

Chapter 1

Miscellaneous Provisions

101. Short Title

This Ordinance shall be known and may be cited as the Swan Creek Township Zoning Ordinance.

102. Legal Basis

This Ordinance has been prepared and adopted under the authority of the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).

103. Purpose

This Ordinance has been prepared and adopted for the purpose of providing standards and regulations for land development, for the use of land and buildings, and for all other purposes described in Section 1 of the Michigan Zoning Enabling Act. Also, this Ordinance is based on the Swan Creek Township Master Plan, and is intended to carry out the objectives of that Plan. It is also the general purpose of this Ordinance to accomplish the following objectives:

- (1) Guide the use and development of the community's lands and natural resources in accordance with their character, adaptability, and suitability for particular uses.
- (2) Protect the character of the community and enhance the social and economic stability of the Township and the individual zoning districts as set forth in this Ordinance.
- (3) Lessen congestion on the public streets and highways, and facilitate safe and convenient access to the various uses of land and buildings throughout the community.
- (4) Facilitate adequate provisions for sewage disposal, drainage, water supply, education, recreation, and other public services.
- (5) Conserve life, property, natural resources, and the expenditure of public funds for public facilities and services by establishing standards for the physical development of the community, and providing for the enforcement of those standards.
- (6) Adopt provisions for each zoning district designated in this Ordinance that shall control the use of land; the use, size and location of buildings; the minimum yards, courts and other open spaces; and the maximum number of families to be housed in buildings and structures.

104. Interpretation

This Ordinance does not repeal other laws and ordinances except as may be noted in the provisions that follow this section. This Ordinance has no effect on the applicability of private deed restrictions or restrictive covenants.

In cases where this Ordinance imposes greater restrictions on the use of land, buildings, structures, or on the commencement of land development projects, or requires larger lots, setbacks, or parking areas than provided by other laws, ordinances, or private deed restrictions or restrictive covenants, the provisions of this Ordinance shall prevail.

In cases where this Ordinance establishes lesser restrictions on the use of land, buildings, structure, or on the commencement of land development projects, or requires smaller lots, setbacks or parking areas than provided by other laws, ordinances, or private deed restrictions or protective covenants, the provisions of those other laws, ordinances, restrictions or covenants shall prevail.

105. Repeal

This Ordinance repeals and replaces the previous Swan Creek Township Zoning Ordinance in its entirety.

106. Vested Rights

Nothing in this Ordinance should be interpreted or construed to bestow any permanent vested rights in the continuation of any particular use, district, zoning classification, or permissible activities therein. Furthermore, such rights as may exist through enforcement of this Ordinance are hereby declared to be subject to subsequent amendment, change, or modification as may be necessary for the preservation or protection of public health, safety, and welfare, to the extent that such rights are not protected by the nonconforming use provisions in Chapter 4.

107. Validity

This Ordinance and the various sections, subsections, clauses, sentences, and provisions are severable. If any section, subsection, clause, sentence or provision is declared to be unconstitutional or invalid, the balance of the Ordinance shall not be affected by the declaration.

108. Effective Date

This Ordinance shall become effective upon publication of a notice of adoption by the Township Board as provided by the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).