

**CHAPTER 1  
ENACTMENT OF ZONING ORDINANCE**

**Section 101 Authority and Purpose**

Under the provisions of the Township Rural Zoning Act, Public Act 184 of 1943 as amended, a township, by ordinance, may establish zoning districts governing the development and use of land within its boundaries. An ordinance so adopted must include appropriate provisions for administration, enforcement, appeals, hearings, nonconforming uses and structures, and other purposes. To assert these provisions, **CHAMPION TOWNSHIP HEREBY ORDAINS AND ESTABLISHES THIS ZONING ORDINANCE** for the express purposes of:

1. Promoting and protecting the public health, safety, and general welfare of the Township;
2. Implementing the land use objectives and policies of Champion Township;
3. Protecting the character and stability of the Township's natural resources;
4. Promoting the orderly and beneficial development of residential and non-residential areas in the Township;
5. Regulating the intensity of use of land and determining the minimum open spaces around buildings and structures necessary to provide adequate light, air, access and privacy;
6. Lessening and avoiding congestion on the public streets and roads;
7. Providing for the needs of industry, agriculture, housing, commerce, and recreation in future growth;
8. Protecting the public and adjacent uses from fire, explosion, noxious fumes or odors, excessive heat, dust, smoke, glare, noise, vibration, radioactivity, and other health and safety hazards;
9. Enhancing social and economic stability in the Township;
10. Conserving the taxable value of land and buildings;
11. Protecting the environment; and
12. Conserving the expenditure of funds for public improvements and services to conform with the most advantageous uses of land.

**Section 102 Interpretation and Conflict**

The provisions of this Ordinance shall be construed to reflect the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Unless specifically provided to the contrary elsewhere, this Ordinance shall not be read to repeal, abrogate, annul, impair or interfere with the existing and unrepealed provision of any law, ordinance, rule, regulation, or permit previously adopted or issued pursuant to law relating to the use of building or land. However, where this Ordinance imposes a greater restriction upon the yards or other open spaces than are imposed or required by such existing provisions of law, ordinance, rule, regulation, or permit, the

provisions of this Ordinance shall control.

### **Section 103 Severability**

This Ordinance and its various chapters, sections, parts, and clauses are hereby declared to be severable. If any chapter, part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid, it is hereby established that the remainder of the Ordinance shall not be affected. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional, or invalid as applied to a particular property, building, or structure, it is hereby provided that the application of such portion of the Ordinance to any other property, buildings, or structure shall not be affected. Whenever any condition or limitation is included in an order authorizing any conditional use permit, variance, zoning compliance permit, site plan approval, or designation of Class A nonconformity, it shall be conclusively presumed that the authorizing official or body (a) considered such condition or limitation necessary to carry out the spirit and purpose of this Ordinance or the requirement of some provision thereof, and to protect the public health, safety, and general welfare, and (b) would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation were lawful.

### **Section 104 Vested Rights**

Nothing in this Ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; further, any such use, district, zoning classification, or permissible activities are hereby declared subject to such subsequent amendment, change or modification as may be necessary for the preservation or protection of public health, safety, and general welfare.

### **Section 105 Exemptions**

The location of pipes, wires, poles, and generating and transmission equipment of public utilities or railroad tracks regulated by the State of Michigan or by the United States is exempt from regulation under this Ordinance.

### **Section 106 Short Title**

This Ordinance shall be known and may be cited as the Zoning Ordinance of the Township of Champion, County of Marquette, Michigan.

## **CHAPTER 2 RULES OF CONSTRUCTION**



## **Section 201 Text Interpretations**

The text of the Ordinance shall be governed by the following rules of construction:

- A. All words and phrases shall be construed and understood according to the common and approved usage of the language; however, technical words and phrases that have a peculiar and specific meaning in the law shall be read in that manner.
- B. The particular shall control the general.
- C. In case of a difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- D. The word "shall" is mandatory; the word "may" is permissive.
- E. The word "use" includes the words, structures and buildings associated with such use.
- F. When not inconsistent with the context, words in the present tense shall include the future and words in the singular number shall include the plural.
- G. The word "building" includes the word "structure," and the word "dwelling" includes the word "residence." A "building" or "dwelling" includes any part thereof.
- H. The words "used" or "occupied" include the words "intended," "designed," or "arranged" to be used or occupied.
- I. The word "person" includes an individual, and a firm, association, organization, partnership, trust, corporation, or similar entity.
- J. The word "lot" includes the words "plot" and "parcel."
- K. Where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," and "either...or," each such conjunction shall be interpreted as follows unless the context clearly indicates to the contrary:
  - 1. "And" indicates that all connected items, conditions, provisions, or events shall apply.
  - 2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - 3. "Either...Or" indicates that the connected items, conditions, provisions, or events shall apply singly only.

- L. Words in the singular number shall include words in the plural number and words in the plural number shall include words in the singular number. The masculine gender shall include the feminine gender and the feminine gender shall include the masculine gender.
- M. When a reference is made to multiple sections and the section numbers are connected by the word "to," the reference includes the sections whose numbers are given and all intervening sections.

### Section 202 Definitions

Words pertaining to access, building, property, land use, building use, building measurement, and enforcement shall have the following meanings:

Accessory Building: A building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal structure.

Accessory Use: A use customarily incidental and subordinate to the principal use of the land or building that is located on the same lot as the principal use or building.

Agricultural Activity: The use of land as a farm, including the harvesting of crops and the rearing, reproducing and managing of livestock, poultry, or other animals.

Agricultural activity also shall be characterized in terms of intensity:

Light: the cultivation of more than a garden but less than a farm, where the primary land use is residential and the production of crops and raising of domesticated animals is primarily for the consumption, enjoyment, and/or use of the occupants.

Traditional: one or more plots of land comprising a farm devoted to the raising of domestic animals and/or the cultivation of crops in quantity for the purpose of producing income.

Intensive: the keeping of animals, either in pens or buildings where one or more of the following conditions exist: i) the quantity of animals exceed traditional farming operations; ii) animal density would result in destruction of cover vegetation for 50% or more of the enclosure area; iii) animals are confined in buildings for extended periods regardless of weather; iv) the primary feed in raising animals for market is produced on other property, and grazing or foraging is minimal or does not occur; v) processing operations also occur on the same premises; vi) the operation consists of a fur farm, feedlot, or poultry farm; vii) keeping of exotic, other non-domesticated or musk producing species.



Agricultural Produce Stand: A structure used for the seasonal sale of produce grown on the premises.

Alley: A public or legally established private thoroughfare, other than a street, affording a secondary means of vehicle access to abutting property and not intended for general traffic circulation.

Apartment: A dwelling unit in a "multiple family dwelling" as defined in this ordinance.

Area, Sign: The area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background on which it is placed (excluding the support or uprights on which the sign is placed). Where a sign consists solely of lettering or other sign elements printed or mounted on a wall of a building without a distinguishing border, panel, or background, the area shall be computed using the dimension of the rectangle which touches the outermost points of the sign. In the case of a two-sided identification sign, where both sides are used, only one side shall be considered in calculating the total area.

Automotive Repair Garage: A business providing general automotive service and repair in a completely enclosed building.

Basement: That portion of a building which is partially or wholly below grade, but located so that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling.

Bed and Breakfast Inn: A single-family dwelling in which the owner-occupant also holds out to operate guest accommodations, providing lodging and a morning meal for up to 3 paying guests over a maximum stay of 14 consecutive days and not more than 30 days a year.

Berm: A man-made, formed, earth mound of definite height and width used for screening or buffering.

Billboard: An off-premise sign used for advertising.

Block: The property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating) or between the nearest such street and railroad right-of-way, non-subdivided acreage, lake, river, stream, or other barrier to the continuity of development.

Breezeway: A covered structure connecting an accessory building with the principal dwelling. In determining yard and area requirements, such buildings shall be considered

as one integral unit.

Buffer: A strip of land, including plantings or structures, which protects one type of land use from another, or minimizes or eliminates conflicts between them.

Building: Any structure having a roof supported by columns or walls designed or used for the shelter or enclosure of persons, animals or property.

Building Height: The vertical distance measured from the established grade (a) to the highest point of the roof surface for flat roofs; (b) to the deck line of mansard roofs; and (c) to the average height between eaves and ridge for gable, hip, and gambrel roofs. The height of a building located on sloping terrain may be measured from the average ground level of the grade at the building walls.

Building, Principal: A structure in which the principal use of the lot on which it is located is conducted.

Bulletin Board: A sign advertising special events held on the premises.

Carport: A partially open structure used to shelter boats, automotive vehicles, or machinery.

Cemetery: Property used to inter the dead.

Church: A building or group of buildings maintained and controlled by a religious body and organized to provide regular assembly for religious worship and associated activities.

Clinic: A business furnishing out-patient medical or dental care by two or more licensed health care practitioners.

Club: A private non-profit organization of persons associated for a common social, recreational, or political purpose.

Commercial Vehicle: A vehicle licensed as a commercial vehicle registered to do business in the State of Michigan.

Conditional Use Permit: A permit issued by the Champion Township Planning Commission authorizing a special use of land in a Zoning District not otherwise permitting the use or activity.

Contiguous Property: Any portion of a lot or property which can be identified as one parcel, including properties in the same ownership which would otherwise be touching except for a public right-of-way or easement. Property joined at a common point is not considered contiguous property.



Day Care Center: A facility other than a private home providing care and supervision to pre-school-aged children for less than 24 hours per day, and licensed by the State of Michigan.

Directional Sign: A sign providing a name, location, and/or general nature of a specific business establishment or event that is used for the purpose of directing motorists or pedestrians to a particular site.

District: An area of land marked by specific zoning boundaries which is reserved for particular land uses.

Dwelling, Single-Family: A structure, including a mobile home, containing not more than one dwelling unit and designed or used for residential occupancy by one family.

Dwelling, Multiple Family: A structure containing two or more dwelling units, each designed for residential occupancy.

Dwelling Unit: A set of rooms designed as a complete and self-contained unit for residential occupancy by a single family.

Earth Sheltered Home: A building partially or entirely below grade, designed and intended for use as a single-family dwelling.

Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface or overhead gas, communication, telephone, electrical, steam, fuel or water transmission or distribution systems, collection, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories necessary for the furnishing of adequate service by such utilities or municipal departments for the public health, safety, and welfare, but not including office buildings, substations, or structures which are enclosures or shelters for service equipment or maintenance depots.

Excavation: Any breaking of ground, except common household gardening, general farming and ground care.

Family Day Care Home: A private home in which care and supervision is provided to six (6) or fewer minor children for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related by blood, marriage, or adoption to an adult resident of the home.

Family: An individual, or two or more persons related by blood, marriage or adoption, or parents along with their direct lineal descendants, and adopted or foster children, or a group not to exceed three persons not related by blood or marriage, living together as a

single housekeeping unit. Every additional group of three or fewer persons living in such housekeeping unit shall be considered a separate family for the purpose of this Ordinance. This definition shall not apply in instances of group care centers, or state licensed residential facilities as established under Public Act 395 of 1976, as amended.

Farm: Any parcel of land containing at least 20 acres devoted to agricultural activity.

Fence: An artificially constructed barrier erected for the separation of yard areas.

Filling: The depositing or dumping into or upon the ground of any matter except common household gardening and general maintenance.

Floor Area, Gross: The sum of all gross horizontal areas of the several floors of a building or buildings, measured from the outside dimensions of the structure. Unenclosed porches, courtyards, or patios (whether covered or uncovered), basements, and breezeways shall not be considered as a part of the gross floor area unless used for commercial purposes.

Floor Area Ratio: An intensity measured as a ratio, derived by dividing the total floor area of a building(s) by the lot area.

Floor Area, Usable: For purposes of computing parking requirements, is that area to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used for the storage or processing of merchandise, for hallways, stairways and elevator shafts, or for utilities or

sanitary facilities shall be excluded from this computation of "usable floor area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of living areas of the building, measured from the interior faces of the exterior walls, including private garages.

Garage, Residential: An accessory building, or portion of a principal building, used solely for the storage of non-commercial motor vehicles, boats, and similar items or equipment, and offering neither public sales nor shop services.

Gasoline Service Stations: A business providing retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, together with the space and/or buildings used for the installation of such commodities on or in such vehicles.

Grade: A ground elevation established for the purpose of controlling the number of stories and the height of any structure. The building grade shall be determined by the level of the ground adjacent to the walls of any structure if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the structure. The average of all faces shall be used to



determine the height of a structure.

Home Occupation: A use or activity authorized by the Champion Township Planning Commission that is conducted entirely within a residential dwelling or an accessory building and which is clearly incidental and secondary to residential occupancy.

Hotel: A building designed, used, or offered for overnight or short-term lodging. The term includes tourist homes, resorts, lodges, motels and youth camps.

Identification Sign: A sign which pertains to the business use of a premise and contains any or all of the following information:

1. The occupant of the use.
2. The address of the use.
3. The kind of business and/or the principle commodity sold on the premises.

Junkyard: Any land or building used for abandonment, storage, and placement of paper, rags, and scrap, or for the abandonment, demolition, dismantling, storage or salvaging of motor vehicles, machinery, or parts thereof.

Kenel: An enclosed and covered pen for the boarding of more than three dogs that are more than six months of age.

