

TOWNSHIP OF COVERT
COUNTY OF VAN BUREN, STATE OF MICHIGAN

ORDINANCE NO. 124

ADOPTED: February 11, 2025
EFFECTIVE: February 23, 2025

An Ordinance to amend the Covert Township Zoning Ordinance regarding shipping containers as accessory structures; to repeal all ordinances or parts of ordinances in conflict herewith and to provide an effective date.

COVERT TOWNSHIP
VAN BUREN COUNTY, MICHIGAN

ORDAINS:

SECTION I
AMENDMENT TO ARTICLE 2, SECTION 2.02
OF TOWNSHIP ZONING ORDINANCE

Article 2, Section 2.02 titled, “Definitions” of the Covert Township Zoning Ordinance is hereby amended by adding the following definitions and pictures in alphabetical order, which shall read as follows:

Cargo Container: Any metal or primarily metal container originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or generally capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms 'transport containers', 'shipping containers'.



Portable Storage Container. A portable or moveable, weather resistant receptacle designed and used for the storage or shipment of household goods, wares, valuables or



merchandise (i.e. PODS or MODS) and which is typically leased on a short- term basis for temporary storage purposes.

SECTION II
AMENDMENT TO ARTICLE 18
OF TOWNSHIP ZONING ORDINANCE

Section 18.14 of Article 18, “General Provisions” of the Covert Township Zoning Ordinance is hereby amended in its entirety to read as follows:

“Section 18.14 – Use of Containers, Semi-Trailers, Mobile/Manufactured Home or Recreational Vehicles for Storage Prohibited.

1. No recreational vehicle or mobile/manufactured home may be used as an accessory use storage building in any district. This shall not prohibit the outdoor storage of unoccupied recreational vehicles or motor homes, in accordance with the standards in Section 18.13 above.
2. No storage container or semi-trailer may be used as an accessory use storage building in any district, except as allowed by Section 18.14 3. and except in the I-Industrial zoning district or in the AG-Agriculture zoning district when used in support of commercial agricultural business operations. For this section, commercial agricultural business operations is defined as any agricultural business activity defined as agriculture pursuant to the definition found in Article II, Section 2.02 of this ordinance and contributing no less than thirty-three (33) percent of the total household income of the property owner(s) residing upon the land in active and continuous agricultural production.
3. Cargo containers and portable storage containers shall be allowed in the residential zoning districts (RR, LD-1, LD-2, MD, and HD Districts) and in the AG-Agricultural zoning district as accessory use storage buildings, subject to the following requirements:
 - A. All Cargo Containers.
 - 1) *Location:*
 - a. Cargo containers shall be subject to the location requirements applicable to accessory buildings established by Section 18.12.
 - b. Cargo containers shall not occupy required off-street parking, fire lanes, loading/unloading areas or landscape areas nor shall they be located where they may cause hazardous conditions or constitute a threat to public safety.
 - 2) *Setbacks:* Cargo containers shall be subject to the setback requirements applicable to accessory buildings established by Section 18.12.

- 3) *Number*: No more than two (2) cargo containers may be placed on a lot at any one time.
 - 4) *Height*: Cargo containers shall not be stacked above the height of a single container.
 - 5) *Lot Coverage*: The surface area covered by cargo containers shall be included in the lot coverage calculations for the lot, unless it is sited over an existing impervious surface.
 - 6) *Utilities*: Cargo containers may be provided electrical service but shall not be provided plumbing service.
 - 7) *Use*: Cargo containers shall not be used as living quarters nor as housing for livestock or pets.
 - 8) *Modifications*: Structural modifications shall not be made to cargo containers that expand the footprint of the container.
 - 9) *Nonconforming Lot/Use*: The placement of a cargo container on a nonconforming lot or to serve a nonconforming use shall not be considered an expansion of the nonconformity.
 - 10) *Waiver or Modification of Requirements*:
 - a) Cargo containers failing to meet any of the requirements of subsections 1 through 5 of this Section (Section A.) may be allowed as a Special Land Use, subject to Article 24.
 - b) Cargo containers may be allowed on an otherwise vacant lot or on a lot having only another accessory building(s)/use as a Special Land Use, subject to Article 24.
 - c) All applications requiring a Special Land Use Permit hereunder shall be accompanied by a site plan of the subject property that depicts the information required by Section 23.07 B. 2. – Subsections a., f., g., h. j. m. n. and w.
- B. Permanent Use of Cargo Containers. Cargo containers may be permanently placed on property for storage purposes, subject to the following requirements:
- 1) All applicable building regulations shall apply.
 - 2) Cargo containers shall be placed on a permanent, durable and dustless hard surface.
 - 3) Cargo containers shall not be used as signage or for advertising and shall be kept free of all alphanumeric signage and writing.
 - 4) Any writing or graffiti placed on cargo containers shall be the responsibility of the property owner and shall be removed.

- 5) A Zoning Compliance Permit is required and shall be obtained from the Township Zoning Administrator in accordance with Section 27.05.
- C. Temporary Use of Cargo Containers. Cargo containers may be temporarily placed on property for storage purposes, subject to the following requirements:
- 1) Section 18.15 shall apply to the temporary use of cargo containers associated with construction sites.
 - 2) A Zoning Compliance Permit is required and shall be obtained from the Township Zoning Administrator in accordance with Section 27.05.
 - 3) Cargo containers shall be removed from the property within 180 calendar days of the date of initial placement. One (1) extension of up to 180 calendar days may be approved by the Zoning Administrator.
- D. Portable Storage Containers. Portable storage containers may be temporarily placed on property for storage purposes, subject to the following requirements:
- 1) *Location.*
 - a. Portable storage containers used within a residential district or associated with a residential use shall be located on a driveway or paved area.
 - b. Portable storage containers used in a non-residential district or associated with a non-residential use shall not occupy required off-street parking, fire lanes, loading/unloading areas or landscape areas nor shall they be located where they may cause hazardous conditions or constitute a threat to public safety.
 - c. Portable storage containers may not be located on a vacant lot, unless the lot is associated with an approved building construction project.
 - 2) *Height:* Portable storage containers shall not be stacked above the height of a single container.
 - 3) *Utilities:* Portable storage containers shall not be provided electrical or plumbing service.
 - 4) *Use:* Portable storage containers shall not be used as living quarters nor as housing for livestock or pets.
 - 5) *Permit:* A Zoning Compliance Permit is required and shall be obtained from the Township Zoning Administrator in accordance with Section 27.05.
 - 6) *Time Limits:* Portable storage containers shall be removed from the property within 180 calendar days of the date of initial placement. One (1) extension of up to 180 calendar days may be approved by the Zoning Administrator.

SECTION III
SEVERABILITY

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION IV
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION V
EFFECTIVE DATE

This Ordinance shall take effect eight days following publication after adoption.

Wende Pritchard, Clerk
Covert Township
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