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SECTION 1.04 FARM BUILDINGS AND STRUCTURES OTHER THAN DWELLING

The provisions of this Ordinance shall not apply to farm buildings and structures customarily erected and used in agricultural activities in the township, provided, that no building or structure other than open fence shall be erected less than 100 feet from the center of any abutting highway, and not less than 50 feet from any interior property line.

ZONING ORDINANCE OF ELBRIDGE TOWNSHIP
OCEANA COUNTY, MICHIGAN

AN ORDINANCE to establish zoning districts and enact provisions governing the unincorporated portions of Elbridge Township, Oceana County, Michigan, in accordance with the provisions of Act 184 of the Public Acts of 1943, as amended; and to provide for amendments, non-conforming uses and a Board of Appeals, and for the administration of the Ordinance.

ARTICLE ONE . . . PREAMBLE

Section 1.01 TITLE

This Ordinance shall be known as the "Elbridge Township Zoning Ordinance."

Section 1.02 PURPOSE

The Primary purpose of this Ordinance shall be:

- to promote and preserve the health, safety, security, and general welfare of the inhabitants of the township;
- to provide for the orderly and wholesome development of the township;
- to encourage the use of lands and resources of the township in accordance with their character and adaptability;
- to create and maintain safe and favorable conditions for living, economic activity and recreational activities in the township;
- to provide for safety in traffic and reduce hazards to life and property;
- to provide in the interests of health and safety standards under which certain buildings and structures may hereafter be erected and used;
- to stabilize and enhance property and civic values;
- to facilitate the development of adequate systems of transportation, fire protection, education, recreation, sewage disposal, safe and adequate water supplies, and other public requirements;
- to conserve life, property and natural resources, and the use of public funds for public services and improvements to conform with the most advantageous uses of land, resources and properties.

Section 1.03 Existing USES OF LANDS, BUILDING AND STRUCTURES

The provisions of this ordinance shall not be retroactive. At the discretion of the owner, the lawful use of any dwelling, building or structure, and of any land or premises as existing and lawful at the time of enactment of this Ordinance may be continued even though such use does not conform with the provisions of this Ordinance, or in the case of an amendment, then at the time of the amendment.

Section 1.04 FARM BUILDINGS AND STRUCTURES OTHER THAN DWELLING EXCEPTED

The provisions of this Ordinance shall not apply to farm building and structures customarily erected and used in agricultural activities in the township, provided, that no building or structure other than open fence shall be erected less than 100 feet from the center of any abutting highway, and not less than 50 feet from any interior property line.

Section 4.01 Purpose

While land use in Agricultural-Residential Districts, (AR) is primarily agricultural in character, and appears likely to generally continue in such use in the foreseeable future, the provisions also recognize the desirability of including nonfarm residential uses; and, under "Special Approval," uses of land for other purposes generally considered compatible with the agricultural use of land under appropriate limitations.

Section 4.02 USES

No land or premises shall hereafter be used or occupied, or building or structure erected, used or occupied, for other than one or more of the following specified uses:

4.02 A Primary Uses

1. Farms, including truck gardens, fruit, dairy and livestock farms.
2. Roadside stands.
3. Woodlots and forestry.
4. One-family dwellings including both farm and nonfarm.

4.02 B Uses by Special Approval, as provided by Section 606

1. Two-family and multi-family dwellings.
2. Churches, schools, cemeteries.
3. Recreational areas including hunting and fishing preserves, public and semi-public amusement parks or areas, camp grounds.
4. Retail enterprises.
5. Motels and hotels.
6. Trailer coach parks as defined by and subject to the State's Trailer Coach Park Act (243 of 1959).
7. Waste disposal facilities such as township dump, sewage disposal, etc.

4.02 C Accessory Uses

Accessory used, buildings and structures customarily and clearly incidental to any primary use, or use by Special Approval, including housing for migrant labor, such housing not subject to Provisions of Section 4.03 and 4.05, Provided, that such housing be of frame or concrete construction with floors of wood or concrete; Provided further, that occupancy be limited to the period between April 1st and November 30th; Provided further, That mobil homes shall be permissible for such housing during any aforesaid period, but such temporary housing shall not include motor coach or bus bodies.

Section 4.03 MINIMUM LAND OR LOT REQUIREMENTS: DWELLINGS

Every dwelling hereafter erected on unplatted land shall be located on no less than one (1) Acre or more with 150 Ft. of Frontage on existing road, Except any person may build up to three (3) dwellings on any 10 acres providing that said dwellings are not closer than 100 feet.

