

liveries and bathing facilities) which may not be operated for profit provided such use does not impair the natural appearance of such land or tend to produce noise or annoyance to surrounding properties only when permitted by the Board of Appeals.

- (7) Community garages when permitted by the Board of Appeals.
(8) Accessory uses customarily incident to any of the above permitted uses including not more than one private garage in which there is housed therein not more than one commercial vehicle of not to exceed one and one-half (1 1/2) tons capacity for each lot, and including signs pertaining to the sale, lease or use of a lot or building placed thereon, and not exceeding eight (8) square feet in area on any one lot, except by authorization of the Board of Appeals.

AREA OF BUILDINGS: No dwelling shall be erected or altered in this zone which provides less than seven hundred (700) square feet of floor area per family at the first floor level, exclusive of any garage area or area in any accessory building.

SIZE OF BUILDING: No dwelling shall be erected or altered in this zone which provides less than fifteen thousand (15,000) cubic feet of content.

FRONT YARDS: In a Residence 2 Zone, unless otherwise permitted by the Board of Appeals, there shall be on every lot, a front yard the minimum depth of which shall be forty (40) feet. Where a front yard of greater or less depth than the above specified exists in front of a dwelling or dwellings in existence at the time of passage of this Ordinance, on one side of a street in any block, the depth of the front yard of any building subsequently erected on that side of the street in that block shall not be less and need not be greater than the average depth of the front yards of such existing dwellings, but this shall not be deemed to require in Residential 2 Zone, a front yard of greater depth than sixty (60) feet or permit a less depth than forty (40) feet in any case.

SIDE YARDS: In a Residence 2 Zone, there shall be on each side of every lot a side yard, the minimum width of any side yard shall be sixteen (16) feet.

On a lot occupied by a church or other building in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons in numbers in excess of twenty-five (25) the width of each side yard shall be not less than fifty (50) feet.

The width of a side yard abutting upon a street shall be not less than the minimum front yard depth required on an adjoining interior lot fronting upon such street, but this shall not reduce the buildable width of any lot of record at the time of passage of this Ordinance to less than thirty (30) feet at the ground street level.

REAR YARDS: In a Residence 2 Zone, there shall be on every lot a rear yard, the minimum depth of which shall be twenty (20) feet for a one-story building, twenty-five (25) feet for a two-story building. On a lot occupied by a church or other building in which persons congregate or which is designed, arranged, remodeled or normally used for the congregation of persons in numbers in excess of twenty-five (25) the depth of the rear yard shall be not less than fifty (50) feet.

The depth of a rear yard abutting upon a street shall be not less than the depth of front yard required for a building of the same size and kind on an adjoining interior lot fronting on such rear street.

HEIGHT: In a Residence 2 Zone, no building shall exceed two and one-half (2 1/2) stories or shall exceed thirty-five (35) feet in height.

AREA OF LOT: In a Residence 2 Zone, no dwelling shall be erected or used on any lot having an area of less than ten thousand (10,000) square feet for each family housed thereon, except that this shall not prevent the use for one family of any lot existing and of record at the time of passage of this Ordinance and having an area of less than ten thousand (10,000) square feet, but not less than seventy-five hundred (7,500) square feet.

BUILDINGS ON THE SAME LOT: Accessory buildings and portions thereof not exceeding one story or fifteen (15) feet in height may occupy not more than ten per cent (10%) of the lot area, nor exceeding two stories or twenty-five (25) feet in height may occupy not more than (8%) eight percent of the lot area, but no portion thereof shall approach nearer to a side or rear lot line than five feet unless the exterior surface of all such portion within five (5) feet of the lot line be of incombustible material and entirely without windows or other openings. Where a rear yard abuts for its full width upon a street, accessory buildings shall not occupy any of the minimum required rear yard space. On a corner lot accessory buildings shall not occupy any of the minimum required side yard space abutting upon a street nor any of that portion of the rear yard lying nearer to the street than the width of side yard required on such lot and abutting on such street. Where any building or portion of a building on a lot is used as a dwelling, there shall be left between it and all other buildings on such lot, a space of the size prescribed in the Housing Law of Michigan.

