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Zoning Ordinance

CLEMENT TOWNSHIP MASTER PLAN GLADWIN COUNTY, MICHIGAN

PREPARED BY: CLEMENT TOWNSHIP ZONING BOARD OCTOBER 1992

UPDATED BY CLEMENT TOWNSHIP PLANNING COMMISSION
SEPTEMBER 11, 2002

REVISED JUNE 14, 2006

Master Plan

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INTRODUCTION AND PURPOSE

The following Master Plan has been developed by the Clement Township Zoning Board and updated by the Clement Township Planning Commission. The purpose of this document and the accompanying map is to provide a guide to the future development of township for the benefit and welfare of all township residents. The primary goals of this Plan are to:

- Promote public health, safety and general welfare:
- Encourage the prudent use of land;

- Avoid overcrowding of land;
- Encourage improvement of road system;
- Provide for proper sewage disposal, and a safe and adequate water supply;
- Encourage development of public recreational facilities;

The ultimate goal of the Master Plan is to create a true community within the limitations imposed by existing, inflexible conditions, while preserving the natural resources both for environmental reasons and for the intangible benefits which they provide.

In determining recommendations for actions necessary to achieve these goals, various characteristics of the township have been considered. Implementation of this Plan is essential to the orderly transition of the township into a desirable and cohesive community that can accommodate present and future needs of all residents.

MASTER PLAN CLEMENT TOWNSHIP, GLADWIN COUNTY, MICHIGAN

I. GEOGRAPHY

Due to survey corrections along the Meridian line and along the northern boundary of the township, the area comprising Clement Township is only about 22 square miles, over 50% of which is state forest land. Most development must therefore occur on the periphery of the township.

The Tittabawassee River and its branches further divide the usable land. The middle branch of the river dissects the township, extending from near the southern edge to the northern edge of the township and separating the eastern and western portions of the township,

II. POPULATION

From 1990 to 2000, the township experienced a growth rate of 8.27%, primarily from former cottage owners who retired to become permanent residents.

The median age of township residents is 53.4 years. Over 26% of residents are 65 and older, only 12.7% are between the ages of 5 and 18. Since 1990 the category under 18 has decreased by 13%; between 18 and 64 has grown by 8.14% and those 65 and over has grown by 8.63%.

The 2000 census figures indicate 944 full-time residents and 1186 total housing units. Year-round owner-occupied units number 471, an increase of 7.5% over 1990. There are 677 seasonal owner-occupied units, 29 rental and 9 vacant units.

Much of the new development has been on waterfront properties along the Tittabawassee River and several small lakes, alongside cottages built over the last 30 years. Many of the original residence are poorly served by obsolete or failed septic systems, contributing to pollution of the water.

III. ROAD SYSTEM

Most roads have been paved or upgraded from previous seasonable roads and most are passable year around. The township continues to make improvements and upgrades on its public roads, there are however many unimproved private roads.

IV. RECREATION

Although the river, lakes and forest provide recreational opportunities for a significant portion of part-time and year-round residents, not all residents live on waterfront property. Some development has caused conflict between those who once freely used a wilderness area and those who now reside on and are developing the area. This conflict points out the need for public recreational facilities to benefit all residents. The township currently owns several parcels of land, not all of which is being used. For various reasons, the other parcels remain idle. An item in the township budget titled "Recreation Fund" has remained at a very small amount for some time.

V. UTILITIES

Overhead electric, telephone, and cable TV lines have been installed through wooded areas, making them highly susceptible to damage from falling branches and trees. As a result, outages inevitably follow storms or high winds.

Because natural gas is unavailable, residents rely on oil, propane gas or wood for their heating needs, resulting in a proliferation of small storage tanks and pollution of the air by burning of a natural resource.

Those residents who live on sparsely populated roads have been denied the opportunity to obtain cable TV service due to density requirements of the utility company. Ironically, those who live on the poorer roads are more likely to obtain this service than those who live on the main roads.

