

ARTICLE 4 INTERPRETATION, ZONES AND ZONING MAP

4.1 RULES OF INTERPRETATION

4.1.1 Interpretation of Provisions

In the interpretation and application of the provisions of this Ordinance, the provisions shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

4.1.2 Interpretation of Words

For the purposes of this Ordinance:

- a) words used in the present tense shall be deemed to include the future;
- b) words in the singular number shall be deemed to include the plural and words in the plural shall be deemed to include the singular;
- c) words of gender shall include all genders;
- d) the word “person” shall include a firm, partnership, association, trust, company or corporation, as well as an individual;
- e) the words “use” or “used” shall be deemed to include the words “intended, arranged or designed for use” or “intended, arranged or designed to be used” or “intend and arrange or design for use”;
- f) the word “shall” is mandatory and not discretionary; and
- g) the word “may” is permissive.

4.1.3 Changes in Legislation

Where the provisions of this Ordinance refer to specific legislation, such provisions shall be deemed to also refer to any legislation that is a successor thereto.

4.1.4 Captions

The captions used in this Ordinance shall not be deemed to be part of this Ordinance and shall not be construed to enlarge or restrict the rights and obligations otherwise contained herein.

4.2 ZONES

4.2.1 Establishment of Districts

The following Zoning Districts are hereby established within Clark Township. Such districts are shown on the Official Zoning Map. Each district may be known by and may be referred to by its symbol.

Agricultural Districts:

- AG Recreation, Sylviculture and Agriculture District

Residential Districts:

- RS Resort District
- R-1 Single Family Residential District
- R-2 Rural Residential District Family
- R-3 Island Residential
- MH Mobile Home Park District

Business Districts:

- C Commercial District
- M Industrial District
- LM Light Industrial District
- P Parking District
- Q Public and Quasi-Public District
- SS Shore Strip District

4.2.2 Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to boundaries of any of the Zoning Districts indicated on the Zoning Map, the following rules of interpretation shall apply:

- a) A district boundary indicated as approximately following the corporate boundary line of the Township shall be construed as following such line;
- b) A district boundary indicated as following along a section line, quarter-section line, platted lot line, or other survey line, shall be construed as following such line;
- c) A district boundary indicated as following a property line shall be construed as following such property line;
- d) A district boundary indicated as approximately following a highway, street, alley or easement shall be the centerline of such highway, road, alley or easement;
- e) Whenever any road, alley, or other public right-of-way or railroad right-of-way is vacated by official action, the property formerly within such road, alley or right-of-way shall be included within the Zoning District of the adjacent property to which it is adjoined. In the event that the road, alley or right-of-way was a zoning district boundary between two or more Zoning Districts, the new district boundary shall be the boundary of the new property formed by the joining of the closed road, alley or right-of-way to the adjacent properties.

- Where no joining takes place, the new district boundary shall be the former center of such road, alley or right-of-way;
- f) A district boundary indicated as following the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centerline of such watercourse or right-of-way;
 - g) A district boundary indicated as following the shoreline of any lake, river, stream, or other body of water, shall be construed as following such shoreline and, in the event of change in a shoreline, shall be construed as following the actual shoreline;
 - h) A district boundary indicated as approximately parallel to a street or highway center line, or to section lines, quarter-section lines or other survey lines, shall be construed to be parallel thereto and at such distance as indicated on the Zoning Map. If no distance is given, such distance shall be determined by the use of the scale shown on the Zoning Map;
 - i) A boundary indicated as parallel to, or an extension of, a feature indicated in interpretation rules a) through h) above shall be so construed;
 - j) A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;
 - k) Where the provisions of a) through j) above are not applicable in determining the location of a district boundary, its location shall be determined by measuring the distance from the nearest definable geographic reference point as indicated on the Zoning Map;
 - l) Where a physical or cultural feature existing on the ground is at variance with that shown on the Official Zoning Map, or where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between Zoning Districts, the regulations of the more restrictive Zoning District shall govern the entire parcel in question, unless otherwise determined by the Board of Appeals after recommendation from the Planning Commission.

4.3 ZONING MAP

4.3.1 Official Zoning Map

The boundaries of the Zoning Districts are hereby established as shown on the map entitled “Clark Township Zoning Map” that accompanies this Ordinance. The Zoning Map, along with all notations, references, and other explanatory information, is hereby made as much a part of this Ordinance as if fully described herein. The Zoning Map shall at all times be available for examination and a copy of it shall be kept with the records of the Township Clerk.

4.3.2 Identification of Official Zoning Map

- A. The Official Zoning Map shall be identified by the signature of the Township Supervisor, attested to by the Township Clerk, under the following words: “This is to certify that this is the Clark Township Zoning Map referred to in Article 4 of the Clark Township Zoning Ordinance, adopted on **(date of adoption)**”, together with the most recent effective date of any amendment to the Official Zoning Map.

- B. If the Official Zoning Map is replaced for reasons other than amendment to the location of district boundaries, the new Official Zoning Map shall be identified by the signature of the Township Supervisor, attested to by the Township Clerk, under the following words: “This is to certify that this is the Clark Township Zoning Map referred to in Article 4 of the Clark Township Zoning Ordinance, adopted on **(date of adoption of Ordinance)**. This Official Zoning Map replaces and supercedes the Official Zoning Map that was adopted by the Clark Township Board on **(date of previous Zoning Map adoption)**.”

4.3.3 Authority

Regardless of the existence of copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be located in the Clark Township Hall, shall be the final authority as to the location of all Zoning Districts and any overlay boundaries.

4.3.4 Changes

In the event of an amendment to this Ordinance that has the effect of changing the location of a district boundary, the Township Supervisor shall promptly make, or cause to be made, such change on the Official Zoning Map. The Township Supervisor shall affix his signature on the Official Zoning Map, attested to by the Township Clerk, under the following words: “This is to certify that this is the Clark Township Zoning Map referred to in Article 8 of the Clark Township Zoning Ordinance, adopted on **(date of adoption of Ordinance)**, as amended by the Clark Township Board on **(date of amendment)**.”

4.3.5 Replacement

- A. The Official Zoning Map shall be replaced upon amendment to the location of a district boundary, in accordance with Section 4.3.4 above. The Official Zoning Map may be replaced from time to time if same becomes damaged, destroyed, or lost.
- B. The new Official Zoning Map may correct drafting or other errors or omissions on the prior Official Zoning Map, but no such correction shall have the effect of amending this Ordinance or the prior Official Zoning Map unless it shall have been adopted in accordance with the Michigan Zoning Enabling Act, as amended.