SECTION VI—RESIDENCE 3 ZONES

USES: In a Residence 3 Zone no building or land, except as otherwise provided in this Ordinance, shall be erected or used except for one or more of the following specified purposes:

- (1) Dwellings.
(2) Farms.
(3) Churches, public schools, public libraries, museums, private schools and educational institutions.
(4) Public hospitals (but not including institutions for the care of the feeble minded or insane), when permitted by the Board of Appeals.
(5) Community buildings, country clubs, fraternal lodges, or similar civic or social clubs when permitted by the Board of Appeals.
(6) The use of open land or waters for privately owned and operated parks, picnic grounds, golf courses, or similar facility for outdoor exercise and recreation (not including boat liveries and bathing facilities) which may not be operated for profit provided such use does not impair the natural appearance of such land or tend to produce noise or annoyance to surrounding properties only when permitted by the Board of Appeals.
(7) Community garages when permitted by the Board of Appeals.
(8) Accessory uses customarily incident to any of the above permitted uses including not more than one private garage in which there is housed therein not more than one commercial vehicle of not to exceed one and one-half (1 1/2) tons capacity for each lot, and including signs pertaining to the sale, lease or use of a lot or building placed thereon, and not exceeding eight (8) square feet in area on any one lot, except by authorization of the Board of Appeals. Dwellings for the use of domestic employees of the owners, lessees or occupants of the principal dwelling on a lot shall be considered accessory buildings; but if containing a complete housekeeping unit or units, shall conform to all the height and yard requirements for dwellings in the zone in which they are located; but automobile trailers or similar portable dwellings, or tents used for dwelling purposes shall not be considered as a legal accessory use hereunder.

AREA OF BUILDINGS: No dwelling shall be erected or altered in this zone which provides less than one thousand (1,000) square feet of floor area per family at the first floor level, exclusive of any garage area or area in any accessory building.

SIZE OF BUILDING: No dwelling shall be erected or altered in this zone which provides less than twenty thousand (20,000) cubic feet of content.

FRONT YARDS: In a Residence 3 Zone, unless otherwise permitted by the Board of Appeals, there shall be on every lot, a front yard the minimum depth of which shall be forty (40) feet.

SIDE YARDS: In a Residence 3 Zone, there shall be on each side of every lot a side yard, the minimum width of any side yard shall be sixteen (16) feet.

On a lot occupied by a church or other building in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons in numbers in excess of twenty-five (25) the width of each side yard shall be not less than fifty (50) feet.

The width of a side yard abutting upon a street shall be not less than the minimum front yard depth required on an adjoining interior lot fronting upon such street, but this shall not reduce the buildable width of any lot of record at the time of passage of this Ordinance to less than thirty (30) feet at the ground street level.

REAR YARDS: In a Residence 3 Zone, there shall be on every lot a rear yard, the minimum depth of which shall be twenty (20) feet for a one-story building, twenty-five (25) feet for a two-story building. On a lot occupied by a church or other building in which persons congregate or which is designed, arranged, remodeled or normally used for the congregation of persons in numbers in excess of twenty-five (25) the depth of the rear yard shall be not less than fifty (50) feet.

The depth of a rear yard abutting upon a street shall be not less than the depth of front yard required for a building of the same size and kind on an adjoining interior lot fronting on such rear street.

HEIGHT: In a Residence 3 Zone, no building shall exceed two and one-half (2 1/2) stories or shall exceed thirty-five (35) feet in height.

AREA OF LOT: In a Residence 3 Zone, no dwelling shall be erected or used on any lot having an area of less than twenty thousand (20,000) square feet for each family housed thereon, except that this shall not prevent the use for one family of any lot existing and of record at the time of passage of this Ordinance and having an area of less than twenty thousand (20,000) square feet, but not less than seventeen thousand five hundred (17,500) square feet.

BUILDINGS ON THE SAME LOT: Accessory buildings and portions thereof not exceeding one story or fifteen (15) feet in height may occupy not more than ten per cent (10%) of the lot area, nor exceeding two stories or twenty-five (25) feet in height may occupy not more than (8%) eight percent of the lot area, but no portion thereof shall approach nearer to a side or rear lot line than five feet unless the exterior surface of all such portion within five (5) feet of the lot line be of incombustible material and entirely without windows or other openings. Where a rear yard abuts for its full width upon a street, accessory buildings shall not occupy any of the minimum required rear yard space. On a corner lot accessory buildings shall not occupy any of the minimum required side yard space abutting upon a street nor any of that portion of the rear yard lying nearer to the street than the width of side yard required on such lot and abutting on such street. Where any building or portion of a building on a lot is used as a dwelling, there shall be left between it and all other buildings on such lot, a space of the size prescribed in the Housing Law of Michigan.