Land Use Policy Statement: The written statements adopted by the Champion Township Planning Commission showing recommended guidelines for physical development within the Township.

Loading Space: An off-street space on the same lot with a building, or group of buildings for the temporary parking, loading, and unloading of a commercial vehicle.

Lot: A parcel of land, excluding any portion in a street or road right-of-way, of at least sufficient size to meet minimum requirements for use, coverage and lot area, and to provide such setback area and other open space as required by this Ordinance. Such lot shall have access to a public street, and may consist of:

- (A) A single lot of record;
- (B) A portion of a lot of record;
- (C) Any combination of complete and/or portions of lots of record; or
- (D) A parcel of land described by metes and bounds in a recorded deed or by number in a recorded plat, provided that in no case of division or combination shall the area of any lot or parcel created, including residuals, be less than that required by this Ordinance.

Lot Area: The area of land within the boundary of a lot excluding any part under water, and the area of land bounded by any front lot lines, the right-of-way line of the highway

on which it fronts, and the side lot lines intersecting the front lot line at its ends extended to the rear lot lines.

Lot, Corner: A lot having at least two contiguous sides abutting upon a street for their full length.

Lot, Depth of: The average distance from the front lot line to its opposite rear line measured in the general direction of the side lines of the lot.

Lot, Interior: A lot other than a corner lot.

Lot Line(s): Any of the lines bounding a lot as defined below:

(A) Front Lot Line: In the case of an interior lot, it is that line separating said lot from the street. In the case of a through lot, it is each line separating said lot from each street. In the case of a corner lot, both sides abutting the street are considered front yards and consequently both have front lot lines.

(B) Rear Lot Line: That lot line opposite and most distant from the front lot line. In the case of an irregularly shaped lot, the rear lot line shall be an imaginary line parallel to the front lot line not less than ten (10) feet in length, lying farthest from the front lot line and wholly within the lot. Where the lot has a discontinuous lot line, all lot lines approximately parallel to the front lot line shall be rear lot lines.

(C) Side Lot Line: Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot of Record: A lot depicted in a map recorded with the Marquette County Register of Deeds, or described in a deed or land contract or lease agreement which has been perpetual, and has been executed with an affidavit or acknowledgement of a notary public, prior to the effective date of this Ordinance, and which lot actually exists as shown or described.

Lot, Through: A double frontage lot, not a corner lot, having a street for both front and rear lot lines.

Lot, Width: The straight line horizontal distance between the side lot lines, measured at the front lot line.

Mineral: An organic or inorganic substance having a consistent and distinctive set of physical properties and composition that can be expressed by a chemical formula.

Mineral Extraction: The removal and processing of iron ore, copper, gravel, sand, stone, gypsum, peat, topsoil, silver, gold, uranium, and/or other minerals.

Mobile Home: A structure transportable in one or more sections, built on a chassis and



designed as a dwelling, with or without permanent foundation, when connected to the required utilities.

Mobile Home Park: Any lot, parcel or tract of land under the control or management of any person, occupied or designated for occupancy by more than two (2) mobile homes, and the accessory buildings, structures or enclosures intended solely for the use of the occupants.

Modular (Pre-Manufactured) Housing Unit: A dwelling unit constructed solely within a factory, as a single unit, or in modular or component parts, which are then transported to a site for assembly on a permanent foundation to form a single-family dwelling unit in conformity with all codes and regulations applicable to conventional single-family home construction.

Nonconforming Building: A structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto that does not conform to the provisions of this Ordinance relative to height, bulk, area, and/or placement or yards for the zoning district in which it is located.

Nonconforming Use: A use of a building or of a parcel or tract of land, lawfully existing at the time of adoption of this Ordinance or subsequent amendment thereto, that does not conform to the regulations of the zoning district in which the use is situated.

Nursing Home: An installation other than a hospital, whose primary function is to provide nursing care for extended periods of time to persons who are ill, injured, or incapacitated.

Off-Premise Sign: A sign which advertises goods, services, events, and facilities available at a location other than the premises on which the sign has been placed.

On-Premise Sign: A sign which advertises goods, services, facilities, events, or attractions available on the premises where located, or which identifies the owner or occupant or directs traffic on the premises.

Open Space Ratio: The ratio between open space on the lot and the total lot area.

Open Space, Required: The yard space of a lot which is established by and between the street, or the lot lines and required setback line and which shall be open, unoccupied and unobstructed by any structure or any part thereof, except as otherwise provided in this Ordinance.

Parking Lot: An open space located at, above, or below grade and including drives and entrances, all designed for the parking or storage of one or more vehicles.

Parking Space: An accessible area, including drives, aisles, or entrances, utilized for the parking or temporary storage of a single permitted vehicle.

Personal Services: A commercial business providing services for individual atonement and exercise, such as health clubs and spas.

Planning Commission: The Planning Commission of the Township of Champion.

Premises: A lot as otherwise used in this Ordinance.

Principal Structure: The main building situated on a lot or parcel of land.

Principal Use: The main use to which a lot or parcel of land is devoted.

Public Utility: Any person, firm, corporation, municipal department, board or commission authorized to carry out federal, state, or municipal regulations for the provision to the public of gas, steam, electricity, sewage disposal, refuse removal, transportation, water or communications (including, radio, telephone, telegraph, television, cable, or fiber optics).

Reclamation Plan: A plan for reconditioning or rehabilitating all or any part of a mining area for useful purposes, and the protection of natural resources, including, but not limited to, the control of erosion, visual blight and the prevention of land or rock slides and air and water pollution.

Recreational and Residential Storage Facility: A structure or group of structures for the dead storage of residential goods, recreational vehicles and related equipment.

Recreational Occupation: A use or activity by the Champion Township Planning Commission that is conducted entirely within a recreational structure or an accessory building and which is clearly incidental and secondary to recreational occupancy.

Recreational Structure: A cabin, cottage, camp, mobile home or other structure used solely for seasonal lodging and recreation.

Recreational Vehicle: A vehicle used for pleasure and designed for recreational use, built upon a frame or chassis with wheels attached and not exceeding 40 feet in length.

Restaurant: A commercial business offering food and beverage prepared and sold on the premises.

Right-of-Way: A street, alley, thoroughfare, or easement permanently established for use of the public and/or the location of utilities.

Sanitary Landfill: A site designated for the lawful disposal of refuse and safeguarded to prevent hazards to public health or safety.



Sawmill: A facility or site where raw timber is cut and processed.

Screen: A natural or man-made barrier providing visual separation between adjoining areas.

Setback: The minimum unoccupied distance between the lot line and the principal and accessory buildings, as required in this ordinance.

Setback, Front: The minimum unoccupied distance, extending the full lot width, between any building or structure and the front lot line.

Setback, Rear: The minimum required unoccupied distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line.

Setback, Side: The minimum required unoccupied distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

Shopping Center: A group of commercial businesses providing a variety of merchandise and/or services at two or more stores located on the same lot.

Sign: A name, identification, image, description, display, or illustration affixed to, painted, or represented directly or indirectly upon a building, structure, or the ground, and which directs attention to an object, product, place, activity, structure, facility, service, event, attraction, person, institution, organization, or business and which is visible from any street, right-of-way, sidewalk, alley, park, or other public property.

Sign, Free Standing: A sign having its own support mechanism placed in or upon the ground.

Site Plan: Drawings showing property lines, existing and proposed buildings, topographic relief, natural features, setbacks, and other elements which are used to insure ordinance compliance and to study the on-site and off-site impacts of a proposed development.

Special Land Use: A use of land requiring express approval by the Planning Commission to determine compatibility with permitted land uses in a zoning district.

Stable, Riding or Boarding: A facility for boarding, sale, or for-hire riding, of three (3) or more horses.

Storage Yards: An area used for the dead storage of parts and equipment needed for repair and maintenance.

Story: That part of a building, except a basement or a mezzanine, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the space between the floor and the ceiling next above it. A story thus defined shall not be counted as a story when more than fifty (50) percent by cubic content, is below the height level of the adjoining ground.

Street: A public dedicated right-of-way which affords traffic circulation and principal means of access to abutting property.

Structure: Any constructed, erected, or placed material or combination of materials in or upon the ground, including buildings, porches, decks, mobile homes, sheds, free standing signs, storage bins, and satellite dishes, but not including sidewalks, driveways, patios, parking lots, utility poles and fences. Building areas separated by fire walls or bearing walls shall not be considered separate structures under this Ordinance.

Temporarily Disabled Vehicle: Any automotive vehicle which, for a period of three (3) consecutive months, has lacked any of the component parts necessary for safe and lawful operation on the public highways of Michigan.

Township Board: The elected governing body of the Township of Champion.

Transfer Station: A tract of land, and the buildings and containers on the land, used or intended for use in the rehandling or storage of solid waste incidental to the transportation of solid waste.

Variance: Relief from the provisions of this Ordinance which may be granted by the Champion Township Zoning Board of Appeals when strict enforcement of the Ordinance would cause practical difficulty or unnecessary hardship owing to circumstances unique to the property.

Wood Yard: A parcel of land where pulp wood and other logs are gathered from various locations and stored for commercial sale.

Yards:

(A) Yard, Front: An open space extending the full width of the lot and lying between the front line of the lot and the nearest line of any building or structure.

(B) Yard, Rear: An open space extending the full width of the lot and lying between the rear line of the lot and the nearest line of any building or structure.

(C) Yard, Side: An open space between the side line of the lot and the nearest line of any building or structure and extending from the front yard to the rear yard.



Zoning Administrator: The official appointed by the Champion Township Board to administer and enforce its Zoning Ordinance.

Zoning Board of Appeals: The body appointed by the Champion Township Board to hear appeals relating to administration of the Champion Township Zoning Ordinance.

Zoning Compliance Permit: A document issued by the Champion Township Zoning Administrator certifying that a proposed use of land or a development conforms with the requirements of the Champion Township Zoning Ordinance.

## **CHAPTER 3 ZONING OFFICIALS**

### **Section 301 Zoning Administrator**

The Office of Zoning Administrator is hereby established and delegated initial responsibility to administer and enforce this Ordinance. The Zoning Administrator shall be appointed by the Township Board and shall serve at its pleasure. He shall not be precluded from serving the Township in some other capacity as an employee or elected officer. The Township Board shall determine annual compensation to be paid to the Zoning Administrator and his staff, and shall appoint an Acting Zoning Administrator to serve when the Zoning Administrator cannot act because of illness, absence, or a conflict of interest.

A. Duties of Zoning Administrator

1. The Zoning Administrator shall serve as the primary public contact for all inquiries regarding zoning. He shall have exclusive authority to review and investigate applications for Zoning Compliance Permits, to identify, monitor, and control nonconforming uses, to investigate alleged violations of the provisions of this Ordinance, to institute and pursue appropriate enforcement actions, and to perform other duties as specified in this Ordinance. The Zoning Administrator shall assert authority over all administrative matters not specifically assigned by this Ordinance to other Township offices or persons.
2. In performing the duties of his office, the Zoning Administrator shall not vary, change, or grant exceptions to any provisions or requirements of this Ordinance, and shall not issue a Zoning Compliance Permit until he has conducted an on-site inspection to verify the data shown in any required site plan. He shall administer the provisions of this Ordinance precisely as they are written.
3. Required records. A record of all Zoning Compliance Permits shall be maintained by the Zoning Administrator, who also shall maintain a Special

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Zoning Orders Book showing all variances, conditional use permits, rezoning, Class A nonconforming use designations, and any revocation of these actions. Each entry shall be assigned a separate number, and the number shall be posted on a Special Zoning Orders Map, to indicate each of the respective locations affected. The Special Zoning Orders Book and Map shall be kept current and readily accessible to the public.

### **Section 302 Zoning Board of Appeals**

- A. Membership: The Champion Township Zoning Board of Appeals is hereby established. It shall consist of three (3) regular members and not more than two (2) alternate members, all appointed by the Township Board, and representing various interests in the local population. The first regular member shall be a member of the Planning Commission. The remaining regular members and alternate members shall be selected from the electors residing in the unincorporated area of the Township; one regular member may be a member of the Township Board. Terms of office shall be three (3) years, except for members serving because of their membership on the Township Board or Planning Commission, whose terms shall not exceed their respective appointments on the Commission or Board. All regular members and any alternate member called to duty shall receive compensation in an amount determined by the Township Board.

An alternate member shall be called to serve in the absence of a regular member if the regular member is absent from or will be unable to attend 2 or more consecutive meetings, or is absent from or will be unable to attend meetings for a period of 30 consecutive days. An alternate member also may be called for the purpose of reaching a decision on a matter in which the regular member shall have abstained due to a conflict of interest. The alternate member shall have the same voting rights as the regular member.

- B. Procedures :
1. The Zoning Board of Appeals may adopt rules and regulations to govern its procedures and shall appoint one of its members as Chairperson. The Chairperson shall not be an elected officer of the Township. The concurring vote of a majority of the members shall be necessary to affirm, reverse, or revise in whole or in part, any order, requirements, decision or interpretation of the Zoning Administrator, or to decide in favor of an applicant any matter over which the Board has jurisdiction under this Ordinance.
  2. Meetings of the Zoning Board of Appeals shall be held at the call of the Chairman and at such times as its rules of procedure may

specify. Minutes of each meeting shall be kept and shall include all findings, conditions, facts and other relevant factors, including the vote of each member upon any question or, if absent or failing to vote, a notation indicating that fact. All meetings and records shall be open to the public. All records shall be filed in the office of the Township Clerk.