VI. LAND USE

Development of the land was once regarded as an end in itself, on the assumption that growth would automatically benefit the community. People now realize that costs to a community of uncontrolled growth and wanton use of land can be extremely high. Due to the concerns about the impact of new development on the community, zoning ordinances have been established.

The current range of activities in Clement Township includes commerce, agriculture, rural residential development, resort and tourism developments. For purposes of the Master Plan Map, future land use in Clement Township has been divided into the same categories used in the Zoning Ordinance: Agriculture, Residential, Commercial, Public/Quasi Public and State Owned.

Since the closest cities are Gladwin to the south and West Branch to the north, and M-30 is the only major primary road leading from the south to the north future commercial development will occur naturally along

this corridor.

VII. RECOMMENDATIONS

1. A new bridge across the river joining the ends of Boman road would benefit most residents who must drive miles to get from one side of the river to the other.
2. Development of a central sewage system is a vital necessity as all of Clement Township depends on septic systems, some of which are now creating health problems.
3. Bensch road, the dividing line between Clement and Bourret Townships, should be improved, paved and made a primary road from Boman road north to M-30.
4. A central park and recreational development needs to be built for the benefit of people of all ages.
5. Other small parcels owned by the township should be evaluated as to potential for small parks.
6. Electric, telephone and cable companies should be encouraged to install lines belowground to eliminate outages due to fallen lines.
7. Installation of natural gas for the entire township should be encouraged.
8. The Township board should negotiate with the cable company on behalf of those residents still denied cable service.
9. Various types of commercial development, such as retail stores, shopping centers, branch banks, service functions, etc. should be encouraged on the M-30 corridor.

VIII. IMPLEMENTATION

The most important legal tool for implementation of the Master Plan is the Zoning Ordinance, which has already been adopted, but which is subject to revision based on changing needs. Other regulations and ordinances developed by the Township Board, whether based on the recommendations of the Master Plan or on some other perceived need within the township, will also be essential to the effective implementation of the Master Plan.

ADOPTED JUNE 14, 2006

REVISED ZONING PERMIT AND FEES

To replace ZONING PERMIT FEE SCHEDULE

Regular Land Use Permit	30.00
Special Land Use Permit	150.00
Variance Request Hearing	225.00
Zoning Amendment Request Hearing	225.00
Re-Zoning Request Hearing	300.00
Land Division Permits	20.00
Private Road Permit	300.00

FIXED BASIC FEES; COST INCLUDE

The fixed basic zoning application fees specified in Section 1 shall hereafter cover costs associated with the following.

1. Applicant's appearance at regular planning commission, zoning board of appeals, and/or township board meetings.
2. Mailings and legal notice requirement for public hearings. Involvement by township board members and employees (excluding outside contractor or professionals such as township engineer, planning, legal counsel, and other services.)

FEES IN EXCESS OF FIXED BASIC FEES

In addition to the fixed basic fees, all other expenses and costs incurred by the township which are directly associated with reviewing, processing, and inspection of applications or projects for uses specified in Section 2 shall be paid for (or reimbursed to the township) from the funds in an Escrow Account established by the applicant as provided herein. The township may draw funds from the applicant's Escrow Account to reimburse the township for expenses incurred by the township that relate to the application. Such reimbursable expenses include, but are not limited to, expenses related to the following:

1. Services of the township attorney directly related to the application.
2. Services of the township engineer directly related to the application.
3. Services of the township planner directly related to the application.
4. Services of other professionals working for the township, which are directly related to the application.
5. Any additional public hearings, required mailings and legal notice requirements necessitated by the application.

