

The Charlevoix City Council met on Tuesday, September 3, 2019 with Mayor Luther Kurtz presiding. All Councilmembers were present. The following is an excerpt from the official records of said meeting:

**CITY OF CHARLEVOIX
ORDINANCE NO. 805 of 2019**

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.005, 153.070, 153.071, 153.086, and 153.117 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.005 is hereby amended as follows:

BOARDING/ROOMING HOUSE. A building, structure, or portion thereof, where individual rooms are rented to separate parties for more than thirty (30) consecutive days, such as seasonal worker housing, transitional homes, or similar uses.

SECTION 2. Title XV, Chapter 153, Section 153.070(B) of the City of Charlevoix Code is hereby amended as follows:

(B) R2, Medium Density Family Residential District. The R2 District is intended to provide for residential neighborhoods where a mix of single-family residential, accessory dwelling units, single multiple-family dwellings, and attached dwellings are located.

SECTION 3. Title XV, Chapter 153, Table 153.071 Residential Dwellings portion of the City of Charlevoix Code is amended as follows:

<i>Table 153.071: Allowed Uses in Residential Zones</i>						
<i>P = Permitted Use by Right S = Special Land Use</i>						
	<i>R1</i>	<i>R2</i>	<i>R2A</i>	<i>R4</i>	<i>PC</i>	<i>Specific Requirements</i>
RESIDENTIAL						
Dwellings						
Single-family, detached	P	P	P	P	P	§ 153.117(A)
Single-family, attached	-	P	P	P	P	§ 153.117(A)
Two-family	-	P	P	P	P	
Multiple-family	-	-	-	P	P	
Single Multiple Family building	-	P	-		-	§ 153.117(G)
Accessory Dwelling Unit		P				§ 153.116(D)
Home Conversion		P	-	-	-	§ 153.117(F)

SECTION 4. Title XV, Chapter 153, Table 153.086 Notes to Table 4 of the City of Charlevoix Code is hereby amended as follows:

4 Developments of a single multiple-family dwelling may be developed to the requirements of the R2 District, while Developments of more than one Multiple-family dwellings shall be developed to the requirements of the R4 District.

SECTION 5. Title XV, Chapter 153, Section 153.117 Residential Uses of the City of Charlevoix Code is hereby amended by adding Subsections (E), (F), and (G) as follows:

- (E) *Boarding/Rooming house.* There shall be not more than four (4) rooms occupied by tenants, subject to the following:
 - (1) Parking meets the requirements of §153.187.
 - (2) Occupancy by tenants shall be for expected durations longer than thirty (30) days.
 - (3) Individual rooms shall not contain independent cooking facilities. This requirement shall not prohibit the serving of meals to tenants or the use of a single kitchen by tenants.
 - (4) Rooming and boarding houses shall be owner occupied and serve as the principal residence of the owner or a designated caretaker shall be one of the occupants.
- (F) *Home conversions.* An existing detached single-family dwelling built prior to 2019 that is located within the required setbacks of the district may be converted to multiple permanent dwelling units subject to the following:
 - (1) Lot area meets the minimum requirements for the district.
 - (2) The exterior appearance of the structure is not altered from its single-family character.
 - (3) Parking meets the requirements of §153.187.
 - (4) Access to any second floor dwelling unit is provided from the interior of the structure.
 - (5) The minimum square footage required for a studio or one bedroom unit shall be 300 square feet.
 - (6) The minimum square footage required for a 2 bedroom unit shall be 450 square feet.
 - (7) All units have construction code-approved egress.
- (G) *Single-family attached and single multiple-family buildings.*
 - (1) Single-family attached buildings and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this ordinance.
 - (2) The main entrance is located in the building façade of the principal frontage.
 - (3) A maximum of two entrances per building façade.
 - (4) Parking is located in the rear or on the side of the building.
 - (5) Parking access is from the alley where available, otherwise access may be from the side or front lot line.
 - (6) The principal building façade shall have a minimum of 20% glazing (windows).
 - (7) There shall be a minimum of two windows per non-street facing building façade.
 - (8) Porches and stoops may project into the yards.
 - (9) Façade elements above the ground floor may project into the yards

SECTION 6. Severability.

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 7. Effective Date.

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 805 was adopted on the 3rd day of September, 2019 A.D., by the Charlevoix City Council as follows:

Motion by: Cole
Seconded by: Hagen
Yeas: Bryan, Oleksy, Cole, Kalbfell, Hagen, Perron
Nays: None
Absent: None

State of Michigan } §
City of Charlevoix }

Joyce M. Golding

Clerk

Luther Kurtz

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 805 of 2019 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on September 3, 2019 and published in the *Charlevoix Courier* on September 13, 2019, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1876.

Dated: September 4, 2019

Joyce M. Golding, City Clerk