

**CITY OF NILES  
COUNTY OF BERRIEN  
STATE OF MICHIGAN**

**ORDINANCE NO. 510**

AN ORDINANCE TO AMEND ORDINANCE NO. 439, CITY OF NILES, MICHIGAN ZONING ORDINANCE, TO CHANGE PROVISIONS PERTAINING TO DISTRICT REGULATIONS FOR MODERATE DENSITY RESIDENTIAL DISTRICT, MDR, APPEARING AT SECTION 503.1 d OF THE CODE OF ORDINANCES PRINTED CODIFICATION OF SAID ZONING ORDINANCE.

**THE CITY OF NILES ORDAINS:**

**SECTION 1            REPEAL.**

Section 503.1 d of the City of Niles Zoning Ordinance, Ordinance No, 439, pertaining to District Regulations for Moderate Density Residential District, MDR, is repealed as of the effective date of this Ordinance.

**SECTION 2            AMENDMENT.**

From and after the effective date of this Ordinance, Section 503.1 d of the City of Niles Zoning Ordinance, Ordinance No. 439 pertaining to District Regulations for Moderate Density Residential District, MDR, shall provide as follows:

**DISTRICT REGULATIONS**

<b>Minimum Lot Area</b>		<b>Minimum Lot Width</b>	
1 & 2 Family	8,000 sq. ft.		65 ft.
3+ Family	8,000 sq. ft.		70 ft.
Non-residential	8,000 sq. ft.		65 ft.
<b>Maximum Lot Coverage</b>		<b>Minimum Building Setbacks</b>	
1 & 2 Family	40%	Front(b)	25 ft.
Non-residential	n/a	Side(c)	7ft.

<b>Maximum Building Height</b>	4 stories/40'	Rear	25 ft.
<b>Minimum Floor Area</b>	(C)		

- (a) Required front yard shall be as set forth herein, except where, in the judgment of the Zoning Administrator, the predominate condition of the existing on the same block and on the same side of the street would dictate a lesser or greater setback.
- (b) Required side yard shall ne set forth herein, except where, in the judgment of the Zoning Administrator, the predominate condition of the existing on the same block and on the same side of the street would dictate a lesser or greater setback; provided in no instance shall the required side yard be less than three (3) feet, except were buildings are permitted to be located on the side lot line.
- (c) See Table 4-1

### **SECTION 3 EFFECTIVE DATE.**

This Ordinance shall become effective Twenty (20) days after the date of its enactment.

Adopted this 22<sup>nd</sup> day of May, 2023.

Proposed by: Council Member: DiCostanzo

Supported by Council Member: Rogers

#### Roll Call Vote:

Ayes: Rogers Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem

Nays: None

Abstain: None

Motion Carried: ☒

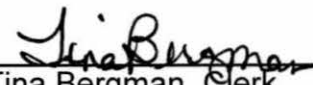
Motion Defeated: ☐

ORDINANCE DECLARED ENACTED:

This Ordinance was enacted by the City Council of the City of Niles, State of Michigan on the 22<sup>nd</sup> day of May, 2023 and approved by its Mayor and Clerk on said date.

CITY OF NILES, MICHIGAN

By:   
Nick Shelton, Mayor

By:   
Tina Bergman, Clerk

1<sup>st</sup> Reading: 5/8/23

2<sup>nd</sup> Reading & Enactment: 5/22/23

Publication of Notice: 6/3/23

Effective Date: 6/11/23