Section 4.04 MINIMUM YARD REQUIREMENTS

4.04 A Setback

Every building hereafter erected shall be set back not less than 100 feet from the center of the road right of way.

ARTICLE TWO ... ZONING DISTRICTS

Section 2.01 TYPES OF ZONING DISTRICTS

To achieve the purposes set forth in the Preamble, the entire area of Elbridge Township is hereby designated residential (R) and Agricultural Residential (AR) Districts.

ARTICLE THREE ... RESIDENTIAL DISTRICTS

The following provisions shall apply to all Residential Districts:

Section 3.01 PURPOSES

The purpose of creating residential districts is to provide areas primarily designed for residential uses consisting primarily of dwellings for only one family or household group, each located on individual lots or premises, 1 Acre or more in size.

The requirements are intended to protect and stabilize the basic qualities of each dwelling and provide suitable and safe conditions for family living.

Section 3.02 USES

No building or structure shall hereafter be erected, used or occupied, or land or premises used or occupied for other than one or more of the following specified uses:

3.02. A PRIMARY USES

1. Detached one-family dwellings including a private garage for passenger automobiles not exceeding a three (3) car capacity.

3.02. B Uses by Special Approval, as provided by Section 606

1. Two-family and multi-family dwellings.
2. Retail stores and shops offering chiefly new merchandise, when conducted entirely within a building having a roof and four sides.
3. Service enterprises similarly enclosed.
4. Churches, schools, libraries.
5. Public utility buildings without storage yards.
6. Public parks and playgrounds.
7. Swimming pools.
8. Cemeteries.

3.02 C Accessory Uses

Accessory uses, buildings and structures customarily and clearly incidental to any primary use, or use by Special Approval, but not including livestock may be considered accessory uses.

Section 3.03 MINIMUM LOT SIZE, YARDS AND FLOOR AREA. ~~AND USE OF YARDS~~

Minimum lot area and dimensions, and first floor area of dwellings shall be in conformity with the following table:

<u>District</u>	<u>LOT AREA</u>	<u>FLOOR AREA/PER FAMILY</u>
R	(one) 1 Acre or more	480 Sq. Ft.
AR	Ten (10) Acres or more	480 Sq. Ft.

ARTICLE FOUR ... AGRICULTURAL --- RESIDENTIAL DISTRICTS (AR)

The following provisions shall apply to all agricultural-residential District, (AR).

TOWNSHIP OF ELBRIDGE

ZONING

Ord. No. 11-03

AN AMENDMENT to Ordinance No. 1, Adopted NOV. 11, 2003, to amend and revise portions of Article V regarding mobile homes and trailer coaches.

THE TOWNSHIP OF ELBRIDGE ORDAINS:

The following Sections of Article V of Ordinance No. 11-03 are hereby amended as follows:

Section 5.01A is amended and revised to state as follows:

5.01A "Trailer Coach" or "Trailer" or "Mobile Home" means a transportable structure built on a chassis and designed to be used as a dwelling.

Section 5.02 is amended and revised to state as follows:

Section 5.02 Uses

No person shall use or permit the use of any trailer coach or mobile home as a dwelling, sleeping place or residence on any site, lot, field or tract of land not specifically licensed as a trailer coach or mobile home by the State of Michigan for more than three days, unless a written permit, issued by the township zoning administrator, is obtained. A trailer coach or mobile home shall not be used for any purpose other than as a dwelling or sleeping place for persons.

Section 5.03 is amended and revised to state as follows:

Section 5.03 Permits

The Elbridge Township Zoning Administrator in accordance with the requirements of this section 5.03 shall issue a written permit for the use of a trailer coach or mobile home.

Applications for a permit under this Section 5.03 shall be made in writing, signed by the property owner or authorized agent. The application shall contain:

- A. A statement as to whether the trailer coach or mobile home will be used as housing for an agricultural labor camp.
- B. The location of the proposed parking site as to street or road and house number or by legal property description where no house number is available.
- C. The make, length and vehicle number, if any, of the trailer coach or mobile home.
- D. The date of the application.

- E. The signature of the property owner, and the signature of the trailer coach or mobile home owner, if different than the property owner.
- F. If the trailer coach or mobile home will not be used as housing for migrant labor, the application shall also contain the names of all occupants including the names and ages of all child occupants.