3. The Zoning Board of Appeals shall fix a reasonable date, time, and place for a hearing. It shall give notice of the hearing by first-class mail to the parties of interest and to owners of adjacent property in accordance with the publication and notice procedures specified in section 1202(D) of this Ordinance.

C. Duties and Powers

1. The Zoning Board of Appeals shall perform its duties and exercise its powers as provided in Act 184 of 1943, as amended, so that the spirit of this Ordinance is observed, public safety secured, and substantial justice done. It shall hear and decide only those matters which it is specifically authorized to hear and decide as provided in this Ordinance: appeals of administrative decisions, interpretation of the Zoning Ordinance and the Zoning Map, and variances.
2. The Zoning Board of Appeals shall have no power to alter or change the zoning district classification of any property, nor to make any change in the terms or intent of this Ordinance.

**Section 303 Planning Commission**

- A. Creation and Transfer of Zoning Authority: The Champion Township Planning Commission is hereby designated the "Commission" as specified in Public Act 168 of the Public Acts of 1959, the Township Planning Act, as amended. The Commission shall advise the Township on matters of planning, and shall assume all powers and duties provided by the Township Rural Zoning Act for zoning boards created under that act. In addition, any amendments which may be made to Public Act 184 of 1943 and Public Act 168 of 1959, as currently amended, shall be deemed automatically to control the activities and functions of the Commission.
- B. Members: The Commission shall consist of five (5) members, each selected by the Township Supervisor and confirmed by the Township Board. Members shall represent varied interests in the local population, and shall be qualified electors of the Township. One member of the Commission shall be a member of the Township Board. Members shall serve staggered terms of three (3) years each, shall be eligible for reappointment, and shall be compensated in an amount determined annually by the Township Board.



C. Procedures and Duties: The Commission shall elect a chairperson and vice-chairperson from its members, and also shall elect a secretary who may, but need not be, a member of the Commission. The Commission shall adopt rules for the conduct of business, shall keep a record of its resolutions, transactions, findings, and recommendations, and shall be bound by the Open Meetings Act. It shall hold at least four (4) meetings a year, shall post and publish advance notice of its meeting schedule, and periodically shall submit an annual report to the Township Board. Specific duties of the Commission shall include the following:

- (1) Prepare, adopt, and periodically update a land use policy plan governing development in the Township;
- (2) Develop recommendations for a zoning ordinance and a zoning map and any revisions to each;
- (3) Review and approve proposed public improvements;
- (4) Review and adjudicate requests for rezoning, ordinance text amendments, special land uses, Class A nonconforming use designations, and other matters as may be assigned.

## CHAPTER 4 GENERAL PROVISIONS

### Section 401 Establishment of Districts

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

R:	Residential
RR:	Rural Residential
AP:	Agriculture Production
RP:	Resource Production
TP:	Timber Production
TD:	Town Development
RWRD:	Remote Waterfront Recreational District

### Section 402 Zoning District Maps

The boundaries of the respective districts named above are defined and established as depicted on maps designated "A," "B," "C/D," and "E" inclusive, entitled "Champion Township Official Zoning Map." The Official Zoning Map, together with all notations and explanatory matter thereon, shall constitute as much a part of this Ordinance as if fully described herein

The Official Zoning Map shall be verified by the signature of the Township Board Supervisor and attested by the Township Clerk. If changes are made in district boundaries in accordance with the provisions of this Ordinance, the changes shall be incorporated on the Official Zoning Map together with an entry correlating the date and the official action taken.

One copy of the Official Zoning Map shall be maintained by the Township Clerk, and kept accessible to the public. The Official Zoning Map shall constitute the final authority as to the current zoning status of all properties in Champion Township.

If the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret, the Township Board may adopt a new Official Zoning Map. The original, or any significant parts of the original remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

### Section 403 Application of District Regulations



The regulations established within each Zoning District shall represent 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 undue hardships or practical difficulties would result from a literal application of the Ordinance, the Zoning Board of Appeals shall have authority, in passing upon appeals, to vary or modify regulations and provisions of this Ordinance so that its basic spirit and purposes are observed, public safety secured, and substantial justice done.

#### **Section 404 Scope of Provisions**

- A. Except as otherwise may be provided in this Ordinance, every building erected, every use of any lot, every building established, every structural alteration or relocation of an existing structure occurring, and every enlargement of or addition to an existing use or building occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the Zoning District in which such use, building, or structure is or shall be located.
- B. Uses are permitted by right ("Principal Uses") only if specifically listed as uses permitted by right in the various Zoning Districts. Where not specifically permitted, either by right or conditionally, uses are prohibited unless they are construed to be similar to an expressly permitted use. The Zoning Administrator shall determine if a use is similar to an expressly permitted use. Appeals to these determinations shall be decided by the Zoning Board of Appeals.
- C. Accessory uses are permitted for the various Zoning Districts if such uses are clearly incidental to the permitted principal uses. For ease of understanding, examples of accessory uses permitted within the respective zoning districts are set forth in this Ordinance.
- D. The uses permitted subject to special conditions ("Special Land Uses") are recognized as having characteristics of such unique and special nature (relative to location, design, size, and so forth) that individual standards and conditions are necessary to safeguard the public health, safety and welfare.

#### **Section 405 Conflicting Regulations**

Whenever the provisions of this Ordinance impose more stringent requirements, regulations, restrictions or limitations than those imposed or required by the provisions of any other law or ordinance of Champion Township, the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, the provisions of this Ordinance shall be subordinate to any such law or ordinance. No vested right shall arise

to the property owner for any parcel or use created in violation of any preceding Champion Township or Marquette County zoning ordinance.

#### **Section 406 Interpretation of Zoning Map**

In any instance of confusion, uncertainty, contradiction, or conflict regarding the precise boundaries of a particular zoning district, the Zoning Board of Appeals shall be authorized to interpret the zoning map, upon the filing of a written request by any interested person and the payment of any associated fee to the Zoning Administrator. In interpreting the zoning map, the Zoning Board of Appeals shall apply the following standards:

- A. Zoning district boundaries are designed to follow section lines or parts thereof (quarter or sixteenth lines), the center lines of roads, streets, and highways, lot lines, or physical terrain features, such as shorelines.
- B. Where zoning district boundary lines are drawn so that they approximately follow lot lines, the lot lines shall be deemed to constitute the boundary lines.
- C. Where a zoning district boundary line divides a lot, the location of the zoning district boundary line shall be determined by use of the map scale shown thereon.
- D. If the boundary line of a zoning district cannot be precisely determined after application of the foregoing standards, the boundary line shall be determined in a reasonable manner based on historical land use patterns and other relevant facts.



**CHAPTER 5  
ZONING DISTRICT REGULATIONS**

**Section 501 Residential District (R)**

Intent: To establish and maintain quiet and moderately dense neighborhoods for housing and compatible non-housing uses. Residents and other users must be willing to assume the costs of providing water supply and waste water treatment systems on their own lots with frontage on public roads and streets.

- A. Permitted Principal Uses Authorized by Zoning Compliance Permit:
1. Single-family dwelling.
  2. Multiple-family dwelling.
  3. Bed and breakfast inn.
- B. Permitted Accessory Uses Authorized by Zoning Compliance Permit:  
Private garage, porch, deck, tool shed, playhouse, animal pen, swimming pool, sauna, woodshed, and other structures normally associated with the specified principal uses.
- C. Special Land Uses Authorized by Conditional Use Permit:
1. Churches.
  2. Schools.
  3. Private and public parks.
  4. Mobile home parks.
  5. Township halls, community centers and fire halls.
  6. Elevated water storage tanks, waste water treatment facilities.
  7. Cemeteries.
  8. Home Occupations, subject to the provisions of Section 802(C) and (E).
  9. Light manufacturing on lots of at least 2 acres.

## **Section 502 Rural Residential District (RR)**

Intent: To provide a transition zone between more densely populated residential areas and sparsely developed rural areas.

- A. Permitted Principal Uses Authorized by Zoning Compliance Permit:
1. Single-family dwellings on tracts of 5 acres or more.
  2. Traditional agriculture on tracts of 20 acres or more.
  3. Bed and breakfast inn.
- B. Permitted Accessory Uses Authorized by Zoning Compliance Permit:
1. Garage, deck, tool shed, barns, silos, ponds, playhouse, pens, swimming pools, woodshed, sauna, and other structures normally associated with the specified principal uses.
  2. Light agricultural activity on tracts of 5 acres or more.
- C. Special Land Uses Authorized by Conditional Use Permit:
1. Churches.
  2. Cemeteries.
  3. Public and private parks, playgrounds, camps, campgrounds, and similar recreation facilities.
  4. Schools.
  5. Kennels.
  6. Storage yards, transformer stations, substations, microwave relay towers, commercial freestanding towers, and similar facilities associated with public utilities.
  7. Veterinarian offices and animal clinics.
  8. Auction sale barns.
  9. Facilities for bulk feed, seed or fertilizer sales, storage or mixing.
  10. Agricultural equipment sales, service or repair.
  11. Home Occupations, subject to the provisions of Section 802(C) and (E).
  12. Transfer stations.



## **Section 503 Agricultural Production District (AP)**

Intent: To preserve and promote crop production, timber production, and mineral extraction on lands with distinct natural resources.

- A. Permitted Principal Uses Authorized by Zoning Compliance Permit:
  - 1. Light agricultural and traditional agricultural activity.
  - 2. Singlefamily dwellings.
  - 3. Mineral extraction, subject to the provisions of Section 1004.
  - 4. Timber production.
  
- B. Permitted Accessory Uses Authorized by Zoning Compliance Permit:
  - 1. Agricultural accessory uses and structures.
  - 2. Agricultural produce stands.
  - 3. Garage, tool shed, animal pens, boat house, swimming pool, woodshed, sauna, and other accessory structures normally associated with single-family dwellings.
  - 4. Accessory uses and structures normally associated with the operation of a mineral extraction process.
  
- C. Special Land Uses Authorized by Conditional Use Permit:
  - 1. Intensive agricultural activity.
  - 2. Commercial riding or boarding stables.
  - 3. Shooting and hunting preserves.
  - 4. Private airport or landing fields.
  - 5. Commercial free standing towers.
  - 6. Storage yards, transformer stations, substations, microwave relay towers and similar facilities associated with public utilities.
  - 7. Veterinarian offices, commercial kennels and animal clinics.
  - 8. Facilities for bulk feed, seed or fertilizer sales, storage or mixing.
  - 9. Bulk food processing facilities and operations.
  - 10. Auction sale barns.
  - 11. Agricultural equipment sales, service or repair.
  - 12. Single-family dwellings on lots of at least one acre if the Planning Commission determines that the lots:
    - a. Are not located on lands identified as Agriculture on the Current Use Inventory Maps of Marquette County pursuant to Act 204 of 1979;
    - b. Are located on land that is not prime or unique farmland as determined by the Marquette County Soil Conservation District;
    - c. Have soils suitable and capable of supporting year-round residential occupancy; and
    - d. The proposed lot is located on a public road serviced year-round.
  - 13. Home occupations, subject to the provisions of Section 802(C) and (E).

## **Section 504 Resource Production District (RP)**

Intent: To maintain low density remote rural areas which, due to location, potential mineral content, accessibility, natural characteristics, and high cost of providing public services, are unsuitable for year-round development but rather for a wide range of forestry, agriculture, mineral extraction, natural resource, and recreational uses. Governmental services may not be provided on a year-round basis or may not be provided at all.

### A. Permitted Principal Uses Authorized by Zoning Compliance Permit:

1. Timber production.
2. Campgrounds, day camps.
3. Parks, winter sports facilities, and trails.
4. Recreational Structures.
5. Kennels and Stables.
6. Light agricultural and traditional agricultural activities.
7. Mineral extraction, subject to Section 1004.
8. Single-family dwellings located within 1/4 mile (1320 feet) of a permanent, all-season road as designated by the Marquette County Road Commission.

### B. Permitted Accessory Uses Authorized by Zoning Compliance Permit:

1. Accessory structures normally associated with recreational structures such as a private garage, tool shed, playhouse, animal pens, boat house, swimming pools, woodshed, and sauna.
2. Agricultural accessory uses and structures.
3. Agricultural produce stands.
4. Accessory uses and structures normally associated with the operation of a mineral extraction process.

### C. Special Land Uses Authorized by Conditional Use Permit:

1. Hunting and shooting preserves.
2. Commercial free standing towers.
3. Commercial recreational facilities including golf courses, race tracks, motorcycle hillclimbing sites, gocart tracks and similar facilities.
4. Private airport or landing fields.
5. Public or private sanitary landfills.
6. Resorts and lodges.
7. Auction sale barns.
8. Storage yards, transformer stations, substations, microwave relay towers and similar facilities associated with public service uses or facilities.
9. Sawmills.
10. Wood yards.
11. Single-family dwellings more than one-quarter (1/4) mile from a permanent, all-season road as designated by the Marquette County Road Commission.
12. Home occupations, subject to the conditions of Section 802(C) and (E).
13. Intensive agricultural activity.
14. Recreational and residential storage facilities.



