

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

An ordinance to establish zoning districts and provisions governing the unincorporated portions of the township of Hartford in accordance with the provision of Act 184 of the Public Acts of 1943 as amended; to provide for the administration, including penalties for the violation thereof, and to provide for the Board of Appeals. The Township Board of Hartford Township, County of Van Buren hereby ordains:

ARTICLE 1: PREAMBLE

Section 1.01. Name. This Ordinance shall be known as The Hartford Township Zoning Ordinance.

Section 1.02. Purpose. The fundamental purpose of this ordinance is to promote the public health, safety, morals and general welfare. The provisions are intended to provide for the orderly development of the Township to encourage the use of lands and natural resources in the township in accordance with their character and adaptability, to limit the improper use of land, to reduce hazards to life and property, to avoid overcrowding of population; to provide for adequate health conditions in dwellings and buildings hereafter erected or altered; to lessen congestion on the public roads and streets; to protect and conserve natural recreational areas, agricultural areas, residential areas, and other areas naturally suited to particular uses; to facilitate the establishment of an adequate and economic system for transportation, sewage disposal, safe water supply, education, recreation and other public requirements; to conserve the expenditure of funds for public improvements and services; to conform with the most advantageous uses of land, resources of the Township by both the community in general and the individual inhabitant.

Section 1.03. General Procedure. To achieve the purpose of this Ordinance, the Township of Hartford, has been divided into zoning districts of varied shape, kind and area, and regulations adopted for each such district, but with due consideration for the character of each district, its peculiar suitability for particular purposes, the conservation of property values and natural resources and the general trend and character of land, buildings, and population development.

Section 1.04. Scope. Beginning with the effective date of this Ordinance, and except as otherwise provided in this Ordinance, no new buildings or structure shall be enlarged, rebuilt or altered, and no building, structure, land or part thereof shall be used for purposes other than in conformity with the provisions of this ordinance pertaining thereto.

ARTICLE II: ZONING DISTRICTS

Section 2.01. Zoning Districts. For the purpose of this Ordinance, all of the Hartford Township area of Van Buren County is hereby divided into five (5) kinds of Zoning Districts to be known as:

District R1	(Residential)
District R2	(Residential-Resort)
District A	(Agricultural)
District C	(Commercial)
District I	(Industrial)

1. The description of unincorporated areas of Hartford Township, as set in Appendix B of this Ordinance, shall constitute the areas included in each zoning district.
2. The location of zoning districts in Hartford Township shall be shown on a map entitled Zoning Map of Hartford Township. This map and all information and proper notations shown thereon are hereby made a part of this ordinance. Unless otherwise provided in the text of the ordinance, the boundary lines of all zoning districts shall be interpreted as following along section lines or the customary divisions of section such as quarter and eighth lines; or the centerline of highways, streets and waterways; or the shoreline of water bodies; or the boundaries of unincorporated areas, recorded plats or subdivisions; or property lines of legal records on the date of enactment of this ordinance; or any extension of said lines.

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Section 2.02. District R1 (Residential) Permitted Uses.

No land shall be used hereafter, and no buildings or structures erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in the Ordinance.

1. Principal Permitted Uses:
 - A. One Family Dwelling
 - B. ****repealed July 30, 1973 by Ordinance Number 8****
2. Permitted Accessory Uses:
 - A. One garage providing storage for a maximum of three (3) cars or two (2) cars and one (1) truck.
 - B. Home occupations, including handicrafts, such as dressmaking, millinery, watch repairing and professional occupations such as the office of a physician, dentist, lawyer. Provided, however, that there shall be no external evidence of such occupation except a name plate not exceeding four (4) square feet in area, and further, that the use of occupations shall not require or affect any change in the external character of the dwelling.
3. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17:
 - A. Churches, schools, libraries, and public owned buildings.
 - B. Multi-Family dwellings****added July 30, 1973 by Ordinance Number 8****
 - C. Hospitals, clinics, sanitariums, convalescent homes and similar structures designed for human care.
 - D. Home occupations involving machine or woodworking shops, welding, furniture refinishing and similar adaptations of industrial trades.
 - E. Public utility building
 - F. Community country clubs, fraternal lodges and similar civic or social organizations when not operated for profit.
 - G. Land for parks, playgrounds, public and private swimming pools, and similar facilities for outdoor exercise and recreation when not operated for profit.
 - H. Accessory building, structures and uses customarily incidental to any of the above permitted uses, such uses shall include temporary sign.

Section 2.03. District R2 (Residential-Resort) Permitted Use.

No land shall be used hereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this ordinance.

1. Principal Permitted Uses:
 - A. One Family Dwelling
 - B. ****repealed July 30, 1973 by Ordinance Number 8****
2. Permitted Accessory Uses:
 - A. One garage providing storage for a maximum of three (3) cars or two (2) cars and one (1) truck.
 - B. Home occupations, including handicrafts such as dressmaking, millinery, watch repairing and professional occupations such as the office of a physician, dentist, lawyer. Provided, however, that there shall be no external evidence of such occupation except a name plate not exceeding four (4) square feet in area, and further that the use or occupation shall not require or affect any change in the external character of the dwelling.
3. Uses by Special Permit: The following uses shall be allowed when determined to be conforming with the provisions of Section 3.17:
 - A. All uses permitted in paragraph 3 of Section 2.02.
 - B. Cabin camps, motels, resort hotels, trailer parks, boat liveries, boat shops, bait shops, marinas, and similar recreation enterprises.
 - C. Accessory buildings, structures and uses customarily incidental to any of the above permitted uses.