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PREAMBLE

An ordinance to establish zoning regulations for the Township of Clement, Gladwin County, Michigan, including regulations concerning non-conforming uses, structures and buildings; to provide for the administration, enforcement and amendment of such regulations; to prescribe penalties for the violation of such regulations; and to provide for

conflicts with other ordinances or regulations, all in accordance with the provisions of Michigan Act 184 of 1943 as amended

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THE TOWNSHIP OF CLEMENT, GLADWIN COUNTY, MICHIGAN ORDAINS:

ARTICLE I

101 SHORT TITLE

This Ordinance shall be known as the "CLEMENT TOWNSHIP ZONING ORDINANCE" and shall be referred to herein as "this ordinance".

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ARTICLE II

201 ZONING DISTRICTS

The following zoning districts are hereby established and the purpose or intended use of each district is stated. Permitted uses in each district are listed in Article III of this Ordinance.

201:1 The A-I District is established in recognition of the areas of sparse development customarily occurring in agriculturally oriented communities. The areas which comprise the majority of this zoning district contain the principal agricultural activities and the uses which are customarily associated with or accessory to the agricultural activities. It is not intended that high concentration of development be permitted in this district except as authorized by this Ordinance. Uses that are not of an agricultural nature may be permitted in this district as Special Uses, provided that they comply with the applicable regulations pertaining to Special Uses as outlined in Section 501 of this Ordinance.

201:2 The R-I District is established to provide areas of general residential development. Desired development includes single-family dwellings, services, facilities and uses incidental or accessory to residential development as included. Uses compatible with residential development including commercial uses, may be permitted, provided that they comply with applicable regulations pertaining to Special Uses as outlined in Section 501 of this Ordinance.

201:3 The C-I District is established to provide areas of general commercial development for uses which are of a retail or personal services nature. Preferred uses are those that are intended to serve the regular needs of the surrounding community. It is also intended that any uses permitted do not create a nuisance to the surrounding area by the emission of noise, fumes, smoke, vibrations, odors or other similar by-products which are not compatible with the general atmosphere of the total community. It is not intended that residential development be permitted in this district except as authorized by this Ordinance.

202 ZONING MAP

The areas comprising the zoning districts and the boundaries of said districts are hereby established as shown on the official zoning map entitled "ZONING MAP, CLEMENT TOWNSHIP, GLADWIN COUNTY, MICHIGAN."

202:1 The Zoning Map, together with any explanatory matter thereon is hereby adopted by reference and declared to be a part of this Ordinance.

202:2 The Zoning Map shall be maintained in the Township Hall and shall show all changes that are made in district boundaries according to procedures set forth in this Ordinance.

202:3 District boundary lines as shown on the Zoning Map, unless otherwise indicated, shall be construed as following lot lines; County limits lines; Township limits lines; centerlines of highways, streets, roads, alleys, easements, railroads, streams, rivers, lakes; or these centerlines extended or projected.

202:4 Questions concerning district boundary lines as shown on the Zoning Map shall be decided by the Zoning Board of Appeals after recommendation, by the Planning Commission.

202:5 All parcels deemed commercial and agricultural shall be listed with property descriptions and code numbers. All other property will be residential or governmental.

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ARTICLE III

PERMITTED USES BY DISTRICT

301 A-I DISTRICT-PERMITTED USES AND STRUCTURES

Within an A-I District, no structure of premises shall hereafter be used, erected, converted or altered externally in whole or in part if said use is not in accordance with the intent of Subsection 201:1 of this Ordinance, except as otherwise provided in this Ordinance, for any other than one or more of following permitted uses.

301:1 PRINCIPAL USES AND STRUCTURES-A-1 DISTRICT

1. General farming, including gardening, crop raising, nurseries, and other similar agricultural activities.
2. Single-family detached dwellings, including mobile homes provided that the under carriage has been removed and structure is placed on an approved foundation. See Subsection 402:4 this Ordinance.
3. Livestock farms and ranches, dairy farms and poultry farms provided that there is no slaughtering, rendering, tanning or similar processing on the premises except for the private use of the processed product by the occupants.
4. Kennels and public or private riding stables.
5. Cemeteries.
6. Recreational areas both year-round and seasonal, public or private, including but not limited to: golf courses, athletic areas, playgrounds, auditoriums and theaters.
7. Timber and tree products production only from trees harvested on premises provided that all related structures and fixed equipment shall be located a minimum of one hundred (100) feet from all property lines.
8. Religious institutions: churches, synagogues, temples, etc.
9. Schools, either public or private not operated for a profit.

