.
- f) Reclamation plan and detailed statement as to the proposed use of the land after quarrying or fill operations are complete.

The undersigned Supervisor and Clerk of the Township of Wells hereby certify that this Ordinance Amendment was duly adopted by the Wells Township Board at a meeting held on the 11th day of May, 2023, and was published in the Tuscola County Advertiser on the 17th day of May, 2023. This Ordinance Amendment shall be effective seven (7) days after said date of publication.

Karen Varney, Supervisor

Date

Bonnie Hergenreder, Clerk

Date