Section 2.04. District A (Agricultural) Permitted Uses.

No land shall be used hereafter, and no buildings or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in the ordinance.

1. Principal Permitted Uses:

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- A. One Family Dwellings
 - B. ~~**repealed July 30, 1973 by Ordinance Number 8**~~
 - C. Farms
2. Permitted Accessory Uses:
- A. All uses permitted in paragraph 2 of Section 2.03
 - B. Buildings and structures customarily incidental to farming.
 - C. Dwelling structures for migrant workers
 - D. Roadside stands and buildings for the packaging, storage and sale of agricultural products.
 - E. Advertising signs.
3. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17.
- A. All uses permitted in paragraph 3 of Section 2.03.
 - B. Food processing and packaging industries; farm equipment sales and services.
 - C. Fire control structures, airfields and airports, gravel and sand pits, public waste disposal areas.
 - D. Neighborhood retail groceries, gasoline stations, and shipping centers.
 - E. Accessory buildings, structures and uses customarily incidental to all of the above permitted uses.

Section 2.05. District C (Commercial) Permitted Uses.

No land shall be used hereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in the Ordinance.

1. Principal Permitted Uses:
- A. Those uses permitted under paragraphs 1, 2, 3 © of Section 2.04 of the Ordinance.
 - B. Stores, showrooms, and shops for the conduct of generally recognized retail business when conducted within buildings having a roof and four side walls.
 - C. Personal service shops, such as professional offices, barber shops, beauty parlors, shoe repair shops, laundry and dry cleaning pick-up shops.
 - D. Banks, dressmaking, millinery, photographic studios, undertaking establishments, public utility buildings, and publicly owned building.
 - E. Community clubs, fraternal organizations and similar civic and social organizations.
 - F. Gasoline and oil service stations, garages, and used car lots, but not the storage, processing or sale of used auto parts and other items commonly referred to as junk.
2. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17:
- A. All uses permitted under paragraph 3 of Section 2.04 of the Ordinance, except as noted above.
 - B. Outdoor theatres, dance halls, recreational halls, and other enterprises of recreation and amusement.
 - C. Sale and servicing of agricultural machinery, lumber and coal yards, warehouses, and building contractors.
 - D. Establishments located within buildings for the repair, alteration, finishing, assembling, fabrication or storage of goods primarily for local and retail sale; the use of machinery in excess of three hundred (300) horsepower.
 - E. Accessory buildings, structures and uses customarily incidental to all of the above permitted uses.

Section 2.06. District I (Industrial) Permitted Uses.

No land shall be used hereafter and no building or structure erected or moved upon any premises and used for other than one or more of the following uses except as otherwise provided in the Ordinance.

1. Principal Permitted Uses:
- A. Any uses permitted in Section 2.05 of the Ordinance.
 - B. Terminal facilities, blacksmith shops, oil storages, and automobile wrecking establishments.
 - C. Dairy plants, canneries, wineries, agricultural storage and packaging, and similar food processing operations not requiring a special permit under this section.

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- D. Manufacture or assembly of electric appliances, motors and instruments, manufacture or assembly of signs, billboards and advertising structures; other manufacturing or assembly operations of similar nature not attended by excessive noise, smoke, odors, vibrations or dust.
 - E. Sheet metal, machine shops, monument works.
2. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17:
- A. Slaughterhouses, tanneries, glue factories, rendering works, soap factories.
 - B. Oil refineries; chemical manufacturing or processing, asphalt manufacturing or refining, similar related manufacturing or processing.
 - C. Manufacturing or storage of explosives.
 - D. Manufacturing or processing operations involving odors, fumes, smoke, dust, water, noise or vibration to such a degree as to be considered obnoxious, offensive, unhealthful or harmful to surrounding property.
 - E. Junk yards and privately operated waste disposal sites of a commercial nature.

ARTICLE III: GENERAL PROVISIONS

Section 3.01. Conflicting Laws, Ordinances, Regulations and Restrictions. It is not intended by this ordinance to repeal, abrogate, annual or in any way impair or interfere with the existing provisions of the law, ordinance, rules, regulations or permits previously adopted or issued pursuant to laws relating to the erection or use of building or land; nor is it intended by this ordinance to interfere with or abrogate or annual any existing easements, covenants or other agreements between parties, provided, however, that where any provisions of this ordinance imposes more stringent requirements, regulations, restrictions, or limitations, upon the erection or use of land or buildings or upon the height of buildings and structures, or upon safety and sanitary measures, or requires larger yards or open spaces than are imposed or required by the provisions of any other law or ordinance or any said rules, regulations, permits or easements, than the provisions of this ordinance shall govern. The requirements of this ordinance are to be construed as minimum requirements and shall in no way impair or affect any covenant or restrictions running with the land, except where such covenant imposes lesser requirement.

Section 3.02. Uses of Non-Conforming Land, Buildings and Structures.