A permit issued by the Elbridge Township Zoning Administrator or Building Inspector as an Agricultural Labor Camp Mobile Home Permit shall indicate that the occupancy of the trailer coach or mobile home pursuant to such permit is limited to one year from the date of the permit and that occupancy of the trailer coach or mobile home after such date shall constitute a violation of the Zoning Ordinance.

In the event a property owner who has previously received an Agricultural Labor Camp Mobile Home Permit desires to obtain a Mobile Home Permit, a new application for a permit must be submitted.

Section 5.04 is amended and revised to state as follows:

Section 5.04 Registration Fee

A registration fee of \$10.00 shall be paid to the Township Building Inspector at the time the application for a permit is submitted. In the event an application for a permit is found by the Township Building Inspector to have erected, moved, expanded or altered any lot, field, tract of land prior to receiving the written permit, an additional fee of \$100.00 shall be paid prior to the issuance of the written permit. The fees set forth herein are in addition to any fines or penalties imposed pursuant to Section 5.09 of this ordinance.

Section 5.09 is amended and revised to state as follows:

Section 5.09 Penalties

Any person occupying a trailer coach or mobile home without a permit or convicted of violating any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than one-hundred dollars (\$100.00), together with costs of prosecution. Each day a violation of this Ordinance is continued or permitted to continue shall constitute a separate offense punishable upon conviction in the manner described in this section. The Township may also seek all other statutory or common law remedies, including, but not limited to, a court order to abate any nuisance created by a violation of this Ordinance.

4.04 B Side Yards

Every lot or premises upon which a building is hereafter erected shall have open sideyards not less than twenty-five (25) feet in width on both sides.

Section 4.05 MINIMUM FLOOR AREA: DWELLING

Every dwelling hereafter erected shall provide not less than four-hundred-eighty (480) square feet of floor area per family.

ARTICLE FIVE . . . TRAILER COACH AND MOBILE HOMES

All trailer coach and mobile homes are subject to the provisions set forth in Elbridge Township Ordinance, Dated 20th Day of March 1973.

ELBRIDGE ORDINANCE

An ordinance to provide for the regulation of trailer coaches and mobile homes within the township of Elbridge; to provide for the payment of fees; and to provide penalties for the violation thereof. The Township of Elbridge Ordains:

Section 5.01 Purpose

For the purpose of this Ordinance, the following definitions shall apply:

5.01 A "Trailer Coach" or "Trailer" or "Mobile Home" means any vehicle with or without motor power and with or without wheels, but originally constructed or equipped with wheels, designed for carrying property or persons and is so constructed as to permit occupancy as a dwelling or sleeping place by one or more persons.

5.01 B "Self-Contained Trailer Coach" means a trailer coach or mobile home equipped with toilet and lavatory within the trailer coach or within a permanent structure attached to the trailer coach and accessible from the trailer coach without the need of outside exposure.

Section 5.02 USES

No person shall use or permit the use of any trailer coach or mobile home as a residence on any site, lot, field or tract of land not specifically licensed as a trailer coach park by the state of Michigan, for more than three days, except by written permit as hereafter provided and except under such regulations as hereinafter set forth.

Section 5.02 Permits

All applications for a permit shall be made to the township building inspector and shall contain:

5.03 A The name of the owner of the trailer coach or mobile home and the names of all occupants including the names and ages of all child occupants.

5.03 B The location of the proposed parking site as to street or road and house number, or by legal property description where no house number is available.

5.03 C The make, length and vehicle number, if any, of the trailer coach or mobile home.

5.03 D The date of application.

5.03 E The signature of the property owner, and the signature of the trailer coach owner, if different than the property owner.

Section 5.04 Registration Fee

The registration fee of \$10.00 shall accompany the application to the Township Building Inspector. Upon receipt of the application and the registration fee, the building inspector shall present the application to the Township Board at it's next regular meeting, for approval.

Section 5.05 Policy of the Township

It is hereby declared to be the policy of the Township of Elbridge that all future trailer or mobile home occupancies shall be limited to licensed trailer coach parks, or to plots of land no less than one (1) acre in total area and no less than 150 feet frontage on an improved road, and no permits will be issued for trailer coach or mobile homes occupancy in other areas of the township; provided, however, that in case of demonstrated hardship the township board may issue permits for trailer coach or mobile home occupancy in other areas of the Township.

