

Preamble

An Ordinance to provide for the establishment of Zoning Districts to encourage and regulate the use of land and proper location of buildings and structures for residence, trade, industry, or other purposes; to regulate dimensions of yards, and other spaces; to provide for the administration, enforcement, penalties for violation, and amendment of this ordinance. Nothing herein shall relieve any property owner or applicant from complying with all applicable local ordinances, and state and federal regulations.

THE VILLAGE OF BELLAIRE HEREBY ORDAINS:

SECTION 1.01 Title

This Ordinance shall be known as the Village of Bellaire Zoning Ordinance.

SECTION 1.02 Purpose

The purpose of the Ordinance is to:

- A. Provide for the orderly development of the Village while minimizing the impacts of incompatible adjoining land uses and preventing nuisances from interfering with the reasonable use and enjoyment of private property. In all cases, it is the purpose of this Ordinance to regulate the use of private property so that it does not adversely impact upon broader public interest;
- B. Insure the public health, safety and general welfare;
- C. Promote the use of lands and natural resources of the Village in accordance with their character and adaptability and in turn, limit their improper use;
- D. Reduce hazards to life and property;
- E. Lessen congestion on the public roads and streets;
- F. Provide, in the interests of health and safety, the minimum standards under which certain buildings and structures may hereafter be erected and used;
- G. Facilitate the development of an adequate system of transportation, education, recreation, sewage disposal, safe and adequate water supply and other public requirements;
- H. Conserve life, property and natural resources and the expenditure of funds for public improvements and service to conform with the most advantageous uses of land, resources and properties.

SECTION 1.03 Authority

This Ordinance is ordained and enacted into law pursuant to the provisions and in accordance with the Michigan Zoning Enabling Act, Act 110 of Public Acts of 2006, as amended.

SECTION 1.04 Validity

This Ordinance and various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Village Council 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.

SECTION 1.05 Limitation of Zoning Ordinance

The provisions of this Ordinance shall not impact the continued use of any dwelling, building or structure or any land or premises, which was lawful and existing on the adoption date of this Ordinance.

SECTION 1.06 Repeal of Previous Zoning Ordinance

- A. This Ordinance repeals and replaces any previous Village of Bellaire Zoning Ordinance in its entirety.
- B. The repeal of the Village of Bellaire Zoning Ordinance of 2008 as amended, as provided, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred there under or actions involving any provisions of said ordinance sections repealed is hereby continued in force and effect after the passage, approval and publication of this Ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefore.