

STATE OF MICHIGAN
COUNTY OF WAYNE
CHARTER TOWNSHIP OF CANTON

CHAPTER 90

AN ORDINANCE TO AMEND CHAPTER 90, ARTICLE III, DIVISION 2, OF THE CANTON CODE OF ORDINANCES ENTITLED "CHERRY HILL HISTORIC DISTRICT" TO REVISE SECTION 90-93 TO BRING IT INTO COMPLIANCE WITH THE PUBLIC ACT NO. 169 OF 1970.

THE CHARTER TOWNSHIP OF CANTON ORDAINS:

SECTION 1. AMENDMENT TO CODE.

Chapter 90 of the Charter Township of Canton Code Ordinance, Article III, entitled "Historic Districts," Division 2, entitled "Specific Districts," Section 90-93 is hereby amended to read as follows:

Sec. 90-93. - Cherry Hill historic district.

(a) *Purpose.* Preservation and rehabilitation of historic sites and districts is declared to be a public purpose, and the township may regulate the following, including but not limited to the construction, reconstruction, alteration, repair, relocation and demolition of historic and architecturally significant structures within the boundaries of the Cherry Hill historic district. Pursuant to the provisions of Public Act No. 169 of 1970 (MCL 399.101 et seq.), the purposes of this section are to:

- (1) Provide for the establishment of the Cherry Hill historic district.
- (2) Safeguard the heritage of the township by preserving the Cherry Hill historic district, which reflects elements of the township's cultural, social, spiritual, economic, educational, political, engineering, or architectural history.
- (3) Stabilize and improve property values in the district.
- (4) Foster civic beauty and community pride.
- (5) Strengthen the local economy.
- (6) Promote the use of the Cherry Hill historic district for the following, including but not limited to the education, pleasure and welfare of the citizens of the township, the county, the state, and United States of America.

(b) *Definitions.* As used in this section:

Cherry Hills preservation plan and plan mean the document prepared by the township historic district commission and the department of community and economic development.

Commission means the township historic district commission.

Contributing building means a building identified in the Cherry Hill preservation plan as lending to the historical character of the Cherry Hill Village.

Contributing site means the following, including but not limited to an area, structure, significant landscape feature or surface texture that has been identified in the Cherry Hill preservation plan as lending to the historical character of the Cherry Hill Village.

District means the Cherry Hill historic district.

Historic district means a district designated by the township board for the purposes of this section. A historic district may include an area or group of areas, sites, or structures, and need not have contiguous boundaries. A historic district may include significant landscape features (including trees or other plant life), surface textures, and street furniture located thereon. A historic district may be either publicly or privately owned.

Historic preservation means the protection, rehabilitation, restoration, or reconstruction of districts, archaeological and other sites, buildings, structures and objects.

Historic site means a site designated by the board for the purposes of this section. A historic site may include an area, or structure, and significant landscape features (including trees or other plant life), surface textures, and street furniture located thereon. A historic site may be either publicly or privately owned.

Non-contributing building means a building identified in the Cherry Hill preservation plan as not lending to the historical character of the Cherry Hill Village.

Non-contributing site means an area, structure, significant landscape feature or surface texture than has been identified in the Cherry Hill preservation plan as not lending to the historical character of the Cherry Hill Village.

Structure means anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, walls, gazebos, advertising signs, billboards, backstops, driveways, sidewalks, radio and television antennas, including supporting towers, utility poles and swimming pools.

(c) *Establishment.*

- (1) The township historic district commission, having found that the Cherry Hill community meets one or more of the criteria found in this chapter, and all procedures and actions necessary to make such designation having been effectuated, the Cherry Hill community is hereby designated and established as a historic district within the township.
- (2) The official zoning map of the township shall be amended to show the location of the Cherry Hill historic district.
- (3) This section should be read, cross-referenced, and construed in conjunction with the remainder of this chapter.
- (d) *Boundaries.* The boundaries of the Cherry Hill historic district are hereby established as illustrated by the map attached to this ordinance. This map, together with all notations, information and references appearing thereon, shall be incorporated in this section and made a part of this section by this reference.
- (e) *Identification of certain properties within district.* The Cherry Hill historic district shall consist of the following described properties in the township. The attached map of the boundaries of the Cherry Hill district further identifies these properties. The following descriptions include, for further identification of the properties, the street address where applicable, and sidwell numbers.
 - (1) Historic sites.