Section 5.06 Occupation of Trailer or Mobile Home

Each occupied trailer or mobile home shall be self-contained and shall provide no less than 480 sq. feet of floor area as living quarters and shall be connected through a water tight connection from the trailer drainage outlet or outlets to a septic tank disposal system of such size and design as to properly care for all wastes produced. No waste water shall be deposited on the surface of the ground. All septic tanks and disposal fields shall be constructed to comply with the County Sanitary Waste Disposal Code.

Section 5.07 Water Supply

Every occupied trailer coach or mobile home shall be connected to a water supply obtained from a properly constructed drilled or driven well or municipal water system. Water under pressure at all times be connected to every occupied trailer coach or mobile home and the use of hand pumps is prohibited.

Section 5.08 Electrical Energy

Every occupied trailer or mobile home requireing electrical energy shall be connected to a separate electrical service entrance properly grounded at the trailer site. No occupied trailer or mobile home shall be connected to electrical servive through extension cords connected to electrical service at another building or trailer.

Section 5.09 Permit

Any person occupying a trailer coach or mobile home without a permit or convicted of violating any of the provisions of this Ordinance shall be guilty of a misdemeanor punishable by a fine not more than one-hundred dollars (\$100.00), together with costs of prosecution. Each day a violation of this Ordinance is continued or permitted to continue shall constitute a separate offense punishable upon conviction in the manner described in this section.

ARTICLE SIX . . . SUPPLEMENTARY PROVISIONS

Section 6.01 SCOPE OF ORDINANCE

Except as provided by Section 1.03, all land and premises shall be used, and all buildings and structures shall be located, erected and used in conformity with the provisions of this Ordinance following the effective date thereof.

Section 6.02 NONCONFORMING USES AND BUILDINGS

6.02 A Nonconforming Uses

Any nonconforming use of land, premises, building or structures which is discontinued for a period of twelve (12) months shall be construed as abandonment of use, following which the use thereof shall conform to the requirements of the Zoning District wherein located.

6.02 B Nonconforming Buildings

Any nonconforming building or structure, the use of which is discontinued for a period of twelve (12) months shall be construed as abandoned, following which no further use shall maintain until the building or structure has been brought into conformity with the provisions of the District wherein located.

6.02 C Change of Nonconforming Uses

No nonconforming use shall be changed to other than a conforming use, nor shall any such use so changed be reverted to the former nonconforming use.

Section 6.03 GENERAL LAND AND YARD REQUIREMENTS

6.03 A Area Limitations

In conforming to land and yard requirements, no area shall be counted as accessory to more than one dwelling or main building.

6.03 B Dwellings Lots or Premises

Every dwelling, cottage, cabin, occupied trailer coach or mobile home erected outside of a trailer coach Yard shall be located on a lot or premises, the description of the boundaries of which are on record at the Register of Deeds Office, and no more than one such building or structure shall be erected on such lot or premises, except as specified in Section 4.03.

6.03 C Accessory Buildings

All accessory buildings and structures attached to the main building, including breezeways and carports, shall be considered a part of the main building or structure in determining yard requirements.

6.03 D Use of Yard Space

No yard surrounding a dwelling, building or structure utilized for dwelling purposes shall be employed,

occupied or obstructed by accessory buildings or structures, either permanently or temporarily, Provided, however, that a side or rear yard may be used for the parking of not more than three (3) passenger automobiles in active service, but not for the parking of trucks, or for the location, parking, disposition, storage, deposit, or dismantling in whole or in part of junked vehicles, machinery, second-hand building materials, or other discarded, disused, or rubbish-like materials or structures. Provided farm trucks and farm machinery in active service, may be parked in farm yard.

Section 6.04 WATER SUPPLY AND SEWAGE DISPOSAL FACILITIES

6.04 A Standards

Every building or structure hereafter erected or moved upon any premises and used in whole or in part for human occupancy or frequency shall be provided with a safe and sanitary water supply and a method or system of sewage and waste disposal, each erected and maintained in accordance with the standards of material and installation recommended by the Michigan Department of Health.

6.04 B Location

No well shall be erected within fifty (50) feet of a septic tank or drainage field. No drainage field or sewage outlet shall be located within fifty (50) feet of, or drain into, a creek, lake, swamp, roadside ditch, or natural water course or body.

6.04 C Privies

The use of privies and other outside toilet facilities is prohibited, Provided, however, that a privy or earth-type structure for disposition of human waste may be erected for use of Farm labor, if erected and maintained in accordance with the standards recommended by the Michigan Department of Health.

