

CHAPTER 155.000 – CITY OF INKSTER, WAYNE COUNTY, MICHIGAN ZONING CODE

The City of Inkster Ordains:

155.010 Article 1 Introductory Provisions

155.011 Title

This chapter shall be known and officially cited as the “Zoning Code of the City of Inkster, Michigan.” It may be referred to in this document as the “Zoning Code.”

155.012 Enactment

This Zoning Code is enacted pursuant to the powers granted and limitation imposed by the laws of the State of Michigan, including statutory authority granted in the City and Village Zoning Public Act 207 of 1921, as amended. See Article 17 Effective Date for terms of enactment of this Code.

155.013 Applicability and Jurisdiction

The provisions of this Zoning Code shall apply to all land within the City of Inkster, including land owned by local, county, state or federal agencies.

155.014 Intent

This Zoning Code is adopted to guide and regulate the orderly location, use and development of lands to promote public health, safety, morals, comfort, convenience, character and general welfare. The regulations are intended to:

- (A) Classify all property into districts to reflect its suitability for particular uses and to protect all areas of the City from harmful encroachment by incompatible land uses;
- (B) Provide for adequate light, air, privacy and convenient access to property, prevent overcrowding of land with buildings and avoid undue congestion of population;
- (C) Lessen undue congestion in public streets by providing for off-street parking of motor vehicles and off-street loading and unloading of commercial vehicles;
- (D) Facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation and other public service and facility needs;
- (E) Conserve property values;
- (F) Regulate the location, construction, reconstruction, alteration and use of buildings, structures and land; and, set reasonable standards to which buildings, structures and uses shall conform;
- (G) Provide for the elimination of non-conforming buildings and structures, property, uses of land and uses of buildings and structures;
- (H) Protect natural resources and environmentally sensitive areas;
- (I) Promote a desirable visual and socially active environment through creative development techniques and good civic design;
- (J) Define the powers and duties of administrative officials and bodies, legislative bodies and Board of Zoning Appeals; and,
- (K) Provide for enforcement and penalties for violations of the Zoning Code and subsequent amendments.

155.015 Rules of Interpretation and Application

In the interpretation and application, the provisions of this chapter shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, character or general welfare. This Zoning Code is not intended to repeal, abrogate, annul or in any way to impair or interfere with any existing provision of law or ordinance other than previous Zoning Code 155 and all amendments thereto which are hereby repealed, or with any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of buildings or premises.

155.016 Conflicting Provisions

Nothing in this chapter should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety and welfare.

Where the provisions of this Zoning Code are more restrictive than imposed by private agreement, including but not limited to deed restrictions, the provisions of this Zoning Code shall prevail. If the provisions of private agreement are more restrictive than imposed by this Zoning Code, the provisions of the private agreement shall prevail.

155.017 Transitional Provisions

Violations of the previous Zoning Code will continue to be a violation under this Zoning Code and be subject to enforcement and penalties under Section 155.280, Article 15, Administration, Enforcement and Penalties, unless the use, development, construction or other activity complies with the provisions of this Zoning Code.

Legal nonconformities under the previous Zoning Code will continue to be a legal nonconformity under this Zoning Code if the situation that resulted in the nonconforming status continues to exist. If nonconformity under the previous Zoning Code becomes conforming under this Zoning Code, then the nonconforming situation will be removed.

Permits and approvals that are valid prior to the effective date of this ordinance shall remain valid until their expiration date. Projects with valid approvals or permits may be completed in accordance with standards and regulations in effect at the time of approval, provided permit or approvals are valid and not expired.

Completed permit applications and other approvals, submitted before the effective date of this Zoning Code and pending approval at the time of the effective date of this Zoning Code may, at the applicant's request, be reviewed and completed in accordance with the previous Zoning Code. Re-application for an expired permit shall meet the standards in effect at the time of re-application.

Projects that have not been accepted as complete shall be subject to all requirements and standards of this Zoning Code.

155.018 Construction of Language

The following rules of construction apply to this Zoning Code:

- (A) The particular shall control the general;

- (B) The text shall control any difference in meaning or implication between the text of this Code and any caption or illustration;
- (C) The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
- (D) Words used in present tense shall include the future and words used in singular number shall include the plural, unless clearly indicated to the contrary;
- (E) The word “person” includes an individual, a corporation, a partnership, an unincorporated association or other similar entity;
- (F) Two or more conditions, provisions or events connected by a conjunction shall be interpreted as follows, unless the context clearly indicates the contrary:
 - (1) “And” indicates that connected conditions, provisions and events shall apply;
 - (2) “Or” indicates that connected conditions, provisions and events may apply singularly or in combination;
 - (3) “Either/Or” indicates that connected conditions, provisions and events shall apply singly but not in combination.
- (G) Terms not defined shall have the meaning customarily assigned to them.

155.019 Reconstruction of Damaged Properties

Regulations and standards in this Zoning Code shall not prevent the reconstruction, repairing or rebuilding and continued use of buildings or structures damaged by fire, collapse, explosion or act of God which requires the approval of the Community Development Department or any Board or Commission, provided that the cost of reconstruction shall not exceed 50% of the assessed valuation of the building at the time such damage occurred. Any such activity exceeding the 50% assessed valuation may be reestablished upon approval of the Board of Zoning Appeals.

155.020 Vested Rights Prohibited

Nothing in this chapter should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety and welfare.

155.021 – 155.029 Reserved