

## ARTICLE IV

### ZONING DISTRICTS AND MAP

#### **Sec. 4.01    Establishment of Districts:**

For the purpose of this Ordinance the Township of Bloomer is hereby divided into the following zoning districts, which shall be known by the following respective symbols and names.

CO	-	CONSERVATION
FM	-	FARMLAND
RR	-	RURAL RESIDENTIAL
UR	-	URBAN RESIDENTIAL
CS	-	COMMUNITY SERVICES
MA	-	MANUFACTURING

#### **Sec. 4.02    Zoning Districts Map:**

The boundaries of the respective districts enumerated in Sec. 4.01 are defined and established as depicted on the maps entitled "OFFICIAL ZONING MAP OF THE TOWNSHIP OF BLOOMER, MONTCALM COUNTY, MICHIGAN" which is an integral part of this Ordinance and contained within Appendix A. This map, with all notations and explanatory matter thereon, shall be published as part of this ordinance as is fully described herein.

This Official Zoning map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bear the following: "This is to certify that this is the Official Zoning Map of the Bloomer Township Zoning Ordinance adopted on the \_\_\_\_ day of \_\_\_\_\_, 1992." If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Official Zoning map, such changes shall be made on the Official Zoning map after amendment has been approved by the Township Board, together with an entry on the Official Zoning Map as follows: "On the following dates and by official action of the Township Board, the following changes were made: (brief description with reference number to Township Board proceedings)."

One copy of the Official Zoning Map is to be maintained and kept up-to-date by the Township Clerk, accessible to the public and shall be the final authority as to the current zoning status of properties in the Township.

#### **Sec. 4.03                Replacement of Official Zoning Map:**

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Township Board may, by Ordinance, adopt new Official Zoning Maps which shall supersede the prior Official Zoning Maps. The Official Zoning Maps shall be identified by the signature of the Township Supervisor, attested by the Township Clerk and bear the seal of the township under the following words: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Bloomer Township adopted on \_\_\_\_\_, 19\_\_ which replaces and supersedes the Official Zoning Map which was adopted on \_\_\_\_\_, 1992."

Unless the prior Official Zoning map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment. Two (2) copies of the Official Zoning Maps are to be maintained and kept up-to-date, one (1) in the Township Clerk's office, and one (1) in the Township Hall.

**Sec. 4.04 Interpretation of District Boundaries:**

Where, due to the scale, lack of details, or illegibility of the Official Zoning Maps, there is any uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, interpretation concerning the exact location of district boundary lines shall be determined, upon written application, to the Planning Commission. The Commission, in arriving at a decision on such matters, shall apply the following standards:

- A. The boundaries of zoning districts are intended to follow centerlines of alleys, streets or other rights-of-way, or lot lines, or be parallel or perpendicular thereto, unless such district boundary lines are otherwise clearly indicated on the Official Zoning Map.
- B. Where district boundaries are so indicated that they approximately follow Lot of Record lines, such lines shall be construed to be boundaries.
- C. In unsubdivided property, or where a district boundary divides a Lot of Record, the location of such boundary, unless shown by dimensions on the Zoning map, shall be determined by use of the map scale shown thereon.
- D. Boundaries indicated as approximately following Township limits shall be construed as following Township limits.
- E. Boundaries indicated as following railroad lines and/or divided highways shall be construed to be midway between the main tracks and/or traffic lanes.
- F. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with actual shoreline; boundaries indicated as approximately following the centerline of streams, rivers, lakes, or other bodies of water shall be construed to follow such centerlines.
- G. A boundary indicated as parallel to, or an extension of, a feature indicated above, the Planning Commission shall interpret the district boundaries.
- H. Where physical or natural features existing on the ground are at variance with those shown on the Zoning Map, or in other circumstances not covered by items (a) through (g) above, the Planning Commission shall interpret the district boundaries.

**Sec. 4.05 Zoning of Vacated Areas:**

Whenever any street, alley or other public way within the Township shall have been vacated by official government action and when the lands within the boundaries thereof attach to and become a part of lands adjoining such street, alley or public way, such lands shall automatically acquire and be subject to the same zoning regulations as are applicable to lands to which same shall attach, and shall be used for those uses as is permitted under this Ordinance for such adjoining lands.

**Sec. 4.06 Zoning of Filled Land; Use of Waters:**

Whenever any fill is placed in any lake or stream, the land thus created shall automatically and without further governmental action thenceforth acquire and be subject to the same zoning regulations as are applicable for lands to which the same shall attach or be adjacent, and the same shall only be used for those purposes as are permitted under this Ordinance for such adjoining lands, PROVIDED HOWEVER, all such fill activity and/or relocated shoreline modifications shall first obtain proper permits from the Michigan Department of Natural Resources, under the Michigan Inland Lakes and Streams Act of 1972, being PA 346 of 1972, being MCLA Sections 281.951 et seq., as amended.

**Sec. 4.07 Application of District Regulations:**

The regulations herein established 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 class of land or buildings and structures throughout each district. Where there are practical difficulties or hardships in the way of carrying out the strict letter of this Ordinance, the Township Zoning Board of Appeals of Bloomer Township shall have power in passing upon appeals, in accordance with ARTICLE XXIII herein, to vary or modify regulations and provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed, public safety secured and substantial justice done.

**Sec. 4.08 Scope of Provisions:**

- A. Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of, or addition to an existing use, building or structure occurring after the effective date of 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. Uses are permitted by right only if specifically listed as uses permitted by right in the various zoning districts. Where not specifically permitted, uses are hereby prohibited unless construed by the Planning Commission to be similar to a use expressly permitted.
- C. Accessory uses are permitted as indicated for the various Zoning Districts and if such uses are clearly incidental to the permitted principal uses.
- D. The uses permitted subject to special conditions are recognized as possessing characteristics of such unique and special nature (relative to location, design, size, etc.) as necessitating individual standards and conditions in order to safeguard the general health, safety, and welfare of the community.
- E. No part of a setback area, or other open space, or off-street parking 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 setback area, open space, or off-street parking or loading space similarly required for any other use, building or structure.
- F. No setback area 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.

**Sec. 4.09 Conflicting Regulations:**

- A. Whenever any provisions of this Ordinance imposes more stringent requirements than other provisions of this Ordinance, the more stringent requirements shall govern. Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other applicable Township Ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other township, county, state, or federal law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.
- B. Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions, or limitations upon mobile home parks than those established by the Michigan Mobile Home Commission, then the provisions of the Michigan Mobile Home Commission shall govern, unless the more stringent provisions have been specifically approved by the Michigan Mobile Home Commission.