Section 6.05 SIGNS

6.05 A General Provisions

Except as hereinafter provided, no sign or other outdoor advertising media shall be erected or maintained on any property in the township, which advertises a product or activity not related to the permitted property use.

6.05 B Residential Property

Signs advertising the rental or sale of residential property shall be limited to one non-illuminated sign not exceeding six (6) square feet in area located not less than one-half of the depth of required front yard from the front lot line or right-of-way line.

6.05 C Agricultural Property

Signs advertising the sale of farm products produced on the premises shall be limited to two (2) signs erected

on opposite approaches to the roadside stand or main entrance to the property.

6.05 D Commercial or Business Property

(1) Signs pertaining exclusively to the business carried on within a building and not exceeding twenty (20) percent of the building height, nor twenty (20) percent of the area of the wall whereon located, may be mounted flat against the main building and facing the public street or highway or parking area constituting a part of the business or commercial premises.

(2) Gasoline service stations shall be limited to one permanent sign on each highway frontage not exceeding twenty-five (25) feet in height or fifty (50) square feet in area, and so installed as to not obstruct vision of traffic to a height of sixteen (16) feet. All temporary signs shall be firmly attached to the main building and mounted parallel to the wall.

6.05 E Organizations and Institutions

Churches, schools, institutions, clubs and similar organizations may erect one (1) sign to serve identification not to exceed twenty (20) square feet in area. One free-standing sign or bulletin board not attached flat to a wall of the main building shall also be permitted when located not less than twenty-five (25) feet from any property line.

Section 6.06 USES BY SPECIAL APPROVAL

6.06 A General Requirements

Use by Special Approval, where provided, shall be subject to the provisions of the Zoning District wherein located in addition to the provisions of this Section, to prevent conflict with or impairment of the Primary Use thereof. Each such use shall be considered as an individual case.

6.06 B Specific Requirements

1. Written application shall be filed with the Zoning Administrator and shall include:

- (a) Name of applicant and owner of premises.
- (b) Legally recorded description of premises.
- (c) Description of proposed use, including parking facilities, if required, and any exceptional traffic situation that the use may occasion.
- (d) Sketch drawn to approximate scale showing size of building or structure and location on premises.
- (e) Sewage disposal and water supply facilities, existent or proposed.
- (f) Use of premises on adjacent properties.
- (g) A statement by applicant appraising effect of proposed use on adjacent properties and general development of the neighborhood.

2. The Zoning Administrator shall file his recommendation with the zoning Board which shall hold a public hearing before

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making its determination. In reaching its determination, it shall consider:

- (a) Whether the use, location and the nature of operation will be in conflict with the primary permitted uses of the district or neighborhood.
- (b) Whether the use will be more objectionable to adjacent and nearby properties than the operation of the primary uses of the district by reason of traffic, noise, vibration, dust, flames, smoke, odor, fire-hazard, glare, flashing lights, health hazard, or disposal of waste or sewage.
- (c) Whether the use will discourage or hinder the appropriate development and use the adjacent premises and neighborhood.
- (d) Whether the sewage disposal facilities and water supply will be safe and adequate.
- (e) Whether the use will create a major traffic problem or hazard.

Section 6.07 ESSENTIAL SERVICES

The erection, construction, or alteration or maintenance by public utilities or municipal departments or commissions, broadcast stations and radio transmission towers and antennas, to serve stations licensed by the FCC, of overhead or underground gas, electrical, steam or water, distribution or transmission systems, collection, communication, supply or disposal systems including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, electrical substation, gas regulator stations and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utility or municipal department or commission or broadcast stations and radio transmission towers and antennas, to serve stations licensed by the FCC, or for the public health or safety or general welfare, shall be permitted as authorized or regulated by law and other ordinances of the Township of Elbridge in any use district, it being the intention hereof to except such erection, construction, alteration, and maintenance from the application of this Ordinance.

ARTICLE SEVEN . . ADMINISTRATION

Section 7.01 ZONING ADMINISTRATOR

The provisions of this Ordinance shall be administered by a Zoning Administrator who shall be appointed by the Township Board for such term and subject to such conditions as the Township Board deems desirable to carry out the terms of this ordinance. He shall hold office at the pleasure of the Township Board, and shall receive such compensation as shall be determined by the Township Board.