10. Governmental administrative buildings.

All principal uses and structures in the A-I District shall be subject to the area, location and height restrictions as specified the accompanying SCHEDULE OF A-I DISTRICT REGULATIONS or to more restrictive laws, regulations or codes which are legally in force.

301:2 ACCESSORY USES AND STRUCTURES-A-1 DISTRICT

1. Private garages and carports.
2. Farm buildings, with or without storage yards, when located a minimum of one hundred (100) feet from all property lines.
3. Stands for display or sale of agricultural products raised on the premises, provided that there shall be no more than one (1) stand for each premises, and that the size of any such stand shall not exceed four hundred (400) square feet in floor area.
4. Club houses and other similar structures accessory to the principal recreational use.
5. Outside storage of privately owned major operational or recreational equipment including or similar to farm equipment, campers, boats, travel trailers, snowmobiles etc. provided that said equipment shall be unoccupied.
6. Home occupations.
7. Required parking areas in accordance with this Ordinance.
8. Any other accessory uses and structures which are similar to the above-listed accessory uses and structures, and which are customarily incident to any of the principal uses and structures.
9. Temporary dwellings

All accessory uses and structures in the A-1 District shall be subject to the area, location and height restrictions which are applicable to the principal use to which they are incident and as specified on the accompanying SCHEDULE OF A-I DISTRICT REGULATIONS or to more restrictive laws, regulations or codes which are legally in force.

301:3 SPECIAL USES AND STRUCTURES-A-I DISTRICT

1. Retail sales establishments.
2. Personal services establishments.
3. Hotels or motels.
4. Multiple family dwellings.
5. Clubs or lodges.
6. Rooming houses.
7. Mobile home parks.
8. Travel trailer parks and campgrounds.
9. Sanitary landfills when operated by the Township and approved by the Health Department, provided there is no burning on the premises.
10. Public utilities facilities without storage yards.
11. Radio or television stations with or without storage yards.

All special uses and structures in the A-I District shall be subject to all restrictions, regulations and conditions as specified in Section 501 of this Ordinance, or to more restrictive laws, regulations or codes which are legally in force.

301:4 All principal, accessory and special uses in the A-1 District shall be subject to the conditions of the Special Regulations for on-site parking as specified in Section 503 of this Ordinance.

SCHEDULE OF A-1 DISTRICT REGULATIONS

PERMITTED USES	Minimum Lot Sizes		Minimum Yard			Maximum
	Area	Width	Front	Rear	Side	Height
I. GENERAL FARMING CROPS PRODUCTION	5 Acres	N/R	N/R	N/R	N/R	N/R
2. SINGLE FAMILY DWELLINGS	5 Acres	150 FT	40 FT	40 FT	20 FT	35 FT
3. LIVESTOCK. DAIRY & POULTRY FARMS	5 Acres	N/R	N/R	N/R	N/R	N/R
4. KENNELS & PUBLIC & PRIVATE STABLES	5 Acres	250 FT	100 FT	100 FT	100 FT	N/R
5. CEMETERIES	5 Acres	N/R	N/R	N/R	N/R	N/R
6. RECREATIONAL AREAS	5 Acres	N/R	N/R	N/R	N/R	N/R
7. TIMBER & TREE PRODUCTION	N/R	N/R	N/R	N/R	N/R	N/R
.8 RELIGIOUS INSTITUTIONS	5 Acres	150 FT	50 FT	40 FT	20 FT	N/R
9. SCHOOLS; PUBLIC OR PRIVATE	5 Acres	N/R	50 FT	40 FT	20 FT	N/R
10. GOVERNMENT. ADMINISTRATION. BUILDINGS	5 Acres	150	50 FT	40 FT	20 FT	N/R
11. ACCESSORY USES & STRUCTURES NOT ELSEWHERE SPECIFIED	**** ****	**** ****	50 FT	40 FT	20 FT	N/R
12. SPECIAL USES & STRUCTURES	AS SPECIFIED IN SECTION 501 OF THIS ORDINANCE					
13. ANY STRUCTURE. ON WATER FRONTAGE	MINIMUM OF 50 FT FROM WATERS EDGE					
14. TEMPORARY DWELLINGS	MINIMUM OF 50 FT FROM WATERS EDGE					

