

CHAPTER 1

Scope, Title, Ordinance Construction

SECTION 1.01 SHORT TITLE

This Ordinance shall be known and may be cited as the “Decatur Township Zoning Ordinance.” Within the following text it may be referred to as the "Ordinance".

SECTION 1.02 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.

SECTION 1.03 SCOPE

No building or structure, or part thereof, shall hereafter be erected, constructed or altered, and no land use commenced or continued within the unincorporated parts of the township, contrary to the spirit of this ordinance, except for the provisions of essential services, agricultural buildings exempt from Public Act 230 of 1972, as amended (State Construction Code Act, Section 2A), or as specifically authorized by this ordinance. Conditional Uses are granted by the Township only upon finding that specified conditions are met in accordance with Chapter 19 of this Ordinance.

SECTION 1.04 USE REGULATIONS

Except as otherwise provided herein, regulations governing land and building use is hereby established in each district specified in Chapter 2 of this Ordinance. Uses permitted in each district after Conditional approval shall be permitted only in accordance with the Conditional Approval standards and procedures of this Ordinance as established in Chapter 19.

SECTION 1.05 USES NOT OTHERWISE SPECIFIED WITHIN A USE DISTRICT

Uses which have not been specifically mentioned within any use district may be processed under the Conditional Use Permit procedure, in accordance with Chapter 19 upon determination by the Township Planning Commission that such use is similar in nature and intent to those uses identified within the district. Such uses and related structures shall be subject to the area, height, bulk, and placement requirements for the district in which it is proposed.

SECTION 1.06 LAND REQUIRED TO SATISFY REGULATIONS

No portion of a lot used in or necessary for compliance with the provisions of this ordinance shall through sale or otherwise be reduced beyond said minimums or again be used to satisfy the zoning requirements of another lot.

SECTION 1.07 PUBLIC UTILITY FACILITIES

When operating requirements necessitate the locating of public utility facilities and uses (without storage yards) within a district in order to serve the immediate vicinity, such facilities shall be permitted in all zoning districts, subject to Conditional Approval by the Planning Commission in accordance with Chapter 19 of this Ordinance, review and approval of a submitted site plan, and a finding by the Planning Commission that the use is compatible to the surrounding area.