

## **Golden Township Silver Hills Farm PUD Ordinance No. Twenty-Three**

An ordinance to amend the Golden Township Zoning Ordinance and Zoning map by establishing the Silver Hills Farm Planned Unit Development zoning district.

### **Section 1 Effect**

This ordinance was adopted by the Board of Trustees on 12 Sept., 1995 to amend the Zoning ordinance and Zoning Map by establishing the Silver Hills Farm PUD zoning district (the PUD).

The Property described in Section 2 of this Ordinance is hereby rezoned from AR- Agricultural Residential to PUD for the purpose of permitting the applicant for rezoning (Don Wiener - Silver Hills Farm - Fox Road, Mears, MI 49436 & 6504 SW 114PL. #H, Miami, FL 33173, and any assignees, heirs, successors, and transferees - hereafter referred to as the Applicant) to develop and improve the property in as indicated on the final PUD site plan dated August 9, 1995, to establish a retail antique mall, and parking area, driveway, landscaping, and stormdrainage improvements as described in Section 3 of this Ordinance.

The provisions of this Ordinance shall run with the land encompassed by the PUD zoning district, and shall bind the Applicant.

### **Section 2 Legal Description of PUD**

The PUD comprises approximately 5 acres of land area. The legal description provided on the final site plan is as follows:

Part of the SW 1/4 of the NE 1/4 of Section 22, T15N, R18W, Golden Township, Oceana County, MI, described as commencing at the SW corner thereof as the Point of Beginning; thence North along the north-south 1/4 line 595 feet; thence East parallel with the east-west 1/4 line 234 feet; thence South parallel with the north-south 1/4 line 240 feet; thence east parallel with the east-west 1/4 line 197 feet; thence South parallel with the north-south 1/4 line 175 feet; thence east parallel with the east-west 1/4 line 50 feet; thence South parallel with the north-south 1/4 line 180 feet' thence W along the east-west 1/4 line 481 feet to the point of beginning.

### **Section 3 Permitted Uses**

The Applicant may establish and construct only the those uses and improvements illustrated on the final PUD site plan, except as may be permitted by Zoning Ordinance Section 13.8.

The PUD will include an antique mall in the existing barn, and an improved parking area, and landscaping improvements.

### **Section 4 Effect of Other Zoning Ordinance Provisions**

This Ordinance shall not be construed as a substitute for the balance of the Golden Township Zoning Ordinance, nor in any way relieve the Applicant from obtaining all approvals and permits required by the Township, except as otherwise expressly provided within this Ordinance.

### **Section 5 Project Phasing**

The PUD will be developed in one phase.

### **Section 6 Conditions & Requirements**

In addition to the above, all recommendations, requirements, conditions and stipulations contained in the Planning Commission's report (as required by Zoning Ordinance Section 13.4(B[1,c]) dated August 22, 1995 recommending approval of the application for PUD zoning shall also apply. The conditions and requirements contained in the Planning Commission's report are as follows:

- a. The applicant's engineering consultant shall, as required by Zoning Ordinance Section 14.4 (A)[4], and the conditions of this Section, prepare and submit construction plans and specifications for the parking area, driveway, landscaping and stormdrainage improvements for review and approval by the Township's planning/engineering consultant. These plans and specifications must be approved by the Planning Commission on the recommendation of the Zoning Administrator, before construction the parking area, driveway and stormdrainage improvements can begin. The location and layout of parking area and driveway improvements shall be in compliance with the parking area and driveway plans submitted by the applicant's engineering consultant.
- b. The parking area shall provide and adequate number of parking spaces for customers, and one parking space for each employee and vendor present to conduct business within the mall. Not less than eight (8) customer parking spaces, one (1) of which shall comply with American With Disabilities Act requirements, and one (1) employee/vendor parking spaces shall be provided.
- c. The parking area shall be setback at least ten (10) feet from the Fox Road right-of-way. The area between the parking area and right-of-way shall remain undisturbed, and shall be maintained in grass or other landscape planting. A ten foot grass buffer shall be maintained between the hedge row lying north and south between the barn and road right-of-way. The applicant shall provide and maintain a landscaped buffer along the western edge of the parking area in accordance with Zoning Ordinance Sections 13.2(D)[4 & 11].
- d. Parking spaces shall measure 9 feet by 18 feet. At least one (1) ADA parking spaces shall be provided. Access and circulation aisles shall measure at least 24 feet in width, and shall not be used to accommodate overflow parking.
- e. Customer, employee and service vehicles may park only within the confines of the PUD zoning district, and only within the confines of the improved parking area. The adjoining meadow shall not be used for the parking of customer, employee or service vehicles. Overflow parking is prohibited outside the confines of the PUD zoning district, and is also prohibited outside the confines of the improved parking area.
- f. Signs may be provided as illustrated on the final site plan. Temporary signs are prohibited.
- g. The applicant may establish only the land use and improvement illustrated on the final site plan, except as may be provided by Zoning Ordinance Section 13.8. The Board of Trustees shall not be required to take additional action following establishment of the PUD zoning district, except as may be provided by Zoning Ordinance Section 13.8.

h. As provided by Zoning Ordinance Section 13.4 (c), the applicant shall deposit a performance guarantee with the Township Clerk in an amount equal to the cost of constructing parking area, driveway, and stormdrainage improvements. Construction cost shall be determined by a professional engineer, and shall be based on construction drawings for roadway, parking areas and stormdrainage improvements prepared under his or her direction.

i. The applicant, and any assignees, heirs, and successors, shall be required to comply with all township, county, state and federal laws and regulations applicable to the establishment of uses and construction of improvements within the PUD zoning district.

***Effective Date.***

*This Ordinance shall be effective immediately upon the publication thereof.  
Passed and approved by the Golden Township Board on Sept., 1995  
and published in Oceana Herald - Journal in its issue of Sept., 1995.*

