

LAKE TOWNSHIP

BENZIE COUNTY, MICHIGAN

An Ordinance to establish zoning districts and regulations governing the unincorporated portions of Lake Township, Benzie County, Michigan, in accordance with the provisions of Public Act 110 of 2006, as amended; and Public Act 33 of 2008, as amended; to provide for regulations governing non-conforming uses and structures; to provide for a Board of Appeals and its duties and powers; to provide for land use permits and the collection of fees thereof; to provide for the administration of this Ordinance, including the official whose duty it shall be to enforce the provisions hereof; to provide for penalties for the violation of this Ordinance; and to provide for conflicts with other Ordinances or regulations.

THE TOWNSHIP BOARD FOR THE TOWNSHIP OF LAKE, COUNTY OF BENZIE AND STATE OF MICHIGAN, ORDAINS:

ARTICLE I
PREAMBLE

Sec. 1.1 Title

This ordinance shall be known as the Lake Township Zoning Ordinance. The continued administration of this Ordinance, amendments to this Ordinance, and all other matters concerning the operation of this Ordinance shall be implemented and accomplished pursuant to the MZEA, as amended. Effective July 1, 2006, any reference in this Zoning Ordinance to the Township Zoning Act are to be deemed a reference to the Michigan Zoning Enabling Act. [MCL 125.3101 et seq]

Sec. 1.2 Purpose

The purpose of this ordinance is to promote the health, safety and general welfare of the inhabitants of the Township of Lake, County of Benzie, Michigan, by preventing the overcrowding of improvements on its lands, avoiding undue congestion of population, facilitating transportation systems, public utilities and ensuring fire safety, and thereby promoting the orderly development of the residential, commercial and recreational interests of said inhabitants.

Sec. 1.3 Validity and Severability

If any clause, sentence, sub-sentence, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, sub-sentence, paragraph, section, or part directly involved in the controversy in which said judgment shall have been rendered.

Sec. 1.4 Conflicting Ordinance of Regulation

Where this Ordinance or portions thereof, impose greater restrictions upon the use of structures or land or upon height or bulk or structures, or requires larger open spaces or

yards than imposed by any other Ordinances or regulations relating to Lake Township, the more restrictive provisions shall govern.

Sec. 1.5 Repeal of Prior Ordinance

The Lake Township Zoning Ordinance effective June 2, 2008 is hereby repealed with the provision that a situation that was not a lawful, non-conforming situation under the previous Zoning Ordinances does not achieve lawful non-conforming status under this Ordinance and a lot which was not a lot of record under the previous Zoning Ordinances does not achieve the status of a new lot of record herein.

Sec. 1.6 Computation of Time

Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday or legal holiday, that day shall be excluded.

Sec. 1.7 Provisions Not Affected By Headings

Article and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any section hereof.

Sec. 1.8 Amended Michigan Statutes

Whenever any provision of this Ordinance refers to or cites a section of the Michigan Statutes and that Michigan Statute is later amended or superseded, the Ordinance shall be deemed amended to refer to the amended Michigan Statute section or the section thereof that most nearly corresponds to the superseded section.

Sec. 1.9 Codification

This Ordinance is codified by the use of articles and sections, and organized in this manner. Article numbers and Section numbers not used in this Ordinance, or skipped, are reserved for future use.

Section 1.10 References to Planning and Zoning Commission

All references in this Zoning Ordinance to the Lake Township Planning and Zoning Commission shall be, and are hereby, amended to mean the Lake Township Planning Commission.