

ZONING DISTRICTS AND MAP

ARTICLE III

ZONING DISTRICTS AND MAP: CONFORMITY TO ORDINANCE REGULATIONS

SECTION 3.00 - ZONING DISTRICTS ESTABLISHED

For the purposes of this Ordinance, the City of Keego Harbor is here-divided into the following Zoning Districts:

R-1 and R-2 One Family Residential Districts

R-T Townhouse Residential District (Ord. 340, 4/16/1998)

R-M Multiple Family District

R-MH Mobile Home District

P-1 Vehicular Parking District

C-1 Local Business District

C-2 General Business District

O-1 Office District

M-1 Light Industrial District

In addition, sections of the above Zoning Districts may be located in floodplain and other water areas.

SECTION 3.01 - ZONING DISTRICT BOUNDARIES

The boundaries of the Zoning Districts enumerated in Section 3.00 are hereby established as shown on the Zoning Map, City of Keego Harbor, and this text, and which map with all notations, references, and such information shown thereon shall be as much a part of this ordinance as if fully described herein.

In accordance with the provisions of this Ordinance and Act 207, of the Public Acts of the State of Michigan, 1921, as amended, changes made in district boundaries or other matter portrayed on the Zoning Map, such changes shall be entered on the Zoning Map promptly after the amendment has been approved by the City Council and has been published in a newspaper of general circulation in the City. The changes in the exact boundaries or other matters affecting the Zoning Map shall be legibly portrayed on the Zoning Map.

No changes of any nature shall be made in the Zoning Map or matters shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized

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change of whatever kind by any person or persons shall be considered a violation of this ordinance punishable as provided for in this ordinance.

Regardless of the existence of purported copies of the Zoning Map which may, from time to time, be made or published, the Zoning Map shall be located in the office of the City Clerk and shall be the final authority as to the current zoning status of all land and water areas, buildings, and other structures in the City.

SECTION 3.02 - INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where, due to the scale, lack of details, or illegibility of the 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 Zoning Board of Appeals. The Board 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, water courses, or lot lines, or be parallel or perpendicular there unless such district boundary lines are otherwise clearly indicated on the Zoning Map.
- (b) Where district boundaries are so indicated that they approximately follow lot of record lines such lines shall be constructed 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 of the zoning map, shall be determined by use of the map scale shown thereon.

SECTION 3.03 - ZONING OF VACATED AREAS

Whenever any street, alley or other public way within the City of Keego Harbor shall be vacated, such street, alley or other public way or portion thereof shall automatically be classified in the same Zone District as the property to which it attaches.

SECTION 3.04 - ZONING OF ANNEXED AREAS

Any area annexed to the City of Keego Harbor shall immediately upon such annexation, be automatically classified as an R-1 District if a zoning map for said area has been adopted by the Council. The Planning Commission shall recommend appropriate zoning for such areas within three (3) months after the matter is referred to the Planning Commission by the Council.

SECTION 3.05 - CONFORMITY TO ORDINANCE REGULATIONS

- (a) No structure or land shall hereafter be used or occupied and structure or part thereof shall be erected; constructed, moved, altered, except in conformity with the regulations, specified in this ordinance.

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- (b) Except as otherwise provided herein regulations governing land and building use, minimum lot size, lot area per dwelling unit building height, building placement, required yards, and other pertinent factors are hereby established as stated in the detailed provisions for each of the Zoning Districts. In each Zoning District a permitted use of land or buildings is subject only to the minimum requirements specified for such use in the Zoning District in which such use is located plus applicable requirements found elsewhere in this Ordinance. A use permitted subject to special conditions shall be a use of land or building requiring some measure of individual consideration, and therefore subject not only to the minimum requirements specified for such use in the Zoning District in which such use is located, and applicable requirements found elsewhere in this Ordinance, but also to any special conditions imposed in this Ordinance.
- (c) No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- (d) No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth therein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this Ordinance.
- (e) Essential services shall be permitted as authorized and regulated by law and the ordinances of the City of Keego Harbor.

SECTION 3.06 - CONFLICTING REGULATIONS

Whenever any provision of the Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Any use that would constitute a violation of federal, state or local law and/or regulations shall be prohibited. (Ordinance 430 12/15/11)

SECTION 3.07 - PERMISSIVE ZONING CONCEPT

Land uses are permitted specifically in the various zoning districts of this Ordinance. Where not specifically permitted, uses are thereby specifically prohibited unless construed to be similar to a use expressly permitted. No land contained within any zoning district within the City of Keego Harbor shall be used for any purpose other than those uses specifically set forth in the following sections, except as permitted by Article XII.