N/R- NO MINIMUM/MAXIMUM REQUIREMENTS

302 R-I DISTRICT- PERMITTED USES AND STRUCTURES

Within any R-I District, no structures or premises shall hereafter be used, erected, converted or altered externally in

whole or in part if said use is not in accordance with the intent of Subsection 201:2 of this Ordinance, except as otherwise provided in this Ordinance for any other than one or more of the following permitted uses.

302:1 PRINCIPAL USES AND STRUCTURES'- R-I DISTRICT

1. Single- family dwellings, including approved mobile homes, see 402:4, this ordinance.
2. Governmental administration buildings.
3. Schools, either public or private, not operated for profit.
4. Public medical and health facilities.
5. Recreational and social facilities either public or private including theaters and auditoriums.
6. Religious institutions: churches, synagogues, temples, etc.
7. Cemeteries.

All principal uses and structures in R-I District shall be subject to the area location and height restrictions as specified on the accompanying SCHEDULE OF R-I DISTRICT REGULATIONS or to more restrictive laws, regulations or codes which are legally in force.

302:2 ACCESSORY USES AND STRUCTURES- R-I DISTRICT

1. Private garages and carports.
2. Private swimming pools.
3. Playground equipment
4. Clubhouses and other structures accessory to the principal recreational use.
5. The keeping of not more than two (2) roomers or boarders by a resident family.
6. Home occupations.
7. Off-street parking areas in accordance with this Ordinance.
8. Any other accessory uses and structures which are similar to the above-listed accessory uses and structures, and which are customarily incident to any of the principal uses and structure.
9. Temporary dwellings

302:3 FENCES-R-1 DISTRICT

1. Fences may be installed on individual property.
2. Any fences erected in Clement Township will require a site plan reviewed by the Zoning Administrator and a Land Use Permit before erecting such fence.
3. The maximum height of fences to be six (6) foot and must be offset by six (6) inches from each side of lot lines and thirty- five (35) feet back from center of roadway.
4. Allowable material for fences are chain link, split rail, dog eared, stockade, picket, masonry or lattice.
5. On any water front parcels no fence shall be installed or erected closer than thirty-five (35) feet from the established water's edge.

The Zoning Administrator may consider the effects of such ventilation to adjacent premises, the nature of material proposed for use and provisions for maintenance of same.

All accessory uses and structures in the R-I District shall be subject to the area, location and height restrictions which

are applicable to the principal use to which they are incident and as specified on the accompanying SCHEDULE OF R-I DISTRICT REGULATIONS or to more restrictive laws, regulations or codes which are legally in force.

302:4 SPECIAL USES AND STRUCTURES-R-1 DISTRICT

1. Retail sales establishments
2. Personal services establishments
3. Hotels or motels
4. Multiple family dwellings
5. Clubs or lodges
6. Rooming houses
7. Housing for the elderly
8. Mobile home parks
9. Travel trailer parks and campgrounds
10. Public utilities facilities without storage yards
11. Clinics
12. Convalescent homes
13. Private or public riding stables

All special uses and structures in the R-I District shall be subject to all restrictions, regulations and conditions as specified in Section 501 of this Ordinance or to more restrictive laws, regulations or codes which are legally in force.