## **Section 505 Timber Production District (TP)**

Intent: To preserve and maintain for timber production those lands which because of their soil, drainage, large tract ownership, potential mineral content, and other characteristics, are especially suited for timber production and mining.

### A. Permitted Principal Uses Authorized by Zoning Compliance Permit:

1. Timber production.
2. Sawmills.
3. Wood yards.
4. Recreational structures.
5. Mineral extraction, subject to Section 1004.

### B. Permitted Accessory Uses Authorized by Zoning Compliance Permit:

1. Any structural or mechanical use customarily incidental to the operation of sawmills or wood yards.
2. Garage, tool shed, playhouse, animal pens, recreational docks, swimming pools, sauna, woodshed, and other accessory structures normally with recreational structures.
3. Accessory uses and structures normally associated with the operation of a mineral extraction process.

### C. Special Land Uses Authorized by Conditional Use Permit:

1. Public utility substations.
2. Landfills.

## **Section 506 Town Development District (TD)**

Intent: To preserve and maintain lands for mixed residential, retail, service, and governmental uses in accordance with historical patterns of development.

### A. Permitted Principal Uses Authorized by Zoning Compliance Permit:

1. Singlefamily dwellings.
2. Multiplefamily dwellings.
3. Cemeteries.
4. Township halls.
5. Community centers.
6. Fire halls.
7. Elevated water storage tanks.
8. Post offices.
9. Personal services.
10. Offices.
11. General retail sales.
12. Commercial storage.
13. Bed and breakfast inn.

### B. Permitted Accessory Uses Authorized by Zoning Compliance Permit:

1. Public or private garage, tool shed, playhouse, pens, boat house, swimming pool, woodshed, and sauna, and other structures normally associated with single-family or multiple-family dwellings.
2. Any structural or mechanical building or use customarily incidental to the permitted principal use.

### C. Special Land Uses Authorized by Conditional Use Permit:

1. Churches.
2. Schools.
3. Private and public parks and similar recreational facilities.
4. Road Commission, public works buildings and maintenance/ storage facilities, and contractor's yards.
5. Motor vehicles sales and service.
6. Mobile home, camper, recreational vehicle and boat sales and service.
7. Construction and farm equipment sales and service.
8. Hotels and motels.
9. Gas stations.
10. Automotive repair garage.
11. Laundromats.
12. Waste water treatment facilities.
13. Home occupations, subject to the provisions of Section 802(C) and (E).
14. Transfer stations.



## **Section 507 Remote Waterfront Recreational District**

Intent: To establish and maintain an area specifically for recreational uses. The District is designed for areas with frontage on inland lakes, rivers, and streams. Due to the remote locations and the high cost of providing public services, governmental services would not be practical and may not be provided. Applicable State and Federal standards must also be met

### Permitted Principal Uses Authorized by Zoning Compliance Permit:

1. Recreational structures.

### A. Permitted Accessory Uses Authorized by Zoning Compliance Permit:

1. Accessory structures normally associated with recreational structures, such as a private garage, shed for yard tools, playhouse, boat house, swimming pool, recreational dock, sauna, woodshed, deck and gazebo.

### A. Conditional Uses Authorized by Permit:

1. None.

## **Section 508 Remote Resource Recreation District**

Intent: To establish and maintain low density areas which, due to location, potential mineral content, accessibility, natural characteristics, and high cost of providing public services, are unsuitable for year-round development but rather for a wide range of forestry, mineral extraction, natural resource, and recreational uses. Government services may not be provided on a year-round basis or may not be provided. Applicable State and Federal standards must also be met.

### A. Permitted Principal Uses Authorized by Zoning Compliance Permit:

1. Timber production.
2. Sawmills.
3. Wood yards.
4. Recreational Structures.
5. Mineral extraction, subject to Section 1004.

### B. Permitted Accessory Uses Authorized by Zoning Compliance Permit:

1. Any Structural or mechanical use customarily incidental to the operation of sawmills or wood yards.
2. Garage, tool shed, playhouse, animal pens, recreational docks, swimming pools, sauna, woodshed, and other accessory structures normally associated with recreational structures.
3. Accessory uses and structures normally associated with the operation of a mineral extraction process.

### C. Special Land Uses Authorized by Conditional Use Permit:

1. Hunting and shooting preserves.
2. Commercial freestanding towers.
3. Commercial recreational facilities including golf courses, non- motorized racetracks, and similar facilities.
4. Private airport or landing fields.
5. Resorts and lodges.
6. Auction sale barns
7. Storage yards, transformer stations, substations, microwave relay towers and similar facilities associated with public service uses or facilities.
8. Recreational occupations, subject to the conditions of Section 802(C) and (G).
9. Intensive agricultural activity.
10. Recreational and residential storage facilities.



**CHAPTER 6  
SUPPLEMENTAL REGULATIONS**

**Section 601 Height, Bulk and Placement**

Except as specifically provided elsewhere in this Ordinance, no lot or parcel shall be created and no structure shall be erected or maintained except in compliance with the Schedule of Regulations specified below.

**Schedule of Regulations**

<b>District</b>	<b>Minimum Lot Size (Sq Ft)</b>	<b>Minimum Lot Width (Feet) A</b>	<b>B Front</b>	<b>Setback Side</b>	<b>LM Rear</b>	<b>Maximum Height (Feet)</b>
R	20,000	100	30	10 (C)	35 (D)	30 (E)
RR	5 Acres	300	30	30	30	30
AP	20 Acres	470 (H)	30	10	30	G
RP	20 Acres	470	30	30	30 (K)	30
TP	40 Acres	660	30	30	30 (K)	30
TD	20,000	100	30	10(CFG)	35	30 (EFG)
RWR	2 Acres	200 (M)	30	10	75 (M)	30 (E)
RRR	20 Acres	470	30	30	(Waterside) 30 (K)	30

- A. Lot width shall be measured at front setback line and shall not include easements or other restrictions. Regardless of actual lot size, the maximum depth to width ratio shall be 4 to 1.
- B. The front setback for lots on the Assessor's Plats of Beacon, North Champion, and South Champion shall be 25 feet.
- C. An accessory building or structure may be located 6 feet from a side lot line.
- D. An accessory building or structure in the Residential district may be located twenty (20) feet from a rear lot line.
- E. An accessory building or structure shall not exceed twenty (20) feet in height.
- F. All structures shall be provided with access to their rear yard, with a minimum of thirty (30) feet clear and unobstructed access way or easement. Setbacks from the existing residential parcels shall be: 50 feet for all buildings; 25 feet for drive-ways, entrances or exits; and 10 feet for parking areas.

- G. Height at any point on a structure shall not exceed the horizontal distance to any lot line.
- H. The minimum lot size may be reduced to one acre and the minimum lot width may be reduced to 150 feet, by application for and issuance of a Conditional Use Permit meeting the standards set out in Section 802(C).
- I. The determination of lot size when adjoining a road shall be made as if the road were a part of the lot. For example, while a 20-acre parcel fronting on a road will lose approximately one-half acre in the road right-of-way, the lot will be deemed to conform to the 20 acre minimum lot size requirement.
- J. The minimum landscaped open space ratio shall be twenty-five (25) percent in the Town Development District.
- K. Customary accessory buildings or structures shall be located at least thirty (30) feet from the rear lot line and waterfront. Rear setback for parcels not abutting water courses shall be thirty (30) feet for all structures.
- L. Where the right-of-way is established under the McKnitt Act (Public Act 130 of 1931 as amended) and varies from the standard 66 feet of width, the setback shall be not less than 63 feet from the centerline of the roadway.
- M. Setbacks from water as set out in Section 1005(A)



## **Section 602 Minimum Floor Area for Dwellings**

A minimum floor area of 720 square feet, exclusive of unfinished basements, garages, porches and breezeways, shall be required for all single-family dwellings other than recreational structures. Each unit in a multiple family dwelling shall have a minimum floor area of 350 square feet. The maximum ground cover ratio for all structures in a multiple family development shall be 40 percent.

## **Section 603 Accessory Buildings and Uses**

Where a lot is devoted to a permitted principal use, customary accessory uses and buildings are authorized unless prohibited expressly or by implication in this or any other ordinance. The following special rules are applicable:

A. An accessory building, including a carport, attached to the principal shall be made structurally a part thereof, and shall comply in all respects with the requirements of this Ordinance applicable to the principal building. A breezeway, as an attachment between the garage or carport and the main building, shall be considered a part of the main building, but shall not be considered livable floor space.

B. An accessory building, which is not attached and made structurally a part of the principal building, shall be located not closer than ten (10) feet from any other structure on the lot.

## **Section 604 One Principal Structure or Use Per Lot**

No more than one principal structure or use shall be permitted on a lot, unless specifically provided for elsewhere in this Ordinance. In the Town Development District, a residential dwelling may be located on the same lot as a separate building used for commercial purposes.

### **Section 605 Variance of Requirements for Lots of Record**

Minimum lot size and lot width regulations shall not apply to any nonconforming parcel of land shown as a lot (1) in a map recorded with the County Register of Deeds, or (2) described in a deed, land contract, or lease agreement which has been perpetual and executed with an affidavit or acknowledgement of a notary public, prior to the effective date of this Ordinance, and which lot actually exists as shown or described. No vested right shall arise to the property owner for any parcel created in violation of any preceding township or county adopted zoning ordinance. When a nonconforming lot is held in common ownership with abutting parcel(s) of land, the two or more parcels shall be considered combined as necessary to reduce or eliminate the non-conformity.

The burden of proof to show that a lot is legally nonconforming within the meaning of this section shall rest upon the owner of the lot.

### **Section 606 Allocation and Reduction of Lot Area**

No portion of a lot shall be used more than once in complying with the provisions of this Ordinance for lot area and yard dimensions for construction or alteration of buildings.

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 in this Ordinance. Yards or lots created after the effective date of this Ordinance shall meet the minimum requirements established herein.

### **Section 607 Height Requirement Exceptions**

The following items are exempted from the height limit requirements of this Ordinance:

1. Church spires, belfries, domes, ornamental towers, flagpoles and monuments;
2. Appurtenances to mechanical or structural functions, such as chimneys and smokestacks, water tanks, radio towers, television antennas and satellite dishes, wire transmission structures, and cooling towers. Any commercial communication tower shall be located so that the distance from the base of the tower to the nearest property line shall equal either the height of the structure plus the setback in that district or the radius of the collapse/failure zone as certified by a structural engineer plus the setback in that district.
3. Public utility structures;
4. Agriculture related structures, such as barns, silos, elevators, and the like.



## CHAPTER 7 SIGN REGULATIONS

### **Section 701 Objectives**

The location, size, and display features of signs shall be regulated as necessary to balance the legitimate needs of the public to advertise services, sales, and special events against Township goals of establishing and maintaining attractive and orderly development that protects property values and the natural environment.

### **Section 702 General Regulations**

A. Exemptions. The following signs may be erected without Township zoning approval, but shall not exceed nine (9) square feet and shall be removed when obsolete:

1. Public signs of a non-commercial nature erected by, or on the order of, a public official in the performance of official duty;
2. Political signs advertising a public election, primary, millage, or other ballot issue, and signs advocating a cause or the election of an individual to public office;
3. "No hunting," "no fishing," and "no trespassing" signs on private property;
4. Signs identifying a residence, homestead, farm, or farming operation;
5. Signs announcing yard, rummage, garage, or estate sales;
6. Signs advertising the sale or rent of real estate;
7. Temporary signs;
8. Construction signs;
9. Church identification signs and announcement boards.

#### **B. Signs Requiring Zoning Approval**

1. Town Development District Regulations: Signs are permitted on parcels developed for non-residential use. Free-standing (ground) signs shall be permitted provided that they do not exceed six (6) square feet for each ten (10) feet, or fraction of frontage, or sixty (60) square feet for each acre, or fraction of acre, of the developed parcel, whichever is larger. A maximum of one hundred (100) square feet of sign area shall be allowed for each developed parcel. Where a premise has more than one occupant, the permitted sign area shall be divided among the occupants in the same proportion as floor space. Where a premise has more than two occupants and a name distinct from the occupants, an additional two (2) square feet of sign area shall be permitted for each ten (10) feet of street frontage, with a maximum of two hundred (200) square feet, for signs identifying the developed premises. Sign area not utilized by occupants of the premises may be made available for off-premise directional signs.

Sign placement shall require a minimum setback of five (5) feet when the right-of-way width from the centerline of the road to the property line is less than fifty (50) feet; signs may be placed at the lot line when the right-of-way width from the centerline of the road to the property line is greater than fifty (50) feet. Setback measurement shall be taken from the right-of-way to the closest part of the sign, whether it be at or below grade. Signs are subject to the height regulations for the Town Development District.

2. Conditional Use and Residential Zone –  
Non-Residential Principal Use Sign Regulation

On-premise signs are permitted to identify or advertise an approved conditional use or activity, but shall not advertise any product not produced on the premises. Signs shall have a maximum sign area of sixteen (16) square feet, shall not exceed eight (8) feet in height, and shall be subject to the following setback requirements: minimum of five (5) feet when the right-of-way width from the centerline of the road to the property line is less than fifty (50) feet; and may be located at the lot line when the right-of-way width from the centerline of the road to the property line is greater than fifty (50) feet. Setback measurement shall be from the right-of-way to the closest part of the sign, whether it be at or above grade. Sign regulations in this Section shall not apply to any conditional use or non-residential principal use located in the Town Development District, or to multiple family dwellings, day care homes, or home occupations which are regulated elsewhere in this Ordinance.