- 1. At the discretion of the owner, the lawful use of any building, structure or premises existing prior to the effective date of this ordinance may be continued, although the use does not conform to the provisions of this ordinance, and such use may be extended throughout said building and premises.
- 2. Wherever the non-conforming use of any building, structure, land, or premises or part thereof is discontinued through vacancy, lack of operations or otherwise for a continuous period of twelve (12) months, then any future use of said building, structure, land or premises shall conform, in its entirety, to the provisions of this ordinance; provided, however, the Board of Appeals may upon application within six (6) months of the termination of said period, permit the resumption of such non-conforming use.

Section 3.03. Reconstruction of Damages Non-Conforming Buildings and Structures. Nothing in this ordinance shall prevent the reconstruction, repair or restoration and the continued use of any non-conforming building or structure damaged by fire, collapse, exploding, acts of God, or acts of the public enemy, subsequent in the effective date of this ordinance. If such reconstruction or restoration is undertaken within two years and diligently prosecuted to completion; provided, however, that said use by identical with non-conforming use permitted in effect at the time of said damage, and provided; further, that said reconstruction shall conform with highway setback and yard requirements of the district wherever physically practical.

Section 3.04. Repair, Alteration and Completion of Non-Conforming Buildings.

- 1. Nothing in this ordinance shall prevent the expansion, repair, reinforcement, improvement, replacement or rehabilitation of a non-conforming building, structure or part thereof existing at the effective date of this ordinance, that may be necessary to secure or insecure the continued advantageous non-conforming use of the buildings, premises or structures.
- 2. No basement, cellar, garage or any incompletely constructed structure in use as a dwelling on the effective date of this ordinance shall be used as a dwelling for more than twelve (12) months following said date, with extension provisions where necessary unless such structure has been brought to a state of

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completion in conformity with the regulations of this ordinance relative to dwellings in the district in which the said structure is located.

Section 3.05. Size of Premises

1. Every parcel of land upon which a dwelling is hereafter erected or moved shall conform with the following:
 - A. In the case of unplatted land, no lot shall contain less than ten thousand (10,000) square feet, exclusive of public highway rights of way, nor shall be less than seventy-five (75) feet at the building line.
 - B. In the case of lots contained in plats hereafter recorded, the area shall be not less than ten thousand (10,000) square feet and the width of the lot shall not be less than seventy-five (75) feet at the building line; provided, however, where lots are served by connections to municipal water supply or sewerage systems, lot width requirements may be reduced to sixty (60) feet when otherwise in conformity with Section 1.02 and subsequent sections of this ordinance.
 - C. Every parcel of land shall provide a minimum width of twenty-five (25) feet at the site of the access to the premises.
2. Other buildings. The minimum size of a parcel of land required for other permitted and approved uses shall be determined by the Hartford Township Zoning Commission as may be reasonable for such use.
3. In determining lot requirements, no required area shall be ascribed to more than one principal building or use.
4. Where a lot abuts upon an alley, one half (1/2) of width of said alley must be considered a part of such lot for the purpose of computing the area of such lot and for the purpose of computing the depth of any rear yard required under this section.
5. Where lot abuts upon the shoreline of a lake, river, stream or other surface body of water not having a legally established water level and subject to fluctuation of water levels, the computation of the required lot area and yard measurement shall exclude any portion of the land existing below the highest prior water level.

Section 3.06. Limitation of Dwelling per Lot. Only one dwelling shall be erected or moved on a lot.

Section 3.07. Yard Requirements

1. Front Yards. When premises abut upon a highway under the jurisdiction of the Michigan State Highway Department, a distance of one hundred ten (110) feet shall be maintained between the centerline of the highway and the building line, or a distance of eighty three (83) feet between the centerline and building line, where premises abut upon highways under the jurisdiction of the Van Buren County Highway Commission; provided, however, that when premises abut roads or streets contained within recorded plats and which are designed to be intended for residential uses, front yard requirements may be reduced to fifty-eight (58) feet between the centerline and building line.
2. Side Yards. Shall be at least five (5) feet in width from the building line on each side of lots up to fifty (50) feet in width, with one (1) foot additional width of side yard being required for each additional ten (10) feet in lot width of lots up to one hundred (100) feet except where lots abut upon two or more streets or highways in which case only yards abutting such street or highway adjacent to the longest dimension of the property shall be considered side yards; provided, however, that no side yard shall be required in districts C and I when structures are separated by acceptable fire walls.
3. Rear Yards. Every building hereafter erected or moved upon a premise shall provide a rear yard no less than fifteen (15) feet in depth.
4. No part of any required yard, except a rear yard, shall be used for an accessory building or use.

Section 3.08. Highway Intersections Setback Lines. At intersection of all highways where grades are not separated, setback lines are hereby established across each section between the intersecting highways. Such setback lines shall be straight lines connecting points on the intersecting highways. Connecting points shall be located at a distance of three hundred (300) feet along the centerline of county highways not contained within a subdivision of plats of record, shall be located a distance of one hundred fifteen (115) feet along the highway centerline. Said distances shall be measured from the intersections of the centerlines of the respective highways.

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Section 3.09. Railroad/Highway Setback Lines. At intersections of highways and railroads where the grades are not separated, setback lines are hereby established across each sector between intersecting highways and railroads. Such setbacks shall be defined by straight lines connecting points located at a distance of four hundred fifty (450) feet along the centerline of the highway or railroad, such distance to be measured from the intersection of the respective centerlines.