302:5 All principal uses, accessory uses and special uses in the R-I District shall be subject to the conditions of the Special Regulations for On-Site Parking as specified in Section 503 of this Ordinance.

SCHEDULE OF R-1 DISTRICT REGULATIONS

PERMITTED USES	Minimum Lot Sizes		Minimum Yard			Maximum
	Area	Width	Front	Rear	Side	Height
1. SINGLE FAMILY DWELLINGS	18,000 SQ.FT.	65 FT.	35 FT.	35 FT.	10 FT. EA	35 FT.
2. GOVT. & ADM. BUILDINGS	5 ACRES	150 FT.	40 FT.	40 FT.	20 FT.	35 FT.
3. SCHOOLS, PUBLIC & PRIVATE	10 ACRES	N/R	40 FT.	40 FT.	20 FT.	35 FT.
4. PUBLIC MEDICAL & HEALTH	5 ACRES	150 FT.	40 FT.	40 FT.	20 FT.	35 FT.
5. RECREATIONAL & SOCIAL FACILITIES	5 ACRES	150 FT.	40 FT.	40 FT.	20 FT.	35 FT.
6. RELIGIOUS INSTITUTIONS	5 ACRES	100 FT.	40 FT.	40 FT.	20 FT.	35 FT.
7. CEMETERIES	10 ACRES	N/R	N/R	N/R	N/R	N/R
8. ACCESSORY USES & STRUCTURES NOT ELSEWHERE SPECIFIED	*****	*****	40 FT.	40 FT.	20 FT.	35 FT.
9. SPECIAL USES & STRUCTURES	AS SPECIFIED IN SECTION 501, THIS ORDINANCE					
10. MINIMUM RESIDENTIAL DWELLING SIZE	NOT LESS THAN 720 SQ. FT. IN AREA NOT LESS THAN 14 FT. WIDE AS SPECIFIED IN SUBSECTION 402:4					
11. ANY STRUCTURE ON WATER FRONTAGE	MINIMUM OF 50 FT. FROM WATERS EDGE					
12. TEMPORARY DWELLINGS	MINIMUM OF 50 FT. FROM WATERS EDGE					

N/R-NO MINIMUM/MAXIMUM REQUIREMENTS

303 C-I DISTRICT- PERMITTED USES AND STRUCTURES

Within any C-I District, no structure or premises shall hereafter be used, erected, converted or altered externally in whole or in part if said use is not in accordance with the intent of Subsection 201:3, this Ordinance, except as otherwise provided in this Ordinance, for any other than one or more of the following permitted uses.

303:1 PRINCIPAL USES AND STRUCTURES- C-I DISTRICT

1. Retail sales establishments
2. Personal services establishments.
3. Offices.
4. Recreational and social facilities, either public or private, including theaters and auditoriums.
5. Public utilities facilities with or without storage areas.
6. Dwelling units, when located only on the second floor above another principal use. Dwelling unit permitted on first floor, along with another principal use, if property owner demonstrates a hardship would be caused by location of dwelling unit on second floor. Hardship to be determined by the Planning Commission.
7. Financial institutions.
8. Marina facilities.
9. Gasoline service stations.

303:2 ACCESSORY USES AND STRUCTURES- C-I DISTRICT

1. Signs, when announcing the product or service offered on that zoning lot
2. Storage buildings and storage yards.
3. Clubhouses and other facilities and structures accessory to the principal recreational use.
4. Any other accessory uses and structures which are similar to the above-listed accessory uses and structures and which are customarily incident to any of the principal uses and structures.

303:3 SPECIAL USES AND STRUCTURES- C-I DISTRICT

1. Warehousing.
2. Auto repair facilities and body shops, when duly licensed to operate in the State of Michigan.

303:4

All principal and accessory uses in the C-I District shall be subject to the following area, height, location and parking regulations.