**Section 703 Lighting of Signs**

Illuminated signs shall not be permitted in the Residential or Rural Residential Districts; strobe or other pulsating lights shall not be permitted in any district. Signs shall not be lighted so as to create a traffic hazard or to adversely affect neighboring land uses. Signs may not be lighted to such an intensity or in such a manner as to create a public nuisance or to adversely affect the public health, safety, and general welfare.

**Section 704 Maintenance of Signs**

Signs shall be maintained in neat order at all times. Signs in disrepair, signs which advertise a closed business, past event, or political election, or which are difficult to read, shall be deemed nuisances. The Zoning Administrator is authorized to remove or to cause the removal of all nuisance signs, and to bill the owner of the sign for the costs of removal.



**CHAPTER 8  
APPLICATIONS AND PETITIONS; FEES**

**Section 801 Zoning Compliance Permit**

A. A Zoning Compliance Permit must be obtained, in advance, lawfully to use or occupy, or to permit the use or occupancy of, any building or premises created, erected, changed, converted, altered, or enlarged in its use or structure.

B. To obtain a Zoning Compliance Permit for a permitted principal use, an accessory use, or a sign in any zoning district, an application, filing fee, and site plan must be filed with the Zoning Administrator. The application and site plan shall be set forth on the permit form provided by the Township. The site plan shall include all required data; if it does not, it may be rejected.

C. If the application contains all required information and the site plan demonstrates consistency with Ordinance requirements, the Zoning Administrator shall grant a Zoning Compliance Permit as evidence that the proposed construction and/or land use activity meets the requirements of this Ordinance. If he denies the application for any reason, the Zoning Administrator shall communicate the specific reason for denial to the applicant, who may file an appeal to the Zoning Board of Appeals within thirty (30) days.

## **Section 802 Conditional Use Permit**

- A. A Conditional Use Permit must be obtained prior to development of, or conversion to, a land use specified in this Ordinance under the "Special Land Uses" section for each of the respective zoning districts.
- B. 1. To apply for a Conditional Use Permit, a property owner must file with the Zoning Administrator:
- (a) an application on a form provided by the Administrator's Office, or a facsimile, together with the required filing fee;
  - (b) a site plan containing the data specified in Section 1102A or Section 1102B;
  - (c) supporting facts, information, and arguments relevant to the review standards specified in Section 802(C).
2. If the application contains all required information, the Zoning Administrator shall forward it to the Planning Commission which shall set the matter for hearing. If the application is incomplete, the Zoning Administrator shall request the applicant to furnish the omitted data within 30 days. If the omitted data is not submitted within that time, the Zoning Administrator shall reject the application without prejudice, and without a refund of the filing fee.
3. Subject to the publication and notice procedures specified in section 1202(D) of this Ordinance and to an evaluation of all evidence received at the hearing, the Planning Commission shall either
- (a) approve the application and site plan without modification;
  - (b) approve the application and site plan subject to the imposition of conditions to ensure that the special land use complies with standards set forth in Section 1202(K), or
  - (c) deny the application and final site plan.
- The Commission's decision shall be announced in writing within sixty (60) days after the hearing.
- C. The Planning Commission shall approve a special land use application if it finds adequate evidence that the proposed use:
- 1. Is compatible with existing or proposed development for the location as set forth in any land use policy plans of Champion Township;
  - 2. Is appropriate for the location in terms of size and height;
  - 3. Will not diminish the value of nearby land, buildings, or structures;
  - 4. Will be served adequately by essential public facilities and services, including highways, streets, police and fire protection, drainage systems, refuse disposal, and schools;
  - 5. Will not create excessive additional requirements at public cost for public facilities and services, or cause serious negative impacts on the economic welfare of the community;
  - 6. Will not involve uses, activities, processes, materials and equipment or other operations detrimental to the public health, safety and welfare of the Township; and

7. Will be consistent with the spirit and intent of the zoning district in which the site is located.

D. Standards for Day Care Homes: The following standards shall be used by the Planning Commission when considering a group day-care home licensed or registered under Act No. 116 of the Public Acts of 1973:

1. The proposed facility will be located not closer than 1,500 feet to any of the following:
  - (i) Another licensed group day-care home.
  - (ii) Another adult foster care small group home or large group home licensed under the adult foster care facility licensing act, Act No. 218 of the Public Acts of 1979, being Sections 400.701 to 400.737 of the Michigan Compiled Laws.
  - (iii) A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the public health code, Act No. 368 of the Public Acts of 1978, being Section 333.6101 to 333.6523 of the Michigan Compiled Laws.
  - (iv) A community correction center, resident home, halfway-house, or other similar facility which houses an inmate population under the jurisdiction of the Department of Corrections.
2. The facility will have appropriate fencing for the safety of any children in the group day-care home.
3. The property maintenance and appearance will be consistent with the visible characteristics of the neighborhood.
4. The hours of operation do not exceed 16 hours during a 24-hour period. (The Township may limit but not prohibit the operation of a group day-care home between the hours of 10 p.m. and 6 a.m.)
5. The project includes signs of identification that meet the standards of this Ordinance.
6. The provisions for off-street employee parking satisfy requirements of this Ordinance.

E. Home Occupations: Home occupations shall be permitted in all districts allowing single family dwellings as a permitted principal use, and shall be distinguished as to class by location, the number of outside employees, and the types of vehicles which may be used. Home occupations Class I are limited to the Residential and Town Development Districts. Home Occupations Class II are limited to the Rural Residential, Agricultural Production, and Resource Production Districts.

The requirements for Class I are as follows:

1. Employees are limited to persons residing on the premises and not more than one non-occupant employee;
2. Outdoor storage and any other exterior evidence of the conduct of a home occupation, other than an approved sign, shall be prohibited;
3. The storage, display and sale of merchandise not produced by the home occupation is prohibited;



4. If the home occupation is conducted in an accessory building, the accessory building shall not exceed twenty (20) feet in height, and shall occupy not more than twelve hundred (1,200) square feet of said accessory building;
5. Traffic shall not be appreciably increased in the immediate neighborhood;
6. Any need for additional parking generated by the conduct of such home occupation shall meet the requirements of Section 1002;
7. The home occupation may utilize only stock vehicles, such as passenger cars, and light utility vehicles, such as pick-ups and vans.
8. The use of the dwelling unit for home occupation shall be clearly incidental and subordinate to its use for residential purposes, and if such home occupation is conducted in the principal dwelling, not more than twenty-five (25) percent of the usable floor area of the dwelling shall be used in the conduct of home occupation;
9. No equipment or process shall be used in such home occupation if it creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. No equipment or process shall be used if it is likely to create visual or audio interference in radio or television receivers off the premises, or if it creates fluctuations in line voltage off the premises; and
10. A sign advertising the home occupation is limited in size to six (6) square feet; it shall not be illuminated or contain moving parts

The requirements for Class II are:

1. Each of the requirements specified above except those in paragraphs 1 and 7.
2. Employees are limited to persons residing on the premises, and not more than two non-occupant employees.
3. Larger vehicles and heavy equipment are permitted provided they are stored in an enclosed building.
4. To assure that the home occupation remains subordinate to the principal residential use of the property, the floor area of structures used to store commercial vehicles shall not exceed twice the floor area of the principal structure.
5. Additional conditions may be imposed upon Class II home occupations to ensure compliance with Section 802(C) and the intent of the zoning district where the home occupation would be located.

## F. Conditions and Safeguard

1. In granting a Conditional Use Permit, the Planning Commission may impose such conditions or limitations upon the establishment, location, construction, maintenance or operation of the use as it deems necessary for the protection of the public interest.
2. Conditions and requirements imposed in the granting of Conditional Use Permits shall be a continuing obligation upon persons who are granted such permits. The Zoning Administrator is authorized to make occasional investigations to insure compliance with all requirements.
3. Conditional Use Permits shall be issued for time periods as determined by the Planning Commission, and may be renewed in the same manner as originally sought.
4. In authorizing a Conditional Use Permit, the Planning Commission may require that a cash deposit, certified check, bond or other financial guarantee or ample sum acceptable to the Township be furnished by the developer to insure compliance with such requirements as drives, walks, utilities, parking, landscaping and the like. The financial guarantee shall be deposited with the Township Treasurer at the time of issuance of the permit authorizing the use or activity. The Planning Commission may authorize a proportional rebate of the financial guarantee upon completion of significant stages of the project.
5. All plans, specifications and statements submitted with the application for a Conditional Use Permit shall become a part of the conditions of any Conditional Use Permit, as shall any changes ordered by the Planning Commission.
6. Approval of a Conditional Use Permit shall be valid regardless of change of ownership, provided that all terms and conditions of the permit are met by all subsequent owners.
7. When development authorized by a Conditional Use Permit becomes substantially changed in nature, extent or character, the Planning Commission shall review the permit in relation to the applicable standards and requirements of this Ordinance. Upon finding that a violation of the conditions of the Conditional Use Permit occurred, the Planning Commission may declare the permit null and void.
8. Development authorized pursuant to a Conditional Use Permit must commence within one year from the date of issuance of the permit. If it does not, the permit shall expire automatically. The Planning Commission may grant an extension for one year if an extension request is filed at least 30 days prior to the expiration date, and reasonable justification is given by the applicant.

9. Decisions on special land uses are not appealable to the Zoning Board of Appeals. Any person aggrieved by or dissatisfied with a decision on a special land use application may file a petition to reopen for further consideration, provided that the petition contains new evidence and is filed within thirty (30) days of the date the decision is issued. The petition to reopen shall be subject to a hearing before the Planning Commission which shall thereafter reach a decision within a reasonable time.

10. The standards in Section 802(C) and 802(E) apply to all special land uses. The specific requirements, if any, accompanying Sections 501 through 506, relating to particular uses, are in addition to the standards in Section 802(C) and 802(E) and shall apply in all applicable situations.

11. Revocation Provision. A Conditional Use Permit shall be revoked at a public hearing held by the Planning Commission upon a finding that:

- a) The conditions attached to the permit included a specific time period which has expired; or
- b) Violations of conditions have continued longer than thirty (30) days after an order to correct has been issued. Violations of any conditions

G. Recreational Occupations: Recreational occupations shall be permitted in all districts not allowing single-family dwellings as a permitted principal use. The requirements are as follows:

1. Outdoor storage and any other exterior evidence of the conduct of a recreational occupation, other than the approved, shall be prohibited;
2. The storage, display and sale of merchandise not produced by the recreational occupation is prohibited;
3. If the recreational occupation is conducted in a building, the building shall not exceed twenty (20) feet in height;
4. No equipment or process shall be used in such recreational occupation if it creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. No equipment or process shall be used if it is likely to create visual or audio interference in radio or television receives off the premises, or if it creates fluctuations in line voltage off the premises.
5. The recreational occupation may utilize only stock vehicles, such as passenger cars, and light utility vehicles, such as pick-ups and vans.
6. Additional conditions may be imposed upon recreational occupations to ensure compliance with Section 802 (C) and the intent of the zoning district where the recreational occupation would be located.



### **Section 803 Variances**

To request permission to build on land in a manner that would violate any provision of this Ordinance, a person shall file a Petition for Variance and any associated filing fee with the Zoning Administrator. The Township shall provide a form to be used for the purpose, but also shall allow use of a facsimile if all required information is furnished. If the Zoning Administrator determines that the petition includes required information, he shall refer it to the Zoning Board of Appeals, which shall take evidence at a public hearing held in compliance with the publication and notice procedures set forth in section 1202 (D) of this Ordinance. The Zoning Board of Appeals, in its discretion, shall grant a petition for variance when it determines that practical difficulties or unnecessary hardships prevent a property owner from conforming with the strict letter of this Ordinance. In approving a variance, the Zoning Board of Appeals must find:

- (1) that the justification set forth in the petition warrants approval of the petition, and that it is the minimum variance that will make possible a reasonable use of the land, building, or structure;
- (2) that granting of the variance will be in harmony with the general purpose and intent of this Ordinance and will not be detrimental to the public interest; and
- (3) that the requirements of this Section have been met. The Zoning Board of Appeals shall not grant a petition for variance

- (1) based on a nonconforming use of neighboring lands, structures, or buildings, or
- (2) to allow a use not permissible or by implication expressly prohibited under the provisions of this Ordinance for the zoning district involved. In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards consistent with Section 1202(K) of this Ordinance.

### **Section 804 Fees**

The Township Board by resolution shall establish a schedule of filing fees to cover the costs of administering the Ordinance, and may adjust the fees periodically. Filing fees must be paid prior to consideration of the application or petition filed, and are not refundable unless the application or petition is withdrawn within 10 days after filing. A filing fee is not required if an official body of the Township or the Township itself is the moving party. The schedule of fees shall be posted in a conspicuous location in the Township Hall and shall be placed on file in the Office of the Zoning Administrator.

