

Article 3 General Provisions

Section 3.01 - Establishment of Zoning Districts

The Township is hereby divided into the following zoning districts as shown on the Official Zoning Map, which together with all explanatory matter shown thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

<i>Article 4</i>	AR - Agricultural Residential District
<i>Article 5</i>	RR - Rural Residential District
<i>Article 6</i>	LFR/MDR - Lake Front or Medium Density Residential District
<i>Article 7</i>	HDR - High Density Residential District
<i>Article 8</i>	MFR - Multiple Family Residential District
<i>Article 9</i>	OSC - Office Service Commercial District
<i>Article 10</i>	NSC - Neighborhood Service Commercial District
<i>Article 11</i>	GSC - General Service Commercial District
<i>Article 12</i>	I - Industrial District

Section 3.02 - Provisions for Official Zoning Map

These districts, so established, are bounded and defined as shown on the map entitled: "Zoning Map of Hillsdale Township" adopted by the Township Board, and which with all notations, references, and other information appearing thereon, is hereby declared to be a part of this Ordinance and of the same force and effect as if the districts shown thereon were fully set forth herein.

Section 3.03 - Changes to Official Zoning Map

If, in accordance with the procedures of this Ordinance and of Public Act 184 of 1943, as amended, a change is made in a zoning district boundary, such change shall be made by the Township Clerk with the assistance of the Zoning Administrator promptly after the Ordinance authorizing such change shall have been adopted and published by the Township Board. Other changes in the Zoning Map may only be made as authorized by this Ordinance and such changes, as approved, shall also be promptly made by the Township Clerk.

Section 3.04 - Authority of Official Zoning Map

Regardless of the existence of other copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be located in the office of the Township Clerk, shall be the final authority as to the current zoning status of any land, parcel, lot district, use, building, or structure in the Township.

Section 3.05 - Interpretation of Zoning Districts

Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules for interpretation shall apply:

- A. A boundary indicated as approximately following the centerline of a highway, road, alley, railroad, or easement shall be construed as following such centerline.
- B. A boundary indicated as approximately following a record lot line, a boundary of a parcel, section line, quarter section line, or other survey line shall be construed as following such line.
- C. A boundary indicated as approximately following the corporate boundary line of the township shall be construed as following such line.
- D. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in a shoreline shall be construed as following the actual shoreline.
- E. A boundary indicated as following the centerline of a stream, river, canal, lake, or other body of water shall be construed as following such centerline.
- F. A boundary indicated as parallel to or an extension of a feature indicated in paragraphs A through E above shall be so construed.
- G. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- H. All questions concerning the exact location of boundary lines of any zoning district not clearly shown on the Official Zoning Map shall be determined by the Zoning Board of Appeals consistent with the intent and purpose of this Ordinance.

Section 3.06 - Application and Interpretation of Regulations

The regulations established by this Ordinance within each zoning district shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each permitted or approved use of land or building, dwelling and structure throughout each district. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the Zoning Board of Appeals shall have power in passing upon appeals to vary or modify any rules, regulations, or provisions of this Ordinance so that the intent and purpose of this Ordinance shall be observed, public safety secured, and substantial justice done, all in accordance with the provisions of Article 22 of this Ordinance and MCLA 125.288-125.293.

Section 3.07 - Scope of Regulations

- A. Except as may otherwise be provided in Article 20, herein every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of any existing building or structure occurring, and every enlargement of, or addition to an existing use, building, and structure occurring after the effective date if this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the zoning district in which such use, building, or structure shall be located.
- B. All buildings and structures, unless otherwise specified in this Ordinance, shall meet all the requirements of the Construction Code whenever applicable.
- C. Uses are permitted by right only if specifically listed as principal permitted uses in the various zoning districts or is similar to such listed uses. Accessory uses are permitted

as listed in the various zoning districts or if similar to such listed uses, and if such uses are clearly incidental to the permitted principal uses. Special uses are permitted as listed or if similar to the listed special uses and if the required conditions are met.