1. Minimum lot area- Sufficient to enable compliance with setback and building location requirements.
2. Maximum height- Thirty five (35) feet.
3. Minimum yards- Front yard- Twenty-five (25) feet, except that signs or any off-street parking may be located up to the front lot line.
- Side yard- none, except that, if a side lot line abuts a lot or parcel in an R-I District, there shall be a minimum side yard of twenty (20) feet –Rear yard- none, except that, if rear lot lines abuts a lot or parcel in an R-I District, there shall be a minimum of one hundred (100) feet.

303:5 All principal uses., accessory uses and special uses in the C-1 District shall be subject to the conditions of the Special Regulations for On-Site Parking as specified in Section 503 of this Ordinance.

303:6 The following additional performance conditions shall apply to uses described in Section 303:

1. All outdoor storage areas shall be screened or fenced with a solid fence at least eight (8) feet high or enclosed with a dense evergreen growth at least eight (8) feet in height. Storage between the thoroughfare and such fence or screen is expressly prohibited.
2. Such uses shall be established and maintained in accordance with all applicable regulations of the Federal Government, State of Michigan and any local ordinance.
3. All activities shall be confined within said enclosure, and no equipment or materials shall be used or stored outside of the fenced-in area. No stored goods or materials shall exceed the height of the screening or fencing.
4. Such use shall not be conducted within fifty (50) feet of any property line zoned within the Commercial District (C-1) nor within two hundred (200) feet of any property line not zoned within the Commercial District (C-1). Such use shall not be conducted within one hundred (100) feet of any public street or highway regardless of zoning districts of adjoining property.
5. All areas enclosed within the fence shall be considered "in use".

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ARTICLE- IV

GENERAL PROVISIONS

401 Ordinance General Regulations

401:1 The provisions of this Ordinance shall be held to the minimum requirements and shall apply uniformly to each kind or class of structure or land.

401:2 Where the conditions imposed by any provisions of this Ordinance upon the use of structures or land are either more or less restrictive than comparable conditions imposed by the provisions of any other lawful ordinance or of any law, resolution, rule or regulation of any kind, the regulations which are more restrictive (or which impose higher standards or requirements) shall govern.

401:3 This Ordinance is not intended to nullify any easement, covenant or any other private agreement, provided that where the regulations of this Ordinance are more restrictive (or impose higher standards or requirements) than such easements, covenants or other private agreements, the regulations of this Ordinance shall govern.

401:4 Structures or uses which were unlawfully existing at the time of the adoption of this Ordinance shall not become or be made lawful solely by reason of adoption of this Ordinance.

401:5 All structures erected hereafter, all uses of land or structures established hereafter, all structural alterations or

relocations of existing structures occurring hereafter, and all enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations of this Ordinance which are applicable to the zoning districts in which such structures, uses or land shall be located.

401:6 Homing contained in this Ordinance shall in itself be deemed to be a consent, license or permit to use any property or to locate, construct or maintain any structure or facility or to conduct any trade, industry, occupation or activity.

401:7 Any building permits issued prior to the effective date of this Ordinance shall be considered valid and structures may be completed and used or occupied in accordance with plans provided that use or occupancy is on the basis for which building permit was originally designated, and provided that construction is begun within sixty (60) days after the effective date of this Ordinance. Any such use which would become non-conforming by virtue of the passage of this Ordinance shall thereafter be considered non-conforming and subject to the provisions of this Ordinance.

401:8 Any structure or use lawfully existing at the time of adoption of this Ordinance may be continued except as hereinafter provided in regulations concerning non-conforming uses in this Ordinance.

401:9 Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition any structure or part thereof declared to be unsafe by any official charged with protecting the public safety upon such order of such official. **401:10** Set backs are to measured from the edge of road right of way.

402 DISTRICT GENERAL REGULATIONS

402:1 Require a land use permit before any structure, exceeding one hundred (100) square ft can be added or erected on any lot or parcel in the Township.

402:2 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 herein. Yards or lots created after the effective date of this Ordinance shall be at least the minimum requirements of this Ordinance.