## CHAPTER 9 NONCONFORMING USES AND STRUCTURES

### **Section 901 Preface**

Nonconforming uses are uses of land legally in existence prior to the adoption, or amendment, of any provision of this Ordinance which makes them nonconforming. A nonconforming use includes a nonconforming structure and may consist of an inadequate setback, a building of excessive size or inappropriate location, or a lot of insufficient dimension. This Ordinance distinguishes nonconforming uses by class: A and B. It is hereby declared that all Class A nonconforming uses previously authorized by the Marquette County Planning Commission or hereafter authorized by the Champion Township Planning Commission are, and will not be, contrary to the public health, safety, and welfare, or to the spirit of this Ordinance and the Township Basic Land Use Plan. Accordingly, all such Class A nonconforming uses may be continued subject to the requirements specified in this Ordinance. Class B nonconforming uses are not consistent with township policies and goals and, accordingly, shall be discontinued and/or removed as rapidly as the Township police power permits. Any use or structure created in violation of the Champion Township Interim Zoning Ordinance or the Marquette County Zoning Ordinance remains a violation.

### **Section 902 Application and Review Procedures**

To obtain a Class A Nonconforming Use designation, the Township Planning Commission, Zoning Administrator, or any property owner, shall file an application with the Zoning Administrator on a form furnished by his office. An appropriate filing fee must be submitted with the application. If the Zoning Administrator determines that the application contains all required information, he shall refer it and all supporting materials to the Planning Commission, which shall schedule a public hearing and take evidence subject to the publication and notice procedures specified in section 1202(D) of this Ordinance. If the application is incomplete, it shall be rejected and a notice thereof shall be given to applicant.

#### **Decision Standards.**

A Class A designation shall be approved if the Planning Commission finds that the continuance of the use would not be contrary to the public health, safety, and welfare, or to the spirit of this Ordinance; that the use and/or structure does not and is not likely to significantly depress the value of nearby property; that the use or structure was lawfully established at the time of its inception, and that no useful purpose would be served by strict application of the provisions or requirements of this Ordinance which otherwise would prohibit the use or structure. The Planning Commission may impose such conditions as it deems necessary to ensure that the use or structure remains consistent with the public health, safety, or welfare, or the spirit and purpose of this Ordinance.

#### **Effect of Denial:**

If an application seeking Class A nonconforming use designation is denied, the nonconforming use and/or structure involved automatically shall be designated and treated as a Class B nonconforming use or structure.

### Appeal Rights.

Any person aggrieved by the Planning Commission's approval, denial, or revocation of a Class A Nonconforming Use designation may file an appeal. The appeal, and any associated filing fee, shall be filed with the Zoning Administrator within 30 days after issuance of the Commission's decision. The appeal then shall be referred to the Zoning Board of Appeals, which shall hold a public hearing subject to the publication and notice procedures specified in section 1202(D) of this Ordinance, and render a decision.

### **Section 903 Requirements for Continuing Class A Nonconforming Uses**

On and after the effective date of this Ordinance or any subsequent amendment, a use of land pursuant to a Class A nonconforming use designation shall be deemed lawful, subject to the following requirements:

- A. No Class A Nonconforming Use shall be enlarged or increased, or extended to occupy a greater area of land than was occupied on the effective date of adoption or amendment of this Ordinance, except with approval of the Planning Commission.
- B. No Class A Nonconforming Use shall be moved, in whole or in part, to any other portion of the lot or parcel occupied by such use on the effective date of adoption or amendment of this Ordinance, except with approval of the Planning Commission.
- C. No Class A Nonconforming Use shall be extended to displace a permitted (conforming) use.
- D. No Class A Nonconforming Use shall be changed to another nonconforming use, except with approval of the Planning Commission. To grant such approval, the Planning Commission must determine that the change in use will have only an insignificant impact on neighboring properties.
- E. No Class A Nonconforming Use shall be expanded to add another nonconforming use without prior approval by the Planning Commission. The additional nonconforming use shall satisfy the standards as set out in Section 902.
- F. Alterations to Class A Nonconforming structures shall be permitted without prior approval of the Planning Commission upon a demonstration of proof to the Zoning Administrator that the alteration will not increase the bulk or the intensity of use of the structures.
- G. No Class A Nonconforming Use shall be resumed if it has been discontinued for a period of eighteen (18) consecutive months or changed to a conforming use for any length of time. No Class A Structure shall be used, altered, or enlarged in violation of any condition imposed in its designation.



### **Section 904 Class B Nonconforming Uses**

All nonconforming uses not designated as Class A are deemed Class B, and shall be subject to elimination and/or removal as rapidly as permitted by law without payment of compensation. No Class B Nonconforming Use shall be resumed if it has been (a) discontinued for a period of eighteen (18) consecutive months; (b) changed to a conforming use for any length or time, or (c) damaged by fire or other casualty to the extent that the cost of reconstruction or repair exceeds fifty (50) percent of the replacement cost of the structure. Class B Nonconforming structures shall not be enlarged or structurally altered. A Class B Nonconforming structure/use shall not be changed to a substantially different nonconforming use, or enlarged to make use of a greater land area than was occupied when it first became nonconforming. No Class B Nonconforming Use or Structure shall be permitted to continue if it was not lawfully created or established.

### **Section 905 Revocation Provisions**

Any Class A nonconforming use or structure maintained or used in violation of this Ordinance is a nuisance per se. Whenever the Zoning Administrator determines that a violation exists, he shall serve a written notice of violation upon the property owner(s) of, or parties in interest to, the property in question at the address shown on the current tax assessment records. In lieu of personal service, violation notices shall be delivered by first-class mail. An affidavit of mailing shall be maintained.

All violations of class A nonconforming uses and structures shall be corrected within the period of time specified in the notice of violation. A violation not corrected timely shall be reported to the Planning commission, which shall schedule a public hearing in accordance with the publication and notice procedures specified in this Ordinance, and issue a written decision.

### **Section 906 Nonconforming Signs**

Nonconforming signs shall be eliminated as rapidly as the police power of the Township permits. No sign shall be designated as Class A Nonconforming. Further, unless specifically provided to the contrary elsewhere in this Ordinance, a nonconforming sign:

1. shall not be structurally altered to prolong its life, nor shall the shape, size, type, or design of the sign structure be altered;
2. shall not be allowed if the activity, business, or usage to which it relates has been discontinued for 30 days or more;
3. shall not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50% of the cost of replacement; and
4. shall not be replaced by any other nonconforming use or structure.

The information shown on a nonconforming sign may be updated, but the sign itself shall not be structurally altered.

## CHAPTER 10 SPECIAL REGULATIONS

### **Section 1001 Prohibited Land Uses**

In all districts, it shall be unlawful to store, park, or place on the open land or in the open space surrounding a structure any automotive vehicle, boat, machine, implement, household appliance, or any other item of personal property which is wrecked or which has been dismantled, abandoned, or discarded. A maximum of two (2) unlicensed and temporarily disabled vehicles may be stored on a lot in any district; **however, no such vehicles may be parked or stored in the front yard of any lot in the Residential, Rural Residential, or Town Development District, and may be parked or stored in side or back yards in these districts only if the yards do not face a public street.**

### **Section 1002 Off-Street Parking Requirements**

Minimum Requirements. Off-street parking shall be provided for motor vehicles. The minimum number of required parking spaces is shown below:

<u>Use</u>	<u>Spaces Required</u>
Single family dwellings, and recreational structures	2 per dwelling unit
Multiple-family dwellings	1 per dwelling unit
Rooming houses, fraternities, sororities, Dormitories ,convalescent homes, and housing for the elderly.	.4 times maximum lawful number of occupants
Bed and breakfast inn	2 per dwelling unit plus 1 for each guest bedroom
Hotels and motels	1.2 per room in addition to spaces required for restaurant facilities
Apartments and town houses	2 per dwelling unit
Churches, theaters, facilities for spectator sports, auditoriums, concert halls	.35 times the seating capacity
Golf courses	7 per hole
Barber shops and beauty parlors	2 plus 1.5 per chair
Bowling Alleys	5 per lane in addition to spaces required for restaurant facilities

Child-Care Facility	2 per dwelling unit plus .3 per child
Drive-in restaurants	.01 times floor area and square feet
Restaurants (except drive-ins), bars, and taverns	1.2 per 100 sq. ft. of floor space
Furniture and appliance stores	.3 per 100 sq. ft. of floor space
Household equipment, carpet and hardware stores, repair shops including shoe repair, contractor's showrooms and others, museums and galleries	1.2 per 100 sq. ft. of floor space
Funeral parlors	1 per 50 sq. ft. of floor space
Gas stations	1 per pump plus 2 per lift (in addition to stopping places adjacent to pumps)
Automotive Service Center	1 per employee plus 2 per service bay
Laundromats	.5 per washing machine
Doctors' and dentists' offices	1 per 100 sq. ft. of waiting room area and 1 per doctor or dentist
Banks	1 per 150 sq. ft. of floor space
Warehouses	1 per 500 sq. ft. of floor space
Retail stores and service establishments	1 per 150 sq. ft. of floor space and outdoor sales space
Offices	1 per 300 sq. ft. of floor space
Other business and industrial uses	.75 times maximum number of employees on premises at any one time

In calculating space requirements, a fraction of .4 or lower shall be disregarded; a fraction of .5 or higher shall be equal to one (1) whole space.

Required offstreet parking shall be provided on the lot to which it pertains. Access drives may be placed in the required front, side or rear yards so as to provide access to accessory or attached structures. Further, any walk or other pavement serving a like function shall not be considered a structure and shall be permitted in any required yard.



The use of a required off-street parking space for the storage of any motor vehicle offered for sale, or for any purpose other than the parking of motor vehicles, is prohibited except where the required spaces are those allocated to the occupants of a private residence. For recreational and residential storage facilities and warehousing, loading areas shall be provided adjacent to the openings of the buildings. Loading areas (including access lanes) shall not be less than 26 feet wide when loading occurs on one side of the lane or less than 30 feet wide when loading would occur from both sides.

The following minimum design standards shall be observed in laying out off-street spaces and providing access lanes to each space. Layouts requiring vehicles to back out onto roads or streets are prohibited.

Parking Angle	Stall Width	Aisle Width	Parking Stall Length	Curb to Curb
0° to 15°	9 ft.	12 ft.	23 ft.	30 ft.
16° to 37°	9 ft.	11 ft.	18 ft.	47 ft.
38° to 57°	9 ft.	13 ft.	18 ft.	54 ft.
58° to 74°	9 ft.	18 ft.	18 ft.	61 ft.
75° to 90°	9 ft.	24 ft.	18 ft.	63 ft.

**Section 1003 Required Planting Screens**

- A. In the Town Development District, wherever a parking lot, trash receptacle, or an outdoor storage, merchandising, or service area lies within 50 feet of the boundary of the Residential or Rural Residential District, or adjoins a residential dwelling within the Town Development District, a planting screen of sufficient length to screen the view thereof from the adjoining property shall be required unless the view is blocked by a change in grade or other natural or manmade features. Where shade or soil conditions make plantings impractical, a six-foot high wood or metal fence, or masonry wall may be substituted.
  
- B. Planting Screen Specifications. All planting screens required by this Ordinance shall be at least 30 inches high when planted, maintained in a healthy condition, and pruned to provide maximum opacity from the ground to a height of five feet. Plant materials shall be selected from the following list and placed no farther apart than the distances indicated.

<u>Plant</u>	<u>Spacing</u>
Lilac	3 feet
Privet	18 inches
Arbor Vitae	4 feet
Pfitzer	4 feet
Scotch Pine	5 feet
Jack Pine	5 feet
Spruce	5 feet

Substitution of other plant materials shall be permitted upon approval of the Zoning Administrator, upon a showing that the alternative plant species can be expected to thrive, to provide adequate screening, and to present no safety hazard.

- C. Parking Lot Planting. Where offstreet parking for 50 or more vehicles is required, landscaped open space within the perimeter of the parking area, or areas, shall be required in the minimum amount of 18 square feet for each parking space, which shall be located so that no parking space is more than 120 feet from a portion of the landscaped open space required by this Section. Landscaped open space required by this Section shall be kept continuously planted with living vegetation. The required landscaped open space need not be contiguous. However, when not contiguous, each separate area must contain at least one tree 12 feet high when planted. Trees shall be maintained in a healthy condition, and shall not be pruned, except to remove dead wood, to prevent growth to a height of at least 15 feet or to reduce existing height below 15 feet. None of the following varieties of trees shall be used: poplars, willows, American Elm, seedbearing locusts, and box elders. All plants shall be pruned to provide clear line of sight for motorists and pedestrians.
  
- D. Completion of Plantings. All plantings required by this Ordinance shall be installed prior to occupancy or commencement of use. Where compliance is not possible because of weather or any other reason, the Zoning Administrator may grant an extension for a reasonable period of time. A Zoning Compliance Permit may be revoked if required landscaping is not maintained properly.

## **Section 1004 Mineral Extraction**

The extraction, processing, and transportation from a single lot (a) of more than 500 cubic yards of any mineral as defined in this Ordinance and (b) within a period of three (3) consecutive months shall require zoning approval by the Planning Commission.

