

ORDINANCE 16-01

AN ORDINANCE OF KOCHVILLE TOWNSHIP REZONING CERTAIN REAL PROPERTY OF APPROXIMATELY 15.3 ACRES OF LAND LYING NORTHERLY AND WESTERLY OF THE SOUTH BRANCH DRAIN, BEING A PORTION OF PARCEL 18-13-4-34-1008-017 LOCATED WITH FRONTAGE IN THE 3300 BLOCK OF KOCHVILLE ROAD

WHEREAS, all rezoning proceedings required under the provisions of Chapter 155.387 of Kochville Township's Code of Ordinances have been taken with respect to the real property hereinafter described and referred to as the "subject property"; and

WHEREAS, proper notice of the request and public hearing was sent to all surrounding property owners as required by State of Michigan Act 110 of 2006, and that a public hearing was held on December 14, 2015, for the purpose of taking comments; and

WHEREAS, the Kochville Township Planning Commission heard comments regarding the request for the proposed rezoning of the subject property and reviewed compliance with Kochville Township ordinances; and

WHEREAS, the Kochville Township Planning Commission found that the request to rezone the subject property is in compliance with the Township's Master Plan as provided in the Future Land Use map for the R-3 Multiple Family Intensive District; and

WHEREAS, the Kochville Township Board of Trustees, Saginaw County, has considered and reviewed the request for rezoning and found that the request is compliant with the Township's Master Plan and Future Land Use map dated July 18, 2011;

NOW, THEREFORE, BE IT ORDAINED BY THE KOCHVILLE TOWNSHIP BOARD OF TRUSTEES,

SECTION 1. The recitals above are incorporated herein.

SECTION 2. That real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as **R-3 Multiple Family Intensive District**.

The subject property referred to in this section is all that real property situated in the Township of Kochville, County of Saginaw, State of Michigan, described in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3. The district map of Kochville Township is hereby amended accordingly.

SECTION 4. Any land development approval is subject to meeting the requirements of Kochville Township's Code of Ordinances, now in effect, or in the future. The applicant

for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where Kochville Township has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system presently available in Kochville Township.

SECTION 5. Effective Date; Publication.

This ordinance shall take effect upon publication as required by law following adoption by the Kochville Township Board.

The foregoing ordinance was offered by board member Trustee Thon and supported by Supervisor Loiacano.

Roll Call Vote:

“Ayes” - Supervisor Loiacano, Treasurer Brewster, Trustee Ferrell and Trustee Thon

“Nays” - Clerk Machata

“Abstain” - None

This ordinance, being Ordinance #16-01 is hereby declared to have been adopted by the Kochville Township Board, of Kochville Township, County of Saginaw, State of Michigan, at a regular meeting held on the Eighteenth day of January, 2016, and ordered to be given publication in the manner prescribed by law.


James Loiacano, Supervisor


Kevin Machata, Clerk

CERTIFICATE

State of Michigan, County of Saginaw.

I the undersigned Township Clerk for the Township of Kochville, Saginaw County, Michigan, certify that the above Ordinance No. 16-01, adopted by the Township Board of Trustees of the Township on the Eighteenth day of January, 2016, was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date.



Kevin Machata, Clerk

Date of Publication:
Newspaper: The Township Times
Exhibit "A"

Legal Description:

That part of parcel 18-13-4-34-1008-017 lying Northerly and Westerly of the South Branch Drain, more accurately described as:

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 34, T13N-R4E, KOCHVILLE TOWNSHIP, SAGINAW COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 34, THENCE S8T42'34"W, 1530.74 FEET ALONG THE NORTH SECTION LINE TO THE POINT OF BEGINNING. THENCE S05"45'07"W, 419.12 FEET; THENCE N8T42'34"E, 212.04 FEET PARALLEL TO THE NORTH SECTION LINE; THENCE S05"45'12"W, 677.84 FEET ALONG THE EAST 1/8 LINE AND A PORTION OF THE KOCHVILLE DRAIN; THENCE S88'12'07"W, 657.21 FEET ALONG THE CENTERLINE OF THE KOCHVILLE DRAIN RIGHT-OF-WAY; THENCE N05'41'00"E, 1153.48 FEET; THENCE N8T42'34"E, 447.29 FEET ALONG THE NORTH SECTION LINE TO THE POINT OF BEGINNING CONTAINING 15.30 ACRES OF LAND AND SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER USED, IMPLIED OR OF RECORD.