

ARTICLE 1
GENERAL AUTHORITY

5

Sec. 1-01 Title

10 This publication shall be known and may be cited as the "Charter Township of Brighton Zoning Ordinance" and may hereinafter be referred to as "this Ordinance."

Sec. 1-02 Intent

15 This Ordinance is based upon the Brighton Township Master Plan and is intended to:

- (a) Promote the public health, safety, and general welfare.
- (b) Encourage the use of land in accordance with its character and adaptability and limit the improper use of land.
- (c) Ensure that uses of land shall be situated in appropriate locations and relationships.
- (d) Avoid the overcrowding of land and congestion of population, transportation systems, and other public facilities.
- (e) Provide adequate light and air.
- (f) Protect environmental quality and positive aesthetic features.
- (g) Lessen congestion on the public roads and roads, maintain traffic efficiency, and encourage development consistent with long-term transportation planning.
- (h) Reduce hazards to life and property.
- (i) Facilitate the adequate provision of a system of transportation, sewage disposal, safe and adequate water supply, education, recreation, and other public requirements.

5 (j) Conserve the expenditure of funds for public improvements and services so as to obtain the most advantageous uses of land, resources, and properties.

10 This Ordinance is adopted with reasonable consideration, among other things, of the character of each zoning district, its peculiar suitability for particular uses, the conservation of property values and natural resources, and the general and appropriate trend and character of land, building, and population development.

15 **Sec. 1-03 Legal Basis**

10 This Ordinance is enacted pursuant to the Michigan Zoning Enabling Act P.A. 110 of 2006, as amended.

15 (Ord. #234, 12/28/06)

15 **Sec. 1-04 Scope and Interpretation**

20 This Ordinance shall not repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, ordinances or regulations, except those repealed herein by specific reference, or with private restrictions placed upon property by covenant, deed or other private agreement, or with restrictive covenants running with the land to which the Township is a party.

25 **Sec. 1-05 Conflicting Regulations**

30 (a) Where any provision of this Ordinance imposes either greater or lesser restrictions, limitations, conditions, standards, or requirements upon (1) the use of buildings, structures, or land; (2) the height of buildings or structures; (3) lot coverage; (4) lot areas; (5) yards or other open spaces; or (6) any other use or utilization of land than are imposed or required by such existing laws, ordinances, regulations, private restrictions, or restrictive covenants, the provision or standard which is more restrictive or limiting shall govern.

35 (b) Except as otherwise be provided in this Ordinance, every building and structure erected; every use of any lot, building or structure established; every structural alteration or relocation of an existing building or structure and every enlargement of, or addition to, an existing use, building or structure 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 the use, building, or structure is located.

5 (c) 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 herein in this Ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein in this Ordinance.

10 (d) This Ordinance shall not abrogate or annul any easement, bylaw, master deed, deed restriction, covenant, or private agreement, except that the regulations or provisions of this Ordinance shall govern if it imposes a more restrictive or higher standard.

15 (e) The regulations herein established shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare. Any conflicting laws of a more restrictive nature shall supersede the appropriate provisions of this Ordinance.

20 **Sec. 1-06 Site Plans Submitted Prior to Effective Date**

25 (a) Nothing in this Ordinance shall be deemed to require any change in the plans, construction, or designated use of any building upon which actual construction was begun prior to the enactment of this Ordinance, provided construction has lawfully begun, is being diligently carried on, and shall be completed within one (1) year of the effective date of this Ordinance. The Zoning Board of Appeals may permit an extension of up to one (1) year for completion. The Zoning Board of Appeals may permit one (1) additional one (1) year extension for large-scale projects.

30 (b) A site plan application shall meet the requirements of the Ordinance effective on the date of submission. A site plan submitted before the effective date of this Ordinance must be approved by the Planning Commission within three (3) months of the application submission date or the requirements of this Ordinance shall be followed.

35 (c) If a lot has an approved site plan or has been approved as a PUD within six (6) months of the effective date of this Ordinance, the site plan or PUD shall remain valid if construction is begun within one (1) year and completed within

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two (2) years of the effective date of this Ordinance. The Zoning Board of Appeals may permit one (1) additional one (1) year extension for large-scale projects.

5 (d) If the conditions of this Section are not met the standards and provisions of
this Ordinance shall govern.