

**RESOLUTION TO CONDITIONALLY PERMIT THE USE OF PROPERTY
(043-036-000-1000-00) LOCATED AT 3302 CHURCH STREET, UNIONVILLE,
MICHIGAN 48767 AS CURRENTLY ZONED**

**VILLAGE OF UNIONVILLE
6454 MERRY ST.
UNIONVILLE, MI 48767**

RESOLUTION TO CONDITIONALLY PERMIT THE USE OF PROPERTY (043-036-000-1000-00)
LOCATED AT 3302 CHURCH STREET, UNIONVILLE, MICHIGAN 48767 AS CURRENTLY ZONED.

Resolution to permit the use of property (043-036-000-1000-00) located at 3302 Church Street, Unionville Michigan 48767 that is currently zoned I-1 Light Industrial to continue to be used as a residence.

At a regular Village Council meeting for the Village of Unionville, trustee John Katnik offered the following resolution and moved for its adoption, supported by Trustee Vickie Balzer.

WHEREAS the property is located at 3302 Church Street with property described as below:

COL-36-274 SEC 36 T15N R8E COM 20 RDS E & 26.14 RDS N OF SW COR OF SE 1/4, TH N 10 RDS, TH E 10 RDS, TH S 10 RDS, TH W 10 RDS TO POB VILL OF UNIONVILLE.

WHEREAS the property has been offered for sale and the buyer's finance company is requesting proof that the property can be habited under the current zoning ordinance,

WHEREAS the MCL Act 110 of 2006 (Michigan Compiled Laws) section 125.3208 titled "Nonconforming uses or structures" allows for the dwelling to be used as residential property as dictated below:

"If the use of a dwelling, building, or structure or of the land is lawful at the time of enactment of a zoning ordinance or an amendment to a zoning ordinance, then that use may be continued although the use does not conform to the zoning ordinance or amendment. This subsection is intended to codify the law as it existed before July 1, 2006 in section 16(1) of the former County Zoning Act, 1943 PA 183, section 16(1) of the former Township Zoning Act, 1943 PA 184, and section 3a(1) of the former City and Village Zoning Act 1921 PA 207, as they applied to counties, townships, and cities and villages, respectively, and shall be construed as a continuation of those laws and not as a new enactment."

AND WHEREAS the Village of Unionville will permit the reconstruction or replacement of the current structure that is used as a residence should it be destroyed by fire, wind, storm or any nature the residence is deemed uninhabitable,

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AND WHEREAS the Village of Unionville also desires to guarantee that the property is zoned R-1 Residential,

NOW THEREFORE BE IT RESOLVED that if the property at 3302 Church Street is zoned as I-1 Light Industrial that the Village of Unionville will follow the manner and procedures prescribed by its zoning ordinance and within the laws of the State of Michigan to rezone the property at 3302 Church Street be rezoned to R-1 Residential.


Yeas: Jeff Anker, Vickie Balzer, John Katnik, Dave VanHove, Matthew Prime

Nays: None.

Absent: Andrew Armstead and Jon Townsend.

Resolution passed the 15th day of February 2021 by the Unionville Village Council.


Village President
Matthew Prime


Village Clerk
Jessica VanHove