Section 7.01A TOWNSHIP ZONING BOARD

The Township Zoning Board shall consist of nor more than seven (7) nor less than four (4) members. They shall be appointed by the Township Board. They shall hold office at the pleasure of

Township Board and receive such compensation as determined by the Township Board.

The duties of the Township Zoning Board are defined within the Elbridge Township Zoning Ordinance.

Section 7.01 B TOWNSHIP ZONING BOARD OF APPEALS

The Township Zoning Board of Appeals shall consist of Three (3) members of the Township Zoning Board and four (4) impartial members, selected by the Township Board from the eligible Register Voters List of Elbridge Township, Oceana County, Michigan.

The duties of the Township Zoning Board of Appeals are defined in Article Seven (7), Section 7.03 of the Elbridge Township Zoning Ordinance.

Section 7.02 APPLICATION AND CERTIFICATE OF APPROVAL

7.02 A Application

Before proceeding with the erection, moving or use of any building or structure, or the use of any premises subject to the provisions of this Ordinance, the owner thereof shall first obtain a Certificate of Approval from the Zoning Administrator, Application therefor shall be made in writing upon forms provided by the Township. It shall be the duty of all contractors and other persons having charge of erection or movement to determine that proper Certificate has been issued before undertaking any such work; and all persons performing such work in violation shall be deemed guilty of violation in the same manner as the owner of the premises.

7.02 B Issuance of Certificate

If the Zoning Administrator finds the application conforms to the requirement of this Ordinance and other applicable law, he shall, within one week of date of application, mark all copies approved over his signature and date. One copy shall be filed with the Township Clerk and the other delivered to the applicant together with a card signed by the Zoning Administrator, stating the terms of the permit, which card shall be attached to and remain on the construction during the progress of the work authorized such permit shall be valid for six (6) months from date of issue, but may be renewed subject the terms of the Ordinance then in effect. The Zoning Administrator shall have the power to revoke any Certificate in case of failure or neglect to comply with any provisions of this Ordinance, or in case of false statement or misrepresentation made in the application. The owner of the premises shall be notified of such revocation in writing.

7.02 C Fees

For each Certificate of Approval issued, the following shall be paid upon application to the Zoning Administrator for deposit with the Township Treasurer in a Township.

Zoning Fund which shall be used solely for the administration of this Ordinance, as directed by the Township Board. No Certificate shall be valid until the required fee has been paid. No separate fee shall be required for accessory building or structures when applied for at the same time as the principal buildings on the premises.

Residential (R)	\$10.00
Residential Agricultural (RA)	\$10.00
Accessory Buildings	\$10.00
Other.	\$10.00

Section 7.03 ZONING BOARD OF APPEALS

There is hereby created a Zoning Board of Appeals which shall perform its duties and exercise its powers as provided by Act 184 of the Public Acts of 1943, as amended, and by the provisions of this Ordinance. It shall have the power in passing upon appeals to vary or modify any provision of this Ordinance or decision of the Zoning Administrator or other Administrative Agent, so that the spirit of this Ordinance is observed, safety, sanitation and protection is secured, and substantial justice done. It shall have the power to act upon any matter referred to it by this Ordinance.

Any person adversely affected by a decision of the Zoning Board of Appeals may appeal to the Circuit Court of Oceana County, Michigan, said appeal to be made within twenty (20) days after the rendering of the Zoning Board's decision.

ARTICLE EIGHT . . . AMENDMENTS

Amendments or supplements to this Ordinance may be made from time to time, in the same manner as provided by Act 184 of the Public Acts of 1943 as amended for the enactment of the original Ordinance. It shall be necessary to publish only the section or sections to be amended in or added to the Ordinance.

Section 8.01 PROCEDURE

8.01 A Initiation

Proposals for amendments or supplements may originate with the Township Board, with the Zoning Board, or by written petition signed by no less than twenty-five (25) owners of property in the township. Petition by property owners shall show the address of each signer and the location of his property in the township, including the Zoning district wherein located.

8.01 B Reference to Zoning Board

Each proposed amendment or supplement shall be referred to the Zoning Board for its consideration and recommendation.

8.01 C Public Hearing

The Zoning Board shall hold at least one public hearing on its recommendations as required by Section 9 and 14 of Act 184 of the Public Acts of 1943, as amended.

3.01 D Subsequent Procedures
Following approval of the County Coordinating Zoning Committee, the Procedure shall proceed in accord with the provisions of Section 10 of the aforesaid Act, including the provisions of Act 191 of the Public Acts of 1939.

