

ARTICLE FOUR (4)

ZONING DISTRICTS AND MAP

Sec. 4.01 Establishment of Districts:

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

- RL - RECREATION LANDS DISTRICT
- POS - PRIMARY OPEN SPACE DISTRICT
- SOS - SECONDARY OPEN SPACE DISTRICT
- SCG - SECONDARY COASTAL GROWTH DISTRICT
- SIG - SECONDARY INLAND GROWTH DISTRICT
- PCG - PRIMARY COASTAL GROWTH DISTRICT
- PIG - PRIMARY INLAND GROWTH DISTRICT
- PIGC - PRIMARILY INLAND GROWTH COMMERCIAL DISTRICT
- VCRC - VISUAL CORRIDOR AND RECREATION COASTAL DISTRICT
- TU - TRANSITIONAL USE DISTRICT
- OC - OZARK COMMUNITY DISTRICT

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 map entitled "OFFICIAL ZONING MAP OF THE TOWNSHIP OF MORAN, MACKINAC 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 bearing the effective date of September 3, 2005.

If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matters portrayed on the Official Zoning map, such changes shall be made on the Official Zoning map after an amendment has been approved by the Township Board.

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 a new Official Zoning Map that shall supersede the prior Official Zoning Map. The Official

Zoning Map 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 Moran Township effective date of September 3, 2005." 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 Map 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 Map, 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 lines, such lines shall be construed to be boundaries.
- c. In unsubdivided property, or where a district boundary divides a lot, 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 the 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, railroad or other right-of-way within the Township has been vacated by official government action the zoning districts adjoining each side of the right-of-way shall be extended to the center of such vacation and all areas included in the vacation shall automatically be subject to the regulations of the extended districts.

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 be subject to the same zoning regulations as are applicable for lands to which same is adjacent, and the same be used for those purposes as are permitted under this Ordinance for such adjoining lands. No use of the surface of any lake or stream shall be permitted for any purpose not permitted on the land from which the use emanates.

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 Board of Zoning Appeals shall have power in passing upon appeals 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. 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 thereby prohibited unless construed by the Planning Commission to be similar to a use expressly permitted by the District.
- b. Accessory uses are permitted as indicated for the various Zoning Districts if such uses are clearly incidental to the permitted principal uses.
- c. 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.
- d. 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.
- e. 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.

- f. No portion of one lot once established and/or improved with a building or structure shall be sold unless each lot resulting from each such reduction, division, or sale, shall conform to all of the requirements established herein.

Sec. 4.09 Conflicting Regulations:

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, county, state, or federal law or 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. Whenever any provisions of this Ordinance imposes more stringent requirements than other provisions of this Ordinance, the more stringent requirements shall govern.