To obtain a mineral extraction permit, an applicant must file with the Zoning Administrator a signed letter briefly outlining the project; a Zoning Compliance Permit application; a filing fee as established by the Township Board; and a site plan, operation plan, and reclamation plan. The site plan must include the following:

1. A legal description of the lot; the name, address and telephone number of the owner, developer and designer.
2. Date, north point, and scale.
3. The actual dimensions of the proposed developed area (as shown by a surveyor or engineer, with the survey stakes visible) showing the relationship of the subject property to abutting properties.
4. The location of all existing and proposed structures on the subject property and all existing structures on land immediately adjacent to the site within 100 feet of the lot lines of the parcel.
5. The location of all existing and proposed drives and parking areas.
6. The location and right-of-way widths of all abutting streets, alleys, and private easements.
7. The location of proposed planting and screening, fencing, signs and advertising features.
8. The height and floor area of all proposed structures.
9. The size and location of all existing and proposed public and private utilities and required landscaping.
10. Proposed location, area extent, and estimated depth of excavation.
11. Proposed location of waste dumps, tailing ponds, sediment basins, stockpiles, and other permanent or temporary facilities used in mining.
12. The general groundwater conditions and the possible impact of mining operations upon adjacent groundwater levels and quality. The operator must identify plans to alleviate possible problems in the groundwater supply to adjacent land owners.
13. Any other information of applicant's choosing to establish compliance with this Ordinance.



**NOTE:** The site plan (original plus 10 copies) shall be drawn on one or more pages not larger than 24" x 36" at a scale adequate to illustrate the proposed operation.

The Operation Plan must include:

1. A narrative description outlining the estimated time span which the operation will cover; the type of material to be extracted; the type of mining operation and processing equipment to be used; measures to control noise, vibration, and pollution; effect on groundwater condition; proposed routes to be used to transport the mined material to processing plants or markets, and the steps to be taken to relieve potential adverse effects.
2. A narrative description of the social and economic impact on Marquette County and Champion Township, including an estimate of the number of potential employees, proposed transportation routes for employees, and any changes in the present road network.
3. Sight buffers as reasonable and practical along all boundaries of the mining operation which abut Residential, Rural Residential, or Town Development Zoning Districts. Buffers shall be constructed to screen the mining operation from public view and to protect public safety.
4. A description of the measures to be taken to insure that excavations, pits, pond areas, banks, or slopes will be adequately guarded, fenced, or posted to protect public safety.
5. Plans for utilities, access roads, drainage, traffic, and other site improvements showing appropriate measures that have been, are, or will be provided.

The Reclamation Plan must include a map and description showing:

1. Final grading, anticipated final slope angles, wall reduction, benching and terracing of slopes, slope stabilization and re-vegetation, erosion control, and alternative future land uses.
2. Description of topsoil stripping and conservation during storage and replacement.
3. Plan and description of anticipated final topography, water impoundments, and artificial lakes.
4. Plans for disposition of surface structures, roads, and related facilities after cessation of mining.
5. Plans for disposal or treatment of any harmful or toxic materials found in any formation penetrated by the mining operations or produced during the processing or use of minerals, chemicals or materials used during the mining or processing operations.
6. A timetable for completion of reclamation requirements.

**NOTE:** If any of the information required to be submitted in the application package is set forth in an Environmental Impact Statement or any other documents required by Federal, State, or County agencies, applicant may submit those documents in lieu of, or as a supplement to, the data required by this Ordinance.

General Review Standards. The Planning Commission shall approve a Mineral Extraction Permit application after public hearing only if it finds adequate evidence that the proposed use:

1. Will be compatible with the land use policy plans adopted by Champion Township;
2. Will provide adequate site drainage so that run-off storm waters will not adversely affect neighboring properties;
3. Will not be hazardous or cause serious impacts to neighboring uses by reason of noise, traffic, smoke, fume, glare, or odors;
4. Will be served adequately by essential public facilities and services;
5. Will not create excessive additional requirements at public cost for public facilities and services or be detrimental to the economic welfare of the community; and
6. Will protect the public health, safety and welfare of the local population.

## **Section 1005 Waterfront Development**

- A. Setbacks from Water - All structures on lots abutting any body of water, as defined in Act 346 of the Public Acts of 1972, including inland lakes, rivers, streams, and impoundments, shall maintain a minimum setback of 75 feet as measured from the high water mark or lot line. All uses shall be subject to this setback except private bathing facilities, saunas, storage sheds, and associated facilities which shall maintain a minimum setback of 30 feet as measured from the high water mark or lot line.
- B. Shore and Bank Area Alterations - The part of any setback within 30 feet of the water edge shall be maintained in its natural condition. Trees and shrubs in a space 50 feet wide may be trimmed or pruned for a view of and for access to the fronting waters. No change shall be made in the natural grade. A lot shall be regarded in its natural condition when it has at least one tree or shrub at least 15 feet tall for each 75 square feet of area in wooded areas or sufficient natural ground cover in open areas.
- C. Limitation of "Funnel Development" - Any development in any zoning district which shares a common lake front or stream area shall not permit more than one (1) single family home, cottage, condominium or apartment unit to the use of each one hundred (100) feet of lake or stream frontage in such common lake-front or stream area as measured along the water's edge of normal high water mark of the lake or stream. This restriction is intended to limit the number of users of the lake or stream frontage to preserve the quality of the waters, avoid congestion, and preserve the quality of recreational use of waters and lands. This restriction shall apply regardless of whether access to the water shall be gained by easement, common fee ownership, single fee ownership or lease. This restriction shall not apply to an official public access site.

## **Section 1006 Day Care Homes**

- A. Family day care homes are a permitted use in all residential zoning districts.
- B. Group day care homes are a conditional use in all residential zoning districts.

## **Section 1007 Rehabilitation and Home Improvements**

Rehabilitation construction and home improvements shall not be subject to zoning approval under this Ordinance if the construction does not compromise the setback, bulk, and placement requirements set forth in this Ordinance. The Zoning Administrator shall have authority to determine if specific construction projects come within this provision.

**CHAPTER 11  
SITE PLAN REVIEW**

**Section 1101 Intent**

Site plan review and approval shall be required for all buildings, structures, and land uses to determine whether impacts on natural resources, traffic patterns, adjacent parcels, and the character of current and future development are consistent with the purposes of this Ordinance.

A site plan shall accompany all applications for:

- A. Zoning Compliance Permits;
- B. Special Land Uses;
- C. Variance Petitions;
- D. Applications for Class A Non-Conforming Use Designations;
- E. Sign Approval. The site plan may be drawn on the application form or on a separate sheet of paper as appropriate to the scale and amount of information shown. Scale shall be no less than 1:40 (one inch equals 40 feet). Drawings shall be no smaller than 8.5" by 11" and no larger than 24" by 36."

**Section 1102 Contents of Site Plan**

- A. Uses other than Industrial, Commercial, or Multiple Family Development
  - 1. A legal description of the site.
  - 2. All lot lines and dimensions of the lot.
  - 3. All roads and easements.
  - 4. All existing and proposed buildings.
  - 5. Current and proposed use of all buildings.
  - 6. Distances between buildings and all lot lines.
  - 7. Building dimensions.
  - 8. Natural features affecting development (rock, water, etc.).
  - 9. Well and septic locations.
  - 10. A north arrow
  
- B. Commercial, Industrial, and Multiple Family Development
  - 1. A scale adequate to illustrate the proposed activity.
  - 2. A legal description of the lot; the name, address and telephone number of the owner, developer and designer.
  - 3. Date, north point, and scale
  - 4. The actual dimensions of the area to be developed (as shown by a licensed surveyor, engineer, architect, or registered landscape architect, with the survey stakes visible) showing the relationship of the subject property to abutting properties.



5. The location of all existing and proposed structures, including signs, on the subject property and all existing structures on land immediately adjacent to the site within 100 feet of the site's lot lines.
6. The location of all existing and proposed drives and parking areas
7. The location and rightofway widths of all abutting streets, alleys, and private easements.
8. The location of any proposed planting, buffering, fencing, and signs.
9. The height and floor area of all proposed structures.
10. The size and location of all existing and proposed public and private utilities and the required landscaping.
11. Location of all existing and proposed surface water impoundments and surface water drainage pattern.
12. The location and extent of all planned earth movement, and whether a sedimentation and erosion control permit has been requested
13. Any other information necessary to establish compliance with this Ordinance or any other applicable regulations or statutes.

## **Section 1103 Review Procedures and Approval Standards**

Upon receipt of a site plan, the Zoning Administrator shall determine whether it follows proper form, contains all required information, shows compliance with requirements of this Ordinance, and demonstrates the adequacy of utility service. He shall have the option of (1) furnishing a copy to the County Drain Commissioner, the Soil Conservation District, the Health Department, or any other State or County office, and providing a 30-day comment period to these agencies, or (2) reaching an independent decision on the merits of the site plan. His decision shall be set forth in writing and, if a denial, shall include the specific provisions in the Ordinance with which the site plan does not comply. The proposer may appeal a denial to the Zoning Board of Appeals. The Zoning Administrator and Zoning Board of Appeals shall use the following guidelines in their review:

1. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site will be developed without impeding the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
2. The landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.
3. Special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties.
4. The site plan shall provide reasonable visual and auditory privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
5. All buildings or group of buildings shall be arranged to permit emergency vehicle access to all sides.
6. Every structure or dwelling shall have access to a public street, walkway or other area dedicated to common use.
7. All loading or unloading and outside storage areas, including areas for storage of trash, which face or are visible from residential properties, abut a residential zone or public thoroughfares, shall be screened by a vertical buffer consisting of structural or plant materials at least six (6) feet high.
8. Exterior lighting shall be deflected away from adjacent properties and shall not interfere with the line of sight for motorists or pedestrians. Flashing or pulsating lights shall not be permitted.

**CHAPTER 12**  
**ADMINISTRATIVE PROCEDURES**

**Section 1201 Amending the Ordinance; Rezoning**

- A. The Township Board shall have exclusive authority to amend this Ordinance. Changes in the text of the Ordinance or in any zoning district boundary may be requested by any interested person, by the Township Board, or by the Planning Commission. To request a change in the text, a Petition for Amendment and any associated filing fee shall be filed with the Zoning Administrator; the petition shall include the specific language proposed for consideration and the reasons supporting the change. To request a change in a zoning district boundary, a Petition for Rezoning and any associated filing fee shall be filed with the Zoning Administrator; the petition shall contain the following information:
1. A legal description of the property;
  2. A map of the property drawn to scale, correlated with the legal description of the property and showing its location;
  3. The petitioner's name, address, and daytime telephone number;
  4. The petitioner's ownership interest in the property;
  5. The date of filing with the Zoning Administrator;
  6. Signed statement of the petitioner(s) and property owner(s) certifying the accuracy of the facts and information set forth in the petition;
  7. The zoning change requested and the reasons and arguments supporting the rezoning.
- B. Upon receipt of a petition for a text amendment or for a rezoning, and upon collection of the appropriate filing fee, the Zoning Administrator shall refer the petition to the Planning Commission for consideration, hearing, and a recommendation on the merits to the Township Board. In scheduling hearings, the Planning Commission shall comply in all respects with the publication and notice requirements set forth in Section 1202 (D).
- C. The Planning Commission and Township Board shall consider a petition for amendment or for rezoning in light of the following standards: (1) whether the requested amendment or rezoning is justified by a change in conditions or by a mistake in the original ordinance or zoning map; (2) the proposal's consistency with the land use goals and policies of the Township; (3) the precedents which might be established by approval or denial of the proposal, and the impacts of such precedents; (4) the ability of the Township or other government agencies to provide essential public services, facilities, or programs; (5) whether the proposal would likely result in significant adverse environmental impacts and/or the loss of valuable natural resources; and (6) the effect of approval on adopted policies of neighboring townships or of Marquette County.

D. Upon completion of the public hearing, the Planning Commission shall refer the petition and a summary of the comments received at hearing to the Marquette County Planning Office, which shall have thirty (30) days to submit advisory comments to the Planning Commission. If the County does not respond within that period, its approval of the petition shall be presumed. At its next regular meeting following receipt of the County's comments, or of expiration of the 30-day County review period, the Planning Commission shall adopt a summary report and recommendation to the Township Board, which may either consider the matter at its next regular meeting or a special meeting called for the purpose. A majority vote of the Township Board shall be necessary to reach a decision. The Board's only decision options are:

- (1) adopt the proposed amendment/rezoning;
- (2) reject the proposed amendment/rezoning;
- (3) order an additional public hearing, either on its own initiative, or upon the request of landowners or residents located within 300 feet of the property involved; a notice of any such hearing shall be published in a newspaper of general circulation in the Township not less than five (5) or more than fifteen (15) days prior to the hearing; and
- (4) refer the petition back to the Planning Commission for further consideration and recommendation if changes to the amendment are deemed desirable; if substantial changes are recommended, the Planning Commission may hold a new hearing before resubmitting a recommendation to the Board.

The Planning Commission shall submit a new recommendation to the Board within 30 days of the meeting or hearing at which it considers the petition in light of the changes suggested by the Board. Thereafter, the Board shall take final action approving or rejecting the petition. No petition for amendment of the ordinance or for rezoning which has been rejected by the Township Board may be resubmitted during a period of one year from the date of rejection, unless the petitioner demonstrates new or changed circumstances. Resubmission shall be subject to the same procedures that applied to the initial petition.