Section 8.02 "SPOT ZONING"

In case any petition requests rezoning of an individual parcel of land, it shall be signed by no less than fifty (50) percent of the owners of property within one-quarter ($\frac{1}{4}$) mile of the perimeter thereof, and procedure shall then include the requirements of Section 14 of Act 184 of the Public Acts of 1943, as amended. The petition shall show the specific use or purpose for which rezoning is sought. If granted, it shall be illegal to use such parcel for any other use unless separate proceedings are pursued for such other use.

ARTICLE NINE . . . VIOLATIONS

Section 9.01 PENALTIES

Any building or structure which is erected, altered, maintained or used, or any use of land which is begun, maintained or changed in violation of this Ordinance is hereby declared to be a nuisance per se. Any person, firm, corporation or other organization which violates, disobeys, omits, neglects, or refuses to comply with, or resists the enforcement of any provision shall be fined upon conviction not more than one-hundred (100) dollars together with the cost of prosecution, or shall be punished by imprisonment in the county jail for not less than two (2) days nor more than five (5) days for each offense, or may be both fined and imprisoned as provided at the discretion of the court. Each and every day which a violation continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this Ordinance.

Section 9.02 PROCEEDINGS

The Township Board, the Zoning Board, the Zoning Administrator, the Board of Appeals, or any owner of real estate may institute injunction, mandamus, abatement or any other appropriate proceedings to prevent, enjoin, abate or remove any unlawful erection, alteration, maintenance or use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

ARTICLE TEN . . . DEFINITIONS

For the purpose of this Ordinance, certain terms used are here-with defined. The word, "shall" is always mandatory and not merely directory.

Section 10.01 DWELLING, COTTAGE, CABIN

Any conventional building occupied as the home or sleeping place of persons, but shall not include garage-type or basement-type buildings, barns, sheds, tents, canopies, vehicles whether mounted or not, club-houses, trailer coaches, or other unconventional or substandard dwelling structures.

Section 10.02 ERECTED

Includes built, constructed, reconstructed, moved upon, and also any physical operations of land required for a building. Excava-

tion, bill drainage and the like shall be considered a part of erection.

Section 10.03 FARM

All of the Contiguoud, neighboring or associated land operated as a single unit on which bona fide farming is carried on directly by the owner-operator, or manager or tenant-farmer by his own labor or with the assistance of members of his household or hired employeecs, Provided, however, That land to be considered as a farm herecunder shall include a contiguous, unplatted parcel of not less than ten(10) acres in area; Provided, further, That farms maybe considered as including establishments operated as a bona fide greenhouses, nurserice orchards, chicked hatcheries, poultry farms, apiaries; but establish-ments keeping game, or operated as fish - hatcheries, stock yards, stone quarries, or gravel or sand pits shall not be considered farms here- under or operated as hunting and/or fishing preserves.

Section 10.04 FLOOR AREA

Square feet of surface included within the overall demensions of a building at first floor level.

Section 10.05 LOT

The parcel of land on which the principal building including any accessories, are placed, together with the required yards or open spaces and the legal description of which are recorded at the office of the Register of Deeds. Where any lot has less arca, width or depth than required but was recorded at the tiem of passage of this Ordinance, such lot may be occupied by a single-family dwelling subject to approval of front and side yards by the Board of Appeals as consistent with Section 1.02 of this Ordinance.

Section 10.06 ROADSIDE STAND

A farm structure used or intended for use solely by the owner or tenant of the premise whereon located, for the sale of only seasonable farm products produced in the immediate locality in which the stand is located.

Section 10.07 TRAILER COACH OR MOBILE HOME

Includes all dwelling structures or facilities for human occu-pancy or habitation originallly mounted on chassis wheels or other devices and initially designed to be moved by self-propulsion or otherwise, and whether or not such chassis wheels or other devices have been removed, or a temporary or permanent foundation has been substituted therefor, or such structure has been reconstructed or added to by accessories.

Section 10.08 TRAILER COACH PARK

As defined by the Trailer Coach Park Act, Act 243 of 1959.

Section 10.09 YARD

The open ground space on a premises occupied by buildings.

10.09 A Front Yard or Setback

The yard extending acro ss the full width of a premises between the nearest line of the main building or struc-ture and the front lot line or hishway right-of-way line as the case may be.

10.09 B Side Yard

The open unoccupied space between the building and side lot line, andextending from the front lot line or highway right-of-way line to the rear line of the premises.