Section 3.10. Buildings and Structures Relative to Setback Lines. No building or structure of any kind, except necessary highway and traffic signs and open fences through which there shall be clear vision, shall be hereinafter constructed, erected or moved into the space within such setback lines, except as herein provided. Wherever physically practical, no building or structure existing within such setback lines, other than necessary highway and traffic signs, shall be renewed or replaced hereafter except in conformance with setback requirements.

Section 3.11. Water Supply and Sewage Disposal Facilities.

1. Every building or structure hereafter erected or moved upon any premise for permanent or temporary human habitation shall be provided with a safe and adequate system for water supply and sewage disposal. No such building or structure shall be utilized for human habitation until the owner of the premise has obtained a written approval of the water supply and sewage disposal from the Van Buren County Health Department.
2. Connection shall be made to a public water supply and public sewer system if they are available to premises.
3. When a private water supply or private sewage disposal system is required, the type, location and construction shall comply with the sanitation regulations for Van Buren County. No building or structure requiring the facilities, shall be erected or moved upon any premises which do not provide adequate size or size conditions for safe and adequate water supply and sewage disposal facilities.

Section 3.12. Farm Buildings and Structures. All buildings and structures hereafter erected and used in connection with farming operations in the Township, but not including dwellings other than noted in Section 3.13, shall be exempt from the provisions of this ordinance; provided, however, that yard requirements, highway setback lines, and sanitary requirements of this ordinance shall be observed where applicable.

Section 3.13. Dwellings for Use of Seasonal Farm Labor. Any building or structure located in District "A" and available for occupancy from April 1 to November 15 for the use of seasonal farm labor, shall not be subject to the provisions of this ordinance; provided, however, it is maintained in a safe and sanitary condition and is furnished with a safe and sanitary water supply and with sewage disposal facilities which do not adversely affect the public health; and provided, further, that such buildings or structures shall be located at least one hundred (100) feet from the side or rear property line and one hundred thirty-three (133) feet back from any state, county, public highway or roadway.

Section 3.14. Essential Services. The erection, construction alteration or maintenance by public utilities or municipal departments or commissions, of overhead, surface or underground gas, electrical, steam or water, distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, electrical sub-stations, gas accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utility or municipal department or commission or for the public health, safety, or general welfare shall be permitted as authorized or regulated by law and other ordinances in the Township of Hartford, in any use district, it being the intention hereof to except such erection, construction, alteration, and maintenance from the application of this ordinance.

Section 3.15. Temporary Dwelling Structures.

1. No building, trailer coach, garage, cellar, basement or other structure which does not conform to the provisions of this ordinance relative to the dwellings, shall be erected, altered or moved by any premises and used for dwelling purposes except under the following applicable limitation.

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- A. Such use of any building, trailer coach, garage, basement, or other structure shall not be inimical to health, safety, or to public welfare.
 - B. The location of each building, trailer coach, garage, cellar, basement or other structure shall conform to the regulations governing the yard requirements.
 - C. Such use of any building, trailer coach, garage, cellar, basement, or other structure shall be for the sole purpose of providing dwelling facilities for the owner of premises during the period a structure is in the process of erection and completion; provided, however, that such a period shall not exceed twelve (12) months beginning with the date of issuance of the permit unless otherwise extended by the action of the Board of Appeals.
 - D. ****renamed Section 3.15A. July 11, 1970****
 - E. Provisions of this section shall not relieve trailer coach owners from compliance with provision of Act. No. 172, of P. A. 1958
 - F. Application for erection, movement, alteration, and use of such building as trailer coach, garage, basement, or other structure shall be made to the Zoning Administrator as provided in Section 4.02 of this ordinance. The Zoning Administrator shall approve or disapprove the application giving due consideration to the purposes of this ordinance and to the best interests and welfare of all parties. Appeals to decisions of the Administrator shall be considered by the Board of Appeals at their next regular meeting.
2. The conditions of this section shall not apply to any trailer coach when located in a trailer coach park.

Section 3.15A. Use of Trailer Coaches and Mobile Homes as Dwellings. **amended July 11, 1970** to read****

- 1. Any other such use of any trailer coach or mobile home shall be under the following applicable limitations:
 - A. In the case of trailer coaches or mobile homes providing temporary housing to guest or visitors on the premises, such use shall be limited for an individual trailer or mobile home to a period of thirty (30) days in any calendar year; provided, that the occupants of said trailer coach or mobile home shall have unrestricted use of sewage disposal and water supply facilities of the conforming dwelling
 - B. ****amended April 21, 1972** to read** The use of a trailer coach or a mobile home as a dwelling for the owner of the premises upon which the trailer coach or mobile home is located ; provided, however, that such approval shall be limited to premises located within District R2, A, C, and I, unless otherwise determined by the Board of Appeals.
 - C. Any other trailer coach or mobile home shall be by special permit granted yearly by the Board of Appeals.

Section 3.16. Vehicular Parking Space, Access Thereto and Lighting Thereof. For each dwelling commercial, industrial, manufacturing or other similar business or service establishment hereafter erected or altered and located on a public highway, road or street in the unincorporated portions of the township, and including buildings or structures used principally as a place of public assembly, there shall be provided and maintained suitable space off the right-of-way for the parking or loading of vehicles in proportions shown in Appendix A of this ordinance, and such space shall be provided with safe exit to and safe entrance from the public thoroughfare. Approval for the location of such exit and entrance shall be obtained from the Michigan State Highway Department for all highways under their jurisdiction, and from the County Road Commission for all other roads and highways in the county, which approval shall also include the designed and construction thereof in the interests of safety, adequate drainage and other public requirements. A minimum of 200 square feet, exclusive of drive entrances and exits, shall comprise one automobile parking space. All parking space as required in this section, except that required for dwelling, shall be provided with adequate artificial lighting between the time extended from one half hour after sunset and one half hour before sunrise, when the use of such space is open to the public.