- D. All uses, buildings, and structures shall conform to the area, placement, and height regulations of the district in which located, unless otherwise provided in this Ordinance.
- E. No part of a yard, or other open space, or off-street parking space or loading space required about or in connection with any use, building, or structure, for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking lot or loading space similarly required for any other use, building, or structure.
- F. No yard or lot existing at the time of adoption of this Ordinance shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein.
- G. No lot, out lot, or other parcel of land in a recorded plat shall be further partitioned or divided unless in conformity with the Zoning and Subdivision Control Ordinances of the Township and the Subdivision Control Act of 1967.

Section 3.08 - Conflicting Regulations

Whenever there is a difference between minimum or maximum standards, dimensions, or other provisions in this Ordinance or those contained in lawfully adopted county, state, federal, or other governmental agency rules, regulations, ordinances, or laws, the most restrictive or the one imposing the most desirable standard shall prevail.

Section 3.09 - Zoning - Not a Vested Right

The fact of any portion of the written text or districting on the map of this Zoning Ordinance is a function of the lawful use of the police power and shall not be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification, or any permissible activities in this Ordinance, and are subject to possible future change, amendment, or modification as may be necessary to the present and future protection of the public health, safety, and welfare of the Township.

Section 3.10 - District Boundaries in Undeveloped Areas

Where zoning district lines pass through undeveloped areas, the zoning district lines may be adjusted into either zoning district for a distance equal to no more than 25% of the land of the zoning district into which the adjacent zoning district is planned to extend.

Section 3.11 - Site Plan Review Procedures

All uses permitted under the provisions or consequence of this Zoning Ordinance, applying for a zoning permit, shall follow the requirements of Article 20, "Site Plan Review", except that all farm dwellings, farm buildings, and single family homes located on a single lot or parcel shall only be required to submit a site plan, prepared in accordance with those relative portions of Article 20, "Site Plan Review", and submitted with the application for a zoning permit.

Section 3.12 - Zoning Permits in Relation to Building Permits

Prior to the issuance of any Building Permit in Hillsdale Township, it shall be necessary for any applicant for construction under the provisions of the Construction Ordinance to first apply for and obtain a zoning permit from the Zoning Administrator of Hillsdale Township in accordance with the provisions of this Zoning Ordinance.

Section 3.13 - Permitted Zoning District Uses and Other Provisions

Each Zoning District and the uses it permits are designed to represent separate categories of compatible land uses. However, regulations controlling other Articles in this Zoning Ordinance may also appropriately apply, including those provisions included in Article 16, "Supplemental Regulations;" Article 15, "Nonconforming Land, Building, and Structural Uses;" Article 18, "Off-street Parking, Loading, and Unloading Requirements;" Article 19, "Sign Regulations;" and Article 20, "Site Plan Review." Applicants for zoning permits should relate their requests to both the appropriate zoning district as to use and the above Articles for applicability.

Section 3.14 - Continued Conformance with Regulations

The maintenance of yards, open spaces, lot areas, height and bulk limitations, fences, walls, clear vision areas, parking and loading spaces, signs, and all other requirements for a building or use specified within this Ordinance shall be a continuing obligation of the owner of such building or property on which such building or use is located.

Section 3.15 - Wetland Development

All "Wetland Areas" in Hillsdale Township as designated by the Michigan Department of Natural Resources (DNR) shall be required to meet the provisions of this Ordinance and the Provisions of Public Act 203 of 1979, "The Wetland Protection Act" and any rules promulgated by the Department of Natural Resources.

Section 3.16 - Conformance to Other Public Laws, Rules, and Regulations

All uses of land, buildings, or structures shall conform to all applicable local, county, state, and federal laws, rules, and regulations that have been promulgated and administered by the respective responsible public agency or official as well as the provisions of the Zoning Ordinance.

Section 3.17 - Project Planning and Plan Information from Other Agencies and Officials

All township, county, school districts, state, and federal agencies and officials are required to submit to the Planning Commission through the Zoning Administrator their planning programs and project plans relative to all building, structural, and land improvements to be made within Hillsdale Township prior to the final approval of site acquisition or construction

plans and specifications by the respective township, county, school district, state, and federal agencies and officials in accordance with MCL 125.330.

Section 3.18 - Conformance of Lots and Parcels to the Subdivision Control Act

All uses permitted in any district shall be located on lots or parcels of land subdivided in accordance with the provisions of Public Act 288 of 1967, "The Subdivision Control Act" and the Subdivision Regulations of Hillsdale Township adopted and in effect at the time.