- 10.10 ACCESSORY USE: A use of a building, lot or portion thereof, which is customarily incidental and subordinate to the principal use of the main building or lot.
- 10.11 DWELLING, SINGLE FAMILY: A building containing not more than one dwelling unit designed for residential use, by persons related by blood or marriage, or unrelated persons whose number does not exceed four(4).
- 10.12 DWELLING, TWO FAMILY: A building containing not more than two separate dwelling units designed for residential use, by persons related by blood or marriage, or unrelated persons whose number does not exceed four (4) per unit.
- 10.13 FARM BUILDING: A building not used for human habitation, whose primary purpose and function, includes the housing and storing of grain, feed, silage, or crops, and includes such buildings which are customarily used to house livestock, poultry, and other animals which are customary and incidental to the use of the land as a farm.

To provide for repairs to nonconforming structures not to exceed 50 percent of the market value of these structures and to allow for enlargement or expansion of those structures which are nonconforming due solely to their location within the setback limitations of the ordinance if said expansion is in line with the existing setback of the nonconforming structure.

SECTION III - THE AMENDMENT AND REVISION OF SECTION 6.04

SECTION 6.04.A. That a special use only be authorized by permit of the Township Planning/Zoning Commission and only for those special uses listed within each zoning district, and further, to provide for standards which each special use must meet, including site plan review.

SECTION 6.04.B. To provide the procedure for requesting a special use permit.

SECTION 6.04.C. To provide the basis for determination that the location of the special use will consider: harmony with the objectives of the Township's development plans, regulations and guidelines; harmony with the general vicinity; a hazard to nearby uses; availability of public services; not be costly to the public and consistent with the Ordinance.

SECTION 6.04.D. Shall be added to allow the Township Planning/Zoning Commission to impose additional conditions to protect the health, safety and welfare of Township inhabitants.

SECTION 6.04.E. To prohibit re-application for a special use permit within one year without a showing of changed conditions to justify reconsideration.

SECTION IV. EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES. This section provides that this Ordinance shall take effect on December 13, 1990. All Ordinances or parts of Ordinances in conflict herewith are repealed.

ELBRIDGE TOWNSHIP
OCEANA COUNTY, MICHIGAN

NOTICE OF ORDINANCE ADOPTION

TO: THE RESIDENTS AND PROPERTY OWNERS OF ELBRIDGE
TOWNSHIP, OCEANA COUNTY, MICHIGAN, AND ALL
OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that a proposed ordinance has been submitted to the Township Board of Elbridge Township which was adopted on December 5, 1990, being Ordinance No. 3 to take effect December 13, 1990; the Ordinance shall amend and revise Sections 4.02, 6.02, and 6.06 of the Elbridge Township Zoning Ordinance. The Ordinance provides, as follows:

SECTION I. THE AMENDMENT AND REVISION OF SECTION 4.02.B:

SECTION 4.02.B.(8) Gas processing plant, processing plant pipe lines, oil and gas wells.

SECTION II. THE AMENDMENT AND REVISION OF SECTION 6.02:

SECTION 6.02.D. To provide for repairs to nonconforming structures not to exceed 50 percent of the market value of those structures and to allow for enlargement or expansion of those structures which are nonconforming due solely to their location within the setback limitations of the ordinance if said expansion is in line with the existing setback of the nonconforming structure.

SECTION III. THE AMENDMENT AND REVISION OF SECTION 6.06:

SECTION 6.06.A. That a special use only be authorized by permit of the Township Planning/Zoning Commission and only for those special uses listed within each Zoning District, and further, to provide for standards which each special use must meet, including site plan review.

SECTION 6.06.B. To provide the procedure for requesting a special use permit.

SECTION 6.06.C. To provide the basis for determination that the location of the special use will consider: harmony with the objectives of the Township's development plans, regulations and guidelines; harmony with the general vicinity; a hazard to nearby uses; availability of public services; not be costly to the public and consistent with the Ordinance.

SECTION 6.06.D. Shall be added to allow the Township Planning/Zoning Commission to impose additional conditions to protect the health, safety and welfare of Township inhabitants.

SECTION 6.06.E. To Prohibit re-application for a special use permit within one year without a showing of changed conditions to justify reconsideration.

SECTION IV. EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES. This Section provides that this Ordinance shall take effect on December 13, 1990. All Ordinances or parts of Ordinances in conflict herewith are repealed.