a. Cherry Hill Methodist Church. This site has both local and state designation as a historic site.
312 South Ridge Road
C 21 71 074 99 0007 000

b. Cherry Hill School. This site has both local and state designation as a historic site.
50440 Cherry Hill Road
C 21 71 071 99 0007 000

c. Benjamin Huston House.
600 South Ridge Road
C 21 71 074 99 0008 006

- (2) Contributing buildings and sites.
 - a. Cherry Hill Cemetery.
Cherry Hill Road

C 21 71 074 99 0005 000

b. Lewis House.
50221 Cherry Hill Road
C 21 71 073 99 0004 702

c. Robert Huston House.
50325 Cherry Hill Road
C 21 71 073 99 0006 000

d. William Hank House.
50530 Cherry Hill Road
C 21 71 071 99 0005 702

e. Cherry Hill Inn
50545 Cherry Hill Road
C 21 71 074 99 0003 000

f. The Henry Ford Factory - Cherry Hill Plant.
50625 Cherry Hill Road
C 21 71 074 99 0006 705

g. Easton/Jorgensen House and Knudt Jorgensen House.
51160 Cherry Hill Road
51262 Cherry Hill Road
C 21 71 071 99 0002 702

h. Plant Dormitory.
250 South Ridge Road
C 21 71 074 99 0006 705

i. Elliott/West House.
703 South Ridge Road
C 21 71 074 99 0009 000

j. Henry Hauk House.
801 Cherry Hill Road
C 21 71 073 99 0003 708

(3) *Non-contributing buildings.*

(a) Ray's Garage, 50525 Cherry Hill Road.

(b) 50530 Cherry Hill Road.

The Secretary of the Interior's standards for historic preservation projects that are provided in this chapter shall govern any work or preservation performed on the properties enumerated in this section and the Cherry Hill preservation plan. The issuance of certificates of appropriateness with respect to any of the properties within the district shall be governed by the appropriate sections in this chapter.

(f) *Guidelines governing preservation and future development.*

(1) In accordance with the Cherry Hill preservation plan, the historic district commission shall adopt specific guidelines governing the historic preservation and future development of the Cherry Hill historic district.

(2) The guidelines shall include, but shall not be limited to, the following issues:

a. Setbacks.

b. Facade treatments.

c. Outbuildings.

d. Drive treatments.

(3) The historic district commission shall define and recommend to the planning commission future development design guidelines to be employed within the Cherry Hill district in order to preserve and safeguard the historical character and significance of the district for the public purposes described in subsection (a) of this section.

(g) *Historical farmstead/events site.* The township may develop a historical farmstead/events site at the 20-acre parcel the township owns which is located within the district for the purpose of fostering the preservation goals and purposes of this section.

(h) *Change of status of properties.* This section may be amended from time to time if properties within the Cherry Hill district are nominated and designated as historical sites by local ordinance or state or national designation.

SECTION 2. SEVERABILITY

If any clause, sentence, section, paragraph or part of this Ordinance, or the application of thereof to any person, firm, corporation, legal entity or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this Ordinance. It is hereby declared to the legislative intent of this body that the Ordinance is severable, and that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this ordinance.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES

All Ordinance or parts of Ordinance in conflict herewith is hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 4. SAVINGS CLAUSE

All rights and duties which have matured penalties which have been incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this Ordinance are not affected or abated by this Ordinance.

SECTION 5. PUBLICATION

The Clerk for the Charter Township of Canton shall cause this Ordinance to be published in the manner required by law.

SECTION 6. EFFECTIVE DATE

This Ordinance, as amended, shall be effective upon publication as required by law.

CERTIFICATION

The foregoing Ordinance was duly adopted by the Township Board of Trustees of the Charter Township of Canton at its regular meeting called and held on the 11th day of February, 2020, and was ordered to be given publication in the manner required by law.

Michael Siegrist, Clerk

Introduced: January 28, 2020
Adopted: February 11, 2020
Published: February 20, 2020
Effective: February 21, 2020