Section 3.17. Special Permit Uses. Special permit uses shall be subjected to the following special requirements in addition to the requirements and standards of the Zoning District in order to prevent conflict with or impairment of the principal permitted uses of the zoning district. Such uses shall be deemed to possess characteristics of such unique form to the district that each shall be considered as an individual case.

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1. Relation to adjacent land and building. The location and size of use, the nature and intensity of operations, the size of site in relation to operations, and the location of the site with respect to existing or future roads and highways providing access thereto, shall be in harmony with the orderly development of the district; and the location, nature and height of buildings, walls and fences, shall not discourage the appropriate development and use of adjacent land and building, or impair their value.
2. Character of operations. Operations shall not be more objectionable to nearby properties by reason of noise, vibrations, dust, fumes, smoke, or flashing lights than the operation of any permitted use.

ARTICLE IV: ADMINISTRATION

Section 4.01. Zoning Administrator. The provisions of this ordinance shall be administered and enforced by a Township Zoning Administrator, appointed by the Zoning Commission for such term and subject to such conditions, as said commission shall determine as reasonable and subject to the final approval of the Hartford Township Board.

Section 4.02. Certificates of Approval.

1. No building or structure subject to the provisions of this ordinance shall hereafter be erected or moved and used upon any premises, until application for a Certificate of Approval has been filed with the Township Zoning Administrator, and the administrator has issued each certificate. Such certificate shall be nontransferable, and must be granted before any work of excavation, construction or movement is begun.
2. The application shall be signed by the owner of the premises or his qualified agent, and shall certify that all provisions of this ordinance and other applicable law and requirements are to be complied with.
3. The application shall be made in triplicate on forms provided by the Township which forms shall provide space for declaring such information and intent required to determine compliance with the ordinance.
4. The Zoning Administrator shall determine whether the building or structure and the land used thereof, as set forth on the application, are in conformity with the provisions of this ordinance, and if he so finds, he shall issue a Certificate of Approval, and when such certificate is refused, he shall state the cause in writing. One copy of the application with proper notations thereon, or attached thereto, including approval or disapproval and date, shall be placed on file with the Zoning "Commission as a record; one copy shall be filed with the Township Supervisor and one such copy shall be returned to the applicant. Accessory buildings, when erected at the same time as the principal building and shown on the application, shall not require a separate certificate.
5. Certificates of Approval, under which no work has been done above the foundation walls within six (6) months from the date of issue, shall expire by limitation but may be renewed for an additional six (6) months from the date of expiration upon application and payment of 50 percent of the total of the original fee to the Township Treasurer, subject, however, to the provisions of the Zoning Ordinance when in force.
 - A. ****amended November 9, 1971 and effective December 20, 1971, by Ordinance No. 5** to read** Certificates of Approval shall for the erection and use of trailer coaches and/or mobile homes shall expire by limitation and be void sixty days after the date of issuance, unless the trailer coach and/or mobile home for which such a permit was obtained has been moved in and erected and the provisions of Article VIII, paragraph G of Ordinance Number 1 have been complied with, within said sixty period.
6. The Zoning Administrator shall have the power to revoke or cancel any Certificate of Approval in case of failure or neglect to comply with any of the provisions of this ordinance, or in the case of any false statement or misrepresentation made in the application. The owner of premises shall be notified of such revocation in writing.
7. It shall be the duty of all architects, contractors, and other persons having charge of erection, alteration, or movement of a building structure, subject to the provisions of this ordinance, to determine that proper certificate has been granted therefore before undertaking any such work. And all such persons performing any work in violation of the provisions of this ordinance shall be deemed guilty of violation in the same manner as owner of the premises.

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8. ****amended July 11, 1970** to read** A minimum fee of \$5.00 for the cost estimated of \$100.00 to \$5,000.00, thereafter \$1.00 per thousand dollars with a maximum of \$100.00. The cost estimates are to be based on actual estimates of labor and materials. In case of gross misrepresentation, the Zoning Administrator can call for an appraisal, to be paid for by the party or parties obtaining a permit.

Should a party fail to obtain a permit prior to beginning construction or excavation or movement, where a permit is required, an additional charge amounting to double the cost of the regular permit, plus the cost of the regular permit be made.

Section 4.03. Special Permits.

1. Application for a special permit shall be made in writing and shall accompany the application for a Certificate of Approval, required under the provisions of Section 4.02 of the ordinance.
2. Application for a special permit shall be accompanied by a plan for the proposed use. This plan, where applicable, shall show the location of all buildings, structures, parking areas, open spaces, traffic access and circulation, landscaping, including screening, and any other information necessary to determine the conformance of the proposed use with the provisions of Section 1.02 of the ordinance.
3. The Zoning Administrator shall make such investigation as may be necessary to determine whether the proposed special use complies with the requirements of section 3.17 of the ordinance. A report of the Administrator's findings and action shall be filed with the Township Zoning Commission. If the Zoning Administrator finds that the proposed use is in compliance with the requirements of Section 3.17, he shall proceed with the processing of the application of Certificate of Approval as set forth in Section 4.02. In the event that the Zoning Administrator denies the application for a special use permit, the Zoning Board of Appeals shall be notified and the application shall be referred to the board, together with all reports relevant thereto, for consideration at the next regular meeting of the board of appeals. In no case, however, shall a period exceeding thirty (30) days elapse between the filing of the special permit application and the time of notice to the Board of Appeals.