SECTION VII—COMMERCIAL 1 ZONES

USES: In a Commercial 1 Zone, no buildings or land, except as otherwise provided in this Ordinance, shall be erected or used except for one or more of the following specified purposes:

- 1. Any use permitted in a Residence 1 Zone, Residence 2 Zone and Residence 3 Zone.
2. Public buildings and properties.
3. Schools and hospitals (but not institutions for the care of the feeble-minded or insane).
4. Parish houses, community buildings and clubs.
5. The executive or administrative offices or departments of professional, philanthropic and commercial activities, theaters and other places of amusement and recreation conducted primarily for the residents of the locality, mercantile establishments for the sale of goods at retail; and the repair, conversion, alteration, finishing, assembling, fabrication, or storage of goods primarily for the residents of the locality or for sale at retail on the premises; provided there is not in connection therewith the operation of any machinery or the conduct of any process or activity or the storage or display of goods in such manner as to be noxious or offensive by reason of the emission of odor, fumes, dust, smoke, waste, vibration or activity involving the use of machinery in excess of five horsepower or employing more than five mechanics or workers on the repair, conversion, alteration, finishing, assembling or fabrication of goods shall be begun or enlarged except with the approval of the Board of Appeals.
6. A motor supply station when so arranged and maintained as not to adversely affect the normal development or use of neighboring property in the same Zone or adjoining Residence 1 Zone, Residence 2 Zone and Residence 3 Zone, when permitted by the Board of Appeals.

FRONT YARD: In a Commercial 1 Zone there shall be on every lot a front yard, the minimum depth of which shall be twenty-five (25) feet.

SIDE YARD: In a Commercial 1 Zone side yards are not required along interior side lot lines if all walls abutting or facing such lot lines are of fire proof construction and wholly without windows or other openings. If walls facing such side lot lines contain windows or other openings, side yards of not less than 10 feet shall be provided. Under no condition shall a commercial building be built with other than fire-proof construction.

COURTS: In a Commercial 1 Zone, if side yards are not provided there shall be an outer court along the interior side lot line on each side of each lot on which a dwelling is erected, such court to begin not higher than two feet above the floor level of the lowest story used for dwelling purposes, and to have a width, measured to the side lot line (or if not adjoining the side lot line, to the center-line of the courts), of not less than five (5) feet for a one story dwelling and eight (8) feet for a two story dwelling.

Such courts, if opening on a rear yard, shall extend to within thirty (30) feet of the front wall of the dwelling or to within thirty (30) feet of another outer court opening on the front yard or front lot line; and if opening on a front yard or front lot line, shall extend to within thirty (30) feet of the rear wall of the dwelling or to within thirty (30) feet of another outer court opening on the rear yard. On a lot thirty (30) feet or less in width, or where a court, as measured above, has a width of more than one-third of the width of the lot, the court on one side of such lot may be omitted, provided all walls erected along the side lot line are wholly without windows or other openings, but in no case shall the width of lot between two courts, or between a court and a side yard, or side street lot line be more than fifty (50) feet.

Variation from the above requirements relative to the arrangement and position of dwellings for dwellings in cases where such variation does not alter total area of yards and courts provided, and any dwelling, nor impair the light or ventilation of any room, may be permitted by the Board of Appeals.

Inner courts in dwellings shall comply with the provisions of the Housing Law of Michigan.

REAR YARDS: In a Commercial 1 Zone there shall be on each lot

a rear yard the depth of which shall be not less than 15 feet. Such yard shall at all times be kept free from obstructions for the ingress and egress of fire fighting equipment. Where the rear of a lot abuts upon a street the depth of rear yard shall be the same as that required for a front yard of a building on an adjoining lot fronting on such rear street.

HEIGHT: In a Commercial 1 Zone no dwelling or portion of building used as a dwelling shall exceed a height of two (2) stories or of thirty (30) feet. Buildings or portions of buildings not used for dwelling purposes shall not exceed a height of two and one-half (2 1/2) stories or of forty (40) feet, except that towers, steeples, and similar structures may be erected to a greater height when permitted by the Board of Appeals.

AREA: In a Commercial 1 Zone no dwelling shall be erected or used on any lot having an area of less than six thousand (6,000) square feet for each family housed thereon.

AREA OF BUILDING: No building shall be erected or altered in this zone which provides less than one thousand (1,000) square feet at first floor level exclusive of any garage area or area in any accessory building. Excepting a motor supply station may be built with an area of not less than 400 square feet.

