

ARTICLE 3.00

ZONING DISTRICTS AND MAP: CONFORMITY TO ORDINANCE REGULATIONS

Section 3.01 -- ZONING DISTRICTS ESTABLISHED

For the purposes of this Ordinance, the City of Walled Lake is here-divided into the following Zoning Districts:

R1-A	Single Family Residential District
R1-B	Single Family Residential District
RD-1	Two Family Residential District
RM-1	Multiple Family Residential District
RM-2	Multiple Family Residential District
RM-3	Multiple Family Residential District
MH	Mobile Home District
O-1	General Office District
C-1	Neighborhood Commercial District
C-2	General Commercial District
C-3	Central Business District
P-1	Vehicular Parking District
CS	Community Service District
I-1	Light Industrial District

In addition, sections of the above Zoning Districts may be located in water areas.

Section 3.02 -- ZONING DISTRICT BOUNDARIES

The boundaries of the Zoning Districts enumerated in Section 3.01 are hereby established as shown on the Zoning District Map, Walled Lake, Michigan (hereinafter the "Zoning Map"). The Zoning Map with all notations, references, and other information shown thereon shall be, and is hereby declared to be a part of this Ordinance as if fully described herein.

In accordance with the provisions of this Ordinance and Act 110, of the Public Acts of the State of Michigan, 2006, as amended, changes made in district boundaries or other matter portrayed on the Zoning Map shall be entered on the Zoning Map promptly after the amendment has been approved by the City Council and has been published in a newspaper of general circulation in the City. The changes in the exact boundaries or other matters affecting the Zoning Map shall be legibly portrayed on the Zoning Map.

No changes of any nature shall be made in the Zoning Map or matters shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance punishable as provided for in this Ordinance.

Regardless of the existence of purported copies of the Zoning Map which may, from time to time, be made or published, the Zoning Map shall be located in the office of the City Clerk and shall be the final authority as to the current zoning status of all land and water areas, buildings, and other structures in the City.

Section 3.03 -- INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where, due to the scale, lack of details, or illegibility of the Zoning Map, there is any uncertainty, contradiction, or conflict as to the intended location of any zoning district boundaries shown thereon, the Planning Commission shall interpret the exact location of district boundary lines. In arriving at a decision on such matters, or in a review of any such decision by the Zoning Board of Appeals or the courts. The following standards shall be applied:

- (a) The boundaries of zoning districts are intended to follow centerlines of alleys, streets, or other rights-of-way, water courses, or lot lines, unless such district boundary lines are otherwise clearly indicated on the Zoning Map.
- (b) Where district boundaries are so indicated that they approximately follow lot lines of record such lines shall be construed to be the boundaries.
- (c) In unsubdivided property, or where a district boundary divides a lot of record, the location of such boundary, unless shown by dimensions on the zoning map, shall be determined by use of the map scale shown on the Zoning Map.

Section 3.04 -- ZONING OF VACATED AREAS

Whenever any street, alley or other public way within the City of Walled Lake shall be vacated, such street, alley or other public way or portion thereof shall automatically be classified in the same Zone District as the property to which it attaches.

Section 3.05 -- ZONING OF ANNEXED AREAS

Any area annexed to the City of Walled Lake shall immediately upon such annexation, be automatically classified as an R1-A District until a different zoning district for said area has been adopted by the Council. The Planning Commission shall recommend appropriate zoning for such areas within three (3) months after the matter is referred to the Planning Commission by the Council.

Section 3.06 -- ZONING OF WATER AREAS

Any areas of the City which are not classified in a Zoning District on a Zoning Map because they are covered by water shall be classified as an R1-A District until a different zoning district for said areas have been adopted by the Council.

Section 3.07 -- CONFORMITY TO ORDINANCE REGULATIONS

- (a) No structure or land shall hereafter be used or occupied and no structure or part thereof shall hereafter be erected, constructed, moved, or altered, except in conformity with the regulations, specified in this Ordinance.
- (b) Except as otherwise provided herein regulations governing land and building use, minimum lot size, lot area per dwelling unit, building height, building placement, required yards, and other pertinent factors are hereby established as stated in the detailed provisions for each of the Zoning Districts and the Schedule of Regulations. In each Zoning District a permitted use of land or buildings is subject to the minimum requirements specified for such use in the Zoning District in which such use is located plus applicable requirements found elsewhere in this Ordinance. A use permitted subject to special

conditions shall be a use of land or building requiring some measure of individual consideration, and therefore subject not only to the minimum requirements specified for such use in the Zoning District in which such use is located, and applicable requirements found elsewhere in this Ordinance, but also to any special conditions in this Ordinance or required in accordance with the procedures of this ordinance.

- (c) No part of any yard, open space, or on-street or off-street parking or loading space required in connection with any building for the purpose of complying with this Ordinance shall be included as part of any yard, open space, or off-street parking or loading space similarly required for any other building.
- (d) No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this Ordinance.
- (e) Essential services shall be permitted as authorized and regulated by law and the ordinances of the City of Walled Lake and shall meet the minimum requirements for the district in which such services are located.

Section 3.08 -- CONFLICTING REGULATIONS

Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then 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, then the provisions of such law or ordinance shall govern, except where local regulations are specifically superseded by state or federal laws or regulations.

The state or federal agency having jurisdiction over the matter shall have the authority to interpret the applicable laws and regulations and determine the extent to which said laws and regulations supersede this Zoning Ordinance. This authority, however, shall not preclude further interpretation by a court or other third party, independent agency or official having jurisdiction over the matter. Notwithstanding this provision, current state Mobile Home Commission regulations do not provide for review by a third party or other official.

Section 3.09 -- PERMISSIVE ZONING CONCEPT

Land uses are permitted specifically in the various zoning districts of this Ordinance. Where not specifically permitted, uses are thereby specifically prohibited unless the Planning Commission construes them to be similar to a use expressly permitted. No land contained within any zoning district within the City of Walled Lake shall be used for any purpose other than those uses specifically set forth in the following sections, except as otherwise permitted by this Ordinance.