Section 4.04. Certificate of Compliance. No building or structure or part thereof for which a Certificate of Approval has been issued shall be occupied or used until a Certificate of Compliance has been issued by the Zoning Administrator stating that the building or structure or proposed use complies with the requirements of this ordinance. Within ten (10) days after written notifications that the building or structure is complete, the Zoning Administrator shall make inspection thereof and if it is found to be in conformity with the provisions, he shall issue the owner a Certificate of Compliance and record his action, including the date on the copy of the application for a Certificate of Approval. No fee shall be charged for a Certificate of Compliance when coincidental with the application for Certificate of Approval.

ARTICLE V: BOARD OF APPEALS

There is hereby created a Board of Appeals which shall perform its duties and exercise its powers as provided by Act 184 of the Public Acts of 1943, as amended, and by the provisions of this ordinance, to the end that the objectives of this ordinance are observed and public safety, health, morals, and general welfare secured and substantial justice done.

ARTICLE VI: DEFINITIONS

For the purpose of this ordinance, certain terms used are herewith defined, when not inconsistent with the context words used in the present tense include the future; words in the singular include the plural number, and conversely. The word "shall" is always mandatory, and not merely directory.

Section 6.01. Accessory Building or Structure. A supplementary building or structure on the same premises as the main building or structure and occupies by or devoted exclusively to an accessory use but such use shall not include the use for dwelling or lodging purposes, or sleeping quarters for human beings.

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Section 6.02. Building. Any structure, either temporary or permanent, having a roof or used or build for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings, and vehicles whether mounted or not on wheels as situated on private property and used for purposes of a building.

Section 6.03. Building Line. A line extending the full line width of the lot from side lot line to side lot line parallel to and at a distance of one hundred ten (110) feet from the centerline of highways under the jurisdiction of the Michigan State Highway Department or eighty-three (83) feet from the centerline of roads under the jurisdiction of the Van Buren County Road Commission, except when such highways are located within subdivisions of plats or record, in which case a distance of fifty-eight (58) feet from the highway centerline shall be observed.

Section 6.04. Cabin Camp. Any parcel of land on which two or more buildings, tents, or similar structures are maintained, offered or used for dwelling or sleeping quarters for transients, but shall not include what are commonly designated as lodging house or tourist homes.

Section 6.05. Dwellings. Any building or part thereof occupied as the home, residence and sleeping place of one or more persons, except for trailer coaches, motels, cabins and similar facilities offered to transients.

Section 6.06. Erected. Includes built, constructed, reconstructed, moved upon, or any physical operations on the land required for the building. Excavations fill, drainage, and the like, shall be considered a part of erection.

Section 6.07. Family. A collective body of persons consisting of parents or children, or other relatives, domestics or servants residing together in one dwelling and under one head or one domestic government.

Section 6.08. Farms. All of the un-platted, contiguous, neighboring or associated land operated as a single unit on which bona fide farming is carried on directly by the owner-operator, manager, or tenant-farmer by his own labor or with the assistance of members of his household or hired employees; provided, however, that land to be considered a farm hereunder shall include a contiguous, un-platted parcel of not less than ten (10) acres in area, provided, further that orchards, hatcheries, and similar specialized agricultural enterprises may be considered as farms, but establishments keeping fur bearing animals, game or operated as fish hatcheries, dog kennels, stock yards, slaughterhouses, stone quarries, gravel pits or the removal and sale of top soil, fertilizer works, boney yards, piggeries or for the reduction of animal matter or for the disposal of garbage, sewage, rubbish, junk or offal, shall not constitute a farm hereunder.

Section 6.09. Highway, Road or Street. Any public vehicular, thoroughfare, except alleys, including county, federal and state roads and highways.

Section 6.10. Home Occupations. A gainful occupation conducted by members of the family only, within its place of residence; provided, that the space used is incidental to residential use and occupies not more than twenty-five percent of the area of one floor and employs not more than one paid assistant.

Section 6.11. Lot. The parcel of land on which one (1) principal building and its accessories are placed together with the open spaces required by this ordinance. A lot need not be a lot of existing record.

Section 6.12. Roadside Stand. A farm structure or piece of work artificially built up or composed of parts joined together in some definite matter; and construction, including dwellings, garages, buildings, signs, and sign boards.

Section 6.13. Trailer Coach. Any vehicle used or so constructed as to permit its being used as a conveyance upon public streets or highways and duly licensable such as, and shall include self-propelled, vehicles so designed, constructed, reconstructed, or added to by means of enclosed room or area in such manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons, whether mounted on wheels or dismounted and located on a foundation or other support.

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Section 6.14. Yard. A space open to the sky and unoccupied or unobstructed on the same lot with a building or structure. Yard measurements shall be the minimum horizontal distances.