**Section 1202 Decision Standards;**  
**Publication and Notice Procedures; Hearing Requirements**

- A. Whenever an administrative decision is required pursuant to this Ordinance, the decision shall be made so that the result will not be contrary to the spirit and purpose of this Ordinance or injurious to the surrounding neighborhood.
- B. Whenever a public hearing is required in the administration of this Ordinance, the Zoning Board of Appeals and the Planning Commission shall base their decision upon facts presented and testimony received at the hearing.
- C. Applications, petitions, appeals, and other matters subject to hearing before the Zoning Board of Appeals or the Planning Commission shall be submitted at least thirty (30) days prior to the regularly scheduled meeting of the Board or Commission. Applications received less than thirty (30) days prior to the regular meeting may be scheduled for hearings at that meeting only upon authorization of the Chairman after review of the agenda, the workload of the staff, and the ability to meet legal notice deadlines. An application or petition received less than five (5) days prior to a legal notice deadline will be tabled for future consideration.
- D. Publication and notice procedures shall follow the requirements of the Township Rural Zoning Act. To advertise applications seeking Class A Nonconforming Use or Structure Designations, Mineral Extraction Permits, and all Zoning Board of Appeals hearings, the Township shall notify affected parties and publish a notice in a newspaper of general circulation not less than five (5) nor more than fifteen (15) days prior to the hearing date.

To advertise applications seeking Special Land Uses, the Township shall both (1) publish a notice as stated in the previous sentence, and (2) send notice by first-class mail to all property owners and occupants within 300 feet of the boundary of the property at issue. To announce a hearing on a new zoning ordinance or an amendment to a zoning ordinance, including a rezoning, the Township shall publish a newspaper notice twice. The first notice must appear not more than thirty (30) nor less than twenty (20) days prior to the hearing date, and the second notice not less than eight (8) days prior to the hearing date; further, the hearing notice shall be sent to railroads and public utilities not less than twenty (20) days prior to the hearing date. Notice of a request for rezoning shall be sent by first-class mail not less than eight (8) days prior to the hearing to all property owners and occupants of single-family and two-family dwellings within 300 feet of the boundary of the property at issue.

- E. To insure notice to proper parties, the current year's assessment roll shall be used to establish property ownership. If a structure contains more than one dwelling unit or is owned or leased by different persons, the required notice shall be given to all occupants, owners, or lessees. If a structure contains more than four dwelling units or other distinct spatial areas owned or leased by different persons, the required notice shall be sent to the manager or owner of the structure, and the manager/owner shall post the notice at the structure's primary entrance.

- F. All hearing notices shall include the date, time, and location of the hearing, the geographic area involved, where and when written comments will be received, and where and when the pertinent zoning documents may be examined.
- G. The hearing body shall permit persons in attendance to make comments in support of and in opposition to the action under consideration.
- H. The Planning Commission and Zoning Board of Appeals shall issue written decisions setting forth in detail any denial, approval, conditional approval, or other order.
- I. The hearing record, including a summary of the testimony and all written comments and exhibits accepted at or prior to the hearing, shall be filed with the Township Clerk. The clerk shall maintain an affidavit of mailing for each mailing accomplished under this section.
- J. All administrative actions shall be recorded in the Special Zoning Orders Book and Map.
- K. Whenever a discretionary decision is authorized under this Ordinance, conditions may be imposed regarding greater setbacks, parking, screening, drainage, access, and other similar requirements provided that:
  - 1. They are designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of persons who will use the land or activity under consideration, residents and landowners immediately adjacent to the proposed use or activity, and the community as a whole;
  - 2. They are related to the valid exercise of the police power, and the purposes which are affected by the proposed use or activity;
  - 3. They are necessary to meet the intent and purpose of this Ordinance, are related to standards established in this Ordinance for the land use or activity under consideration, and are necessary to insure compliance with such standards; and
  - 4. The conditions imposed with respect to the approval of a land use or activity shall be reflected in the record of the approval action, and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. A record of changed condition also shall be maintained.
- L. All administrative guides or rules developed to assist the Zoning Board of Appeals or the Planning Commission in the administration of this Ordinance shall be filed with the Township Clerk and kept open to public inspection.

## **Section 1203 Appeals**

- A. Appeals concerning interpretation of the administration of this Ordinance may be made by filing an Appeal of Administrative Decision. The appeal must be filed within thirty (30) days after the date the contested action was taken.
- B. A filing fee shall be paid at the time the appeal is filed. Upon collection of the fee, the Zoning Administrator shall transmit to the Zoning Board of Appeals copies of all documents constituting the record upon which the contested action was taken.
- C. Filing of an appeal shall stay all proceedings until a decision is made on the appeal, unless the Zoning Administrator certifies to the Zoning Board of Appeals that a stay would cause imminent peril to life or property, in which case the proceedings may only be stayed by a restraining order issued in a court of competent jurisdiction.
- D. The Zoning Board of Appeals shall schedule a public hearing on the appeal within a reasonable time and provide notice to appropriate parties. Any party or parties may appear at the hearing in person or by agent or attorney. Any person who desires to present testimony shall be afforded an opportunity to do so.
- E. The Zoning Board of Appeals shall decide an appeal within a reasonable time. Its decision shall take the form of a written resolution fully setting forth its findings and determinations.
- F. Recourse from decisions of the Zoning Board of Appeals shall be to the Circuit Court of Marquette County.

**CHAPTER 13**  
**ENFORCEMENT of ORDINANCE AND SANCTIONS**

**Section 1301 Civil Law**

Any building, structure or use constructed, altered, moved or maintained in violation of the provisions of this ordinance is hereby declared to be a nuisance per se.

**Section 1302 Notice of Violation**

When the Zoning Administrator discovers a land use activity which appears to violate the provisions of this ordinance, he/she shall provide a written notice of violation, which shall be sent by first class mail to any person conducting, providing, or owning the property on which the land use activity is occurring in violation of any provision of this ordinance. The address of the property owner(s) or party in interest shall be taken from the most recent tax assessment records.

If the unlawful land use is not eliminated within 30 days, or within an extended time period approved by the Zoning Administrator, a second notice of violation shall be authorized and shall set a 15-day compliance period. If the property owner fails to comply with the provisions of the second notice, the Zoning Administrator shall proceed to Section 1303, Enforcement/Penalties.



### **Section 1303 Enforcement/Penalties**

(a) Violations of the provisions of this ordinance, or failure to comply with any of its requirements, including violations of conditions and safeguards establishing connections with variances and conditional uses, and violation of approved site plans, shall constitute a civil infraction. The Zoning Administrator is authorized to issue civil infraction citations/appearance tickets to those individuals in violation of the provisions of this ordinance. Any person or entity who admits responsibility or is adjudged to be responsible for a violation of this ordinance, or fails to comply with any of its requirements shall, upon admission or judgment thereof, pay a civil fine of not less than Sixty Dollars (\$60.00), plus costs and other sanctions for each infraction. Each day such violation continues shall be considered a separate offense. As used in this section, "repeat offense" means any second (or any subsequent) municipal civil infraction violation of the same requirement or provision of this ordinance committed by the violator within any twelve (12) month period, for which violator admits responsibility or is determined to be responsible.

(b) The increased fine for a repeat offense under this ordinance shall be as follows:

- (1) The fine for any offense which is a first repeat offense shall be not less than One Hundred Fifty Dollars (\$150.00), plus costs and other sanctions for each infraction; and,
- (2) The fine for any offense which is a second repeat offense or any subsequent repeat offense, shall not be less than Three Hundred Dollars (\$300.00), plus costs and other sanctions for each infraction.
- (3) Remedies – In addition to any other civil remedies provided for in this ordinance, the Township Board may also institute proceedings for injunction, mandamus, abatement, and other appropriate remedies to prevent, enjoin, abate or remove any violations of this ordinance. The imposition and payment of a civil penalty shall not exempt the violator from compliance with the provisions of this ordinance.

CHAPTER 14  
EFFECTIVE DATE; AMENDMENTS TO  
CHAMPION TOWNSHIP ZONING ORDINANCE

**Section 1401 Effective Date**

This Ordinance shall become effective on January 1, 1997.

**Section 1402 Amendments to the Ordinance**

**Note: This ordinance contains all amendments made as of July 11, 2004.**

The following amendments were approved by resolution of the Champion Township Board on March 11, 1997.

1. **Section 301 (A)(1) DUTIES OF ZONING ADMINISTRATOR**

(Original text:)

The Zoning Administrator shall serve as the primary public contact for all inquiries regarding zoning. He shall have exclusive authority to review and investigate applications for Zoning Compliance Permits, **to interpret the Ordinance and the Zoning Map**, to identify, monitor, and control nonconforming uses, to investigate alleged violations of the provisions of this Ordinance, to institute and pursue appropriate enforcement actions, and to perform other duties as specified in this Ordinance. The Zoning Administrator shall assert authority over all administrative matters not specifically assigned by this Ordinance to other Township offices or persons.

(Change:)

The words appearing above in boldface are deleted.

2. **Section 302 (C)(1) Duties and Powers [of Zoning Board of Appeals]**

(Original text:)

The Zoning Board of Appeals shall perform its duties and exercise its powers as provided in Act 184 of 1943, as amended, so that the spirit of this Ordinance is observed, public safety secured, and substantial justice done. It shall hear and decide only those matters which it is specifically authorized to hear and decide as provided in this Ordinance: appeals of administrative decisions, and variances.

(Change:)

The words "interpretation of the Zoning Ordinance and the Zoning Map" are inserted after the phrase "appeals of administrative decisions."

3. **Section 406 Interpretation of Zoning Map**

(Original text:)

In any instance of confusion, uncertainty, contradiction, or conflict regarding the precise boundaries of a particular zoning district, the Zoning Administrator shall be authorized to interpret the zoning map, upon the filing of a written request by any person and the payment of any associated fee. Any person aggrieved by the interpretation may file an appeal to the Zoning Board of Appeals. Such an appeal must be submitted to the Zoning Administrators's Office within 30 days from the date of the Administrator's decision. In interpreting the zoning map, the Zoning Administrator and Zoning Board of Appeals shall apply the following standards:  
\*\*\*

(Change:)

"In any instance of confusion, uncertainty, contradiction, or conflict regarding the precise boundaries of a particular zoning district, the Zoning Board of Appeals shall be authorized to interpret the zoning map, upon the filing of a written request by any interested person and the payment of any associated fee to the Zoning Administrator. In interpreting the zoning map, the Zoning Board of Appeals shall apply the following standards: \*\*\*\*"

4. (Change)

To correct a typesetting error in the prefatory paragraph of Section 301, "absence" of the Zoning Administrator is added as an additional justification for the assumption of duty and responsibility by the Acting Zoning Administrator.

**The following amendments were approved by resolution of the Champion Township Board on January 11, 2000.**

1. Section 507, Remote Waterfront Recreational District – This is an addition to Chapter 5, Zoning District Regulations.

and

2. Chapter 13, Enforcement of Ordinance; Sanctions, as written in the text and contained herein.

**The following amendment was approved by resolution of the Champion Township Board on October 10, 2000:**

1. Section 601, revision to the Remote Waterfront Recreational District minimum lot size of 2 acres to add (N) to the Schedule of Regulations, as written in the text and contained herein.

**The following amendment was approved by resolution of the Champion Township Board on March 13, 2001:**

1. Chapter 13, Section 1303: Enforcement/Penalties, increase in fines, as written in the text and contained herein.

**The following amendment was approved by resolution of the Champion Township Board on November 12, 2002:**

1. Section 508: Remote Resource Recreation District – This is an addition to Chapter 5, Zoning District Regulations.

and

2. Section 601, Schedule of Regulations: RRR.

and

3. Section 802(G): Recreational Occupations, as written in the text and contained herein.

and

4. Section 202 Definitions: Recreational Occupation and Storage Yards.



CHAMPION TOWNSHIP  
P.O. BOX 126  
CHAMPION, MICHIGAN 49814

RESOLUTION

At a Regular Meeting of the Champion Township Board, called to order by Berle V. LaPin, on December 10, 1996, at 6:30 p.m., the following resolution was offered:

A motion made by Julie M. Saarela and seconded by James Beaupied, that the Champion Township Board adopt the Zoning Ordinance prepared by the Champion Township Planning Commission.

Considered for Approval:

<u>Approval</u>	<u>Disapproval</u>
Ayes: 5	Ayes: 0
Nays: 0	Nays: 0

It is the consensus of the legislative body that the Resolution be adopted.

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the CHAMPION TOWNSHIP BOARD at a regular meeting held on December 10, 1996.

State of Michigan  
County of Marquette  
Township of Champion Township

\_\_\_\_\_  
Township Clerk

(Seal)

CHAMPION TOWNSHIP  
P.O. BOX 126  
CHAMPION, MICHIGAN 49814

RESOLUTION

At a Regular Meeting of the Champion Township Board, called to order by Berle V. LaPin, on March 11, 1997, at 6:30 p.m., the following resolution was offered:

A motion made by James Beaupied and seconded by Julie Saarala, that the Champion Township Board approve the recommendation of the Champion Township Planning Commission to amend the Zoning Ordinance according to the four (4) items on pages 64 and 65.

Considered for Approval:

<u>Approval</u>	<u>Disapproval</u>
Ayes: 5	Ayes: 0
Nays: 0	Nays: 0

It is the consensus of the legislative body that the Resolution be adopted.

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the CHAMPION TOWNSHIP BOARD at a regular meeting held on March 11, 1997.

State of Michigan  
County of Marquette  
Township of Champion Township

---

Township Clerk

(Seal)