402:3 No part of a yard or other open space or parking or loading space required in connection with any structure for the purpose of complying with this Ordinance, shall be included as part of a yard, open space or parking or loading space similarly required for any other structure or use.

402:4 In case of a lot having a side yard along any district boundary line, on other side of which is a more restrictive district, said side yard shall have a width not less than that required for the more restrictive district.

402:5 In any R-I or A-I District, all single- family residences shall have a minimum of 720 square feet of living area on the first floor. A minimum core width of 14 feet is required: this requirement may be met with an integral expansion room originally manufactured as part of a mobile home, but may not be met by means of an on-site built addition. These requirements do not apply to a mobile home located in a mobile home park.

402:6 On double-frontage lots, a front yard is as prescribed for the district, as designated on the plat, or in the address of the lot.

402:7 Every structure hereafter erected or relocated shall be on a lot adjacent to a public road or with access to an approved private road and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required parking.

402:8 Permit only one single family detached dwelling on any lot or parcel.

402:9 In any R-I District, a single-family detached dwelling and its accessory structures may be erected on any legal lot or parcel of record which was recorded in the office of the County Register of Deeds before the effective date or amendment of this Ordinance. Lots of Record that are non-conforming because of lack of the required number of acres or the minimum number of square feet required shall be allowed to be built on and variances should be allowed for required setbacks and yard sizes, provided that adequate potable water supply and proper and safe sewage dispose facilities, as determined by the Health Department, can be provided. The determination for this has been designated to the authority of the Zoning Administrator.

402:10 The keeping of farm animals and poultry on a non-commercial basis in an R-1 District shall be permitted only with the approval of the Zoning Board of Appeals. Decision by the BOA shall be in the form of a variance based on practical difficulties of unnecessary hardships.

402:11 TEMPORARY DWELLINGS:

1. No person shall permit the occupancy of any travel trailers), motor home(s), camper(s), 5th wheel(s), or other shelters) which would serve as a temporary dwelling upon any parcel in Clement Township, which in the aggregate, exceeds one hundred (100) days in a calendar year, except as located in a public or commercial campground in conformity with this Ordinance.
2. No person shall locate any travel trailers), motor home(s), camper(s), 5th wheel(s) or other shelters which would serve as temporary dwellings upon any parcel in Clement Township, for any consecutive thirty (30) day period unless the same is located in a public or commercial campground or storage area, in conformity with this Ordinance, provided a resident of the Township may keep not more than one of their own travel trailer, motor home, camper, 5th wheel and similar shelter on their own property for an indefinite period of time for storage purposes, if not connected to any sanitary facility and not for occupation provided that the same are maintained in operable condition.

(Return to T of C)

ARTICLE IV (A)

GENERAL PROVISIONS SIGNS

SECTION 4(A) 1. PURPOSE

It is the general intent of this Ordinance to prohibit signs of commercial nature from districts in which commercial activities are barred; to limit subject matter on signs in business districts to products, accommodations, services, or

activities on the premises and to control the number, types and sizes of all signs in business areas and certain other districts. Governmental signs shall conform to this Ordinance; however, those signs used for traffic or street markings shall not be regulated by this Ordinance.

SECTION 4(A) 2. PERMITS.

A. A separate permit shall be required for the erection of signs regulated in this Ordinance except that no permit shall be required for 4(A).3, R and A below or for a sign advertising a business, product or profession located or manufactured on the same premises.

B. Each application for a sign shall be accompanied by a drawing showing the design proposed, the size, character, and color of letters, lines symbols, method of illumination and exact location of the sign in relation to the building and property, the details and specifications of the construction. A fee as determined by Clement Township Board shall accompany each application for a sign permit, which will be issued by the Township Zoning Administrator. A permit shall be issued or denied within fifteen (15) days after receipt of the fully complete permit form and the permit fee from the applicant.

C. All persons holding permits as required by this Ordinance, at their own expense, shall place the permit number on each sign facing erected or maintained

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