1. Yard, front. A yard extended the full width of the lot or parcel of land between the front, or thoroughfare right-of-way line, and the nearest line of the main building.
2. Yard, rear. A yard extended across the full width of the lot between the rear lot line and nearest line of the main building.
3. Yard, side. A yard extended from the front yard to the rear yard between the side lot line and nearest line of the main building or any accessory building.

Section 6.15. Parking Space. An area enclosed or unenclosed, sufficient in size to store one (1) automobile together with a driveway connecting the parking space or alley and permitting egress and ingress of an automobile.

Section 6.16. Word Requiring Special Interpretation. Any word requiring interpretation and not listed above shall be used as defined in the housing law of Michigan, Act 167 of the Public Acts of 1917, as amended.

ARTICLE VII: AMENDMENTS

Section 7.01 Initiation of Amendments. Amendments of this ordinance may originate with the Township Board or the Zoning Commission by resolution of the majority of the respective membership, or by written petition signed by no less than eight (8) percent of the owners of property located in the Township and filed with the Township Clerk, such petition shall include the address of each signer and the location of his property in the township.

Section 7.02. Procedures

1. Each proposed amendment not originating with the Zoning Commission shall be referred to said commission for its consideration and recommendation.
2. The Zoning Commission may hold a public hearing on its recommendation. When any amendment proposes the rezoning of any premises, a public hearing shall be held and the Zoning Commission shall cause the premises to be posted thirty (30) days prior to the date of hearing, with at least one sign stating the premises are under consideration for rezoning, the time, and place of the hearing.
3. Adoption and enactment of amendments shall be in accord with Section 14 of Act 184 of the Public Acts of 1943, as amended.

Section 7.03. Spot Zoning. In case any petition requests rezoning of individual parcels of land, the petition shall state the specific use or purpose for which rezoning is sought. If granted, it shall be illegal to use any parcel for any other use, even though such other use or purpose is permitted under the district regulations in which the parcel is classified unless separate proceedings are pursued for such other use.

ARTICLE VIII: PENALTIES

1. Any building or structure which is erected, altered, maintained or used, or any use of land which is begun, maintained, or changed in violation of any provision of this ordinance is hereby declared to be a nuisance per se. Any person, firm, corporation or organization which violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any provision, shall be fined upon conviction, not less than \$10.00 nor more than \$100.00, together with the costs of prosecution; or shall be punished by imprisonment in the county jail for not less than ten (10) days, not more than ninety (90) days for each offense; or may be both fined and imprisoned as provided herein at the discretion of the court. Each and every day during which an illegal erection, alteration, maintenance or use continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this ordinance.
2. The Township Board of Zoning Commission, the Board of Appeals, the Prosecuting Attorney of the county, or any owner, or owners of real estate may institute injunction, mandamus, abatement or any other appropriate action, or proceedings to prevent, enjoin, abate or remove any said unlawful erection,

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alteration, maintenance of use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

ARTICLE IX: VALIDITY

The ordinance and the various part, sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, sentence, phrase or clause, is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this ordinance shall not be affected hereby. The Hartford Township Board hereby declares that it would have passed this ordinance and each part, section, subsection, phrase, sentence, and clause, thereof, irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

APPENDIX B

Hartford Township: Town 3 South Range 16 West

All of the incorporated area of said Township shall be zoned district "A", with the exception of the following described parcels.

Section 3.

District C. That portion of the southwest quarter lying east of CR 687, west of the RR and south of Carmichael Road to 52nd Ave.

Section 5. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

District R1. All of the sub-divisions of record lying adjacent to and abutting upon the water's edge of Rush Lake.

That portion bounded by 66th Street, Rush Lake Road, CR 372, and the East-West Quarterline in said Section 5 (excepting that portion zoned District "R1" above.)

Section 6.

District R1. That portion of the southeast quarter of the northeast quarter of said Section 6, bounded by the water's edge of Rush Lake and Rush Lake Rd.

District R2. A strip of land 500' in width around Rush Lake (excepting that portion zoned District "R1 above.)

Section 8.

District I. That portion of Section 8, lying south of the Paw Paw River.

Section 9.

District C. That portion of the east half of the southeast quarter of said Section 9, lying east of the Chesapeake and Ohio Railroad, then south of the Paw Paw River.

District I. That portion of the Section 9, lying south of the Paw Paw River (excepting that portion zoned District "C" above.)

Section 10.

District R1. That portion of the southwest quarter of said Section 10, bounded by the Paw Paw River, the westerly water's edge of the Mill pond, and the centerline of County Road 687.

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District C. A strip of land 500' in width in northwest quarter, lying east of County Road 687.

That portion of the southwest quarter of Section 10, bounded by the Paw Paw River, the centerline of County Road 687 and the west line of said section (excepting that portion zoned District "R1" above.)

Section 11.

District I. That portion of the southeast quarter of Section 11, lying south of the Paw Paw River.

District 12.

District I. That portion of the west half of Section 12, bounded by the Paw Paw River, and the centerline of 59 ½ Street, that portion of the north half of Section 12, lying south of Butcher Road and east of 59 ½ Street (excepting a 500' strip on either side of 59 ½ Street north of the C&O Railroad and south of the Paw Paw River to be zoned Residential I.)

That portion of the south half of Section 12, lying east of 59 ½ Street.

District C. That portion of Section 12, lying south of Red Arrow Highway.

District R2. That parcel of land in the northwest quarter of Section 12 lying north and west of Paw Paw River and west of 59 ½ Street.

Section 13.

District C. The northeast quarter of Section 13, also a 500' strip of land in the northwest quarter lying south of the centerline of Red Arrow Highway.

District I. That portion of the northwest quarter of said section lying north of the Red Arrow Highway.

Section 14. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

District R1. That recorded plat of Springdale Manor (excepting that portion zoned District "C" and District "I" below.)

District C. Lots 3, 4, 5, 6, 7, 8, 9, 53, and 54 of the recorded plat of Springdale Manor. A strip of land 500' wide lying south of centerline of Red Arrow Highway.

District I. Lots 1, 2, and 55 of the recorded plat of Springdale Manor, also that portion of the northeast quarter lying south of Red Arrow Highway.

That portion of Section 14, lying between the centerline of Red Arrow Highway and the Paw Paw River.

Section 15. ****amended November 9, 1971 and effective December 20, 1971 by Ordinance No. 6**
amended December 12, 1973 and effective January 30, 1974 by Ordinance No. 12 to read**

District R1. The west half of the southeast quarter of Section 15. (excepting that portion zoned District "C" below)

District C. The east half of the southeast quarter of Section 15.

That portion of the northeast quarter of Section 15, lying south of the Chesapeake and Ohio Railroad.

The Southeast Quarter of the Southeast Quarter of Section 15, Town 3 South, Range 16 West.

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Commencing twenty (20) rods thirty-two (32) links South of center of Section 15, Town 3 South, Range 16 West, thence East twenty (20) rods, thence South parallel with the North and South quarter line twenty (20) feet, thence Westerly to beginning. ALSO Commencing at the intersection of the center line of US 12 Highway with the West line of the Northwest quarter of the Southeast quarter of Section 15, Town 3 South, Range 16 West, according to the Government Survey thereof, thence Easterly in the center of said Highway to a point 19 rods due East of the West line of the Northeast quarter of the Southeast quarter of said Section 15, thence South parallel with the North and South quarter line 266.1 feet, thence West to said North and South Quarter line, thence North on same to beginning.

Commencing on the North and South $\frac{1}{4}$ line at a (21) rods seven (7) links South of the Northwest corner of the Southeast $\frac{1}{4}$ of Section 15, Town 3 South, Range 16 West, according to the Government Survey thereof, thence East twenty (20) rods, thence eight (8) rods, thence West twenty (20) rods to said Quarter line, thence North on same eight (8) rods to beginning. (Except commencing at a point twenty-one (21) rods seven (7) links South of the Northwest corner of the Southeast $\frac{1}{4}$ of said Section 15, thence East twenty (20) rods, thence South parallel with the North and South $\frac{1}{4}$ line twenty (20) feet, thence Westerly to beginning).

District I. That portion of the north half of said section, lying south of the Paw Paw River.

Section 16. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

District R1. That portion of the west half Section 16, lying outside the corporate limits of the City of Hartford (excepting that portion zoned District "C" and District "I" below.)

District C. A strip of land 500 feet in width lying along the South side of Red Arrow Highway and adjacent to the centerline of same, extending from the corporate limits of the City of Hartford, westerly to the Section line, excepting that part thereof lying within West Hartford Subdivision. Also to include that parcel commencing at the intersection of the centerline of Red Arrow Highway and the North and South Quarter line and thence North on the Quarter line 297 feet; thence North 89 degrees 29' West, 333.67 feet; thence South to centerline of Red Arrow Highway; thence easterly along said centerline to beginning.

District I. The north half of the northwest quarter of Section 16.

Section 17.

District R1. A strip of land 500' wide lying north of Red Arrow Highway.

A strip of land 500' wide west of centerline of 66th Street bounded by Red Arrow Highway and south Section line.

District I. The strip of land south of Red Arrow Highway except that zoned R1 above.

Section 18.

District R1. Res' a strip of land 500' wide lying north of Red Arrow Highway.

Section 19.

District R1. That Strip of land 500' wide lying north of Red Arrow Highway

District I. That portion of Section 19, lying between the centerline of I-94 and the centerline of Red Arrow Highway.

Section 20. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

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District I. That portion of said Section lying north of the centerline of I-94 except the East 500 feet thereof.

Section 21. ****amended November 9, 1971 and effective December 20, 1971 by Ordinance No. 6** to read**

District I. That portion of Section 21, lying north of the centerline of I-94, and south of the Chesapeake & Ohio Railroad.

District R1. That portion of Section 21 lying north of the Chesapeake & Ohio Railroad

District C. The east 500' of the southeast quarter of the Northeast quarter.

The Southeast Quarter of Section 21, Town 3, South, Range 16 West, lying South of Highway I-94.

Section 22. ****amended November 9, 1971 and effective December 20, 1971 by Ordinance No. 6** to read**

District C. The West Half of the Northwest Quarter of Section 22, Town 3 South, Range 16 West.

The Southwest Quarter of Section 22, Town 3 South, Range 16 West, lying South of Highway I-94.

Section 30.

District I. That portion of Section 30 lying north of I-94.

Section 33.

District I. The southeast quarter of said section 33.

The south half of the northeast quarter of said Section 33.

Approved by the Van Buren County Zoning Commission: June 15, 1966

Adopted by the Hartford Township Board: September 3, 1966

Readopted and given immediate effect by the Township Board of the Township of Hartford, Van Buren County Michigan: February 16, 1971.