BUILDINGS ON THE SAME LOT: Where any building on a lot is used in whole or part as a dwelling, accessory buildings erected thereon shall conform to the provisions of the Housing Law of Michigan for buildings on the same lot with dwellings. In any other case, accessory buildings may be erected in addition to the principal building on a lot in such manner as to occupy in the aggregate the total space permitted for a single building on such lot.

BOOTHES: Booths for the sale of farm produce shall not be considered commercial structures when located on their owners' property and used for the sale of their owners' produce. These booths must, however, comply with the regulation for front yards provided for structures in commercial zones.

SANITATION: No principal commercial structure on any lot may be occupied unless equipped with running water and sanitary toilet facilities.

SECTION VIII—BOARD OF APPEALS

The Legislative body of the Township, shall, in accordance with Act No. 302 of the Public Acts of Michigan for 1937, and as subsequently amended, act as a Board of Appeals on Zoning, which in addition to the general duties and powers conferred upon it by law, may, in specific cases and subject to appropriate conditions and safeguards, interpret and determine the application of the regulations herein established in harmony with their general purpose and intent as follows:

Permit the erection of additional buildings or the enlargement of existing buildings or uses on the same parcel of land or one contiguous thereto or directly across an alley therefrom, each in the same single ownership of record at the time of passage of this Ordinance, for a business or activity located in a zone restricted against such use, where the enlargement or expansion of such business or activity will not be detrimental to or tend to alter the character of the neighborhood or the district.

Where the boundary line of a zone divides a lot in a single ownership at the time of passage of this Ordinance, permit the extension of a use permitted on the less restricted portion of such lot to the entire lot but not for a distance of more than fifty (50) feet beyond the zone boundary line.

Permit the erection and use of a building or the use of land in any location for a public service corporation or for public utility purposes, and make exceptions thereto to the height, area, size, yard and court requirements herein listed, which the Board considers reasonably necessary for the public convenience or welfare.

Permit in a Residence 1 Zone, Residence 2 Zone and Residence 3 Zone a temporary building or use incidental to the residential development, including real estate signboards located on the premises to which they apply, such permit to be granted for an initial period of not more than two years, and in the case of a building only upon application accompanied by a bond and bill of sale to the Township, effective in case the building is not moved prior to the expiration of the permit. Permits may be renewed by the Board of Appeals for successive periods of not more than two (2) years each.

Permit in a Residence 1 Zone, Residence 2 Zone and Residence 3 Zone the erection of bulletins, memorial markers or other signs not used for purposes of commercial advertising, in excess of eight (8) square feet in surface area, under such temporary permit or permanent conditions as will prevent them from becoming dilapidated or unsightly or a menace to the public health, safety or general welfare.

Permit the structures or uses requiring the approval of the Board of Appeals under previous sections of this Ordinance; provided that the applicant for a Building Permit for any such use shall cause a written notice of the proposed building or use to be mailed or delivered to the owners of all lots of record lying more than one-third by area within three hundred (300) feet of the lot on which it is proposed to establish such use; and provided further that if there are filed with such board within fifteen (15) days after such notice shall have been mailed or delivered written protests from the owners of twenty per cent (20%) by frontage of the lots herein specified, the Board shall not approve such application except by three-fourths (3/4) vote of its membership.

Permit exceptions to the height for buildings or portions of buildings not used for dwelling purposes and which do not in the aggregate occupy more than ten per cent (10%) of the area of the lot.

Permit variations in the requirements for outer courts in dwellings.

SECTION IX—BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

It shall be unlawful to build or use or permit the building or the use of any structure or land or part thereof hereafter created, erected or altered, or to change or enlarge the use of any building or land or part thereof until a Building Permit in accordance with the provisions of this Ordinance, properly endorsed as to occupancy in a manner hereinafter provided shall have been issued by the Building Inspector hereinafter authorized and that a charge to be set by the Township Board be made for the issuance of such permits. An application for a building permit shall be made to the Building Inspector not less than ten days prior to the erection, or the proposed erection, of a structure or land or part thereof is intended to begin. Such application shall be accompanied by a plat in duplicate, drawn to scale, showing the exact dimensions of the land and structures to which the permit is to apply, the lines of all lots or parcels under separate ownership contained therein, the width of and alignment of all abutting streets, alleys, easements of access and public open spaces, the area, size, position and height of all buildings or structures erected or to be erected or altered thereon, plans in duplicate drawn to scale, of the proposed structure or alteration and such other information as may be deemed necessary for the proper enforcement of this Ordinance. Accessory buildings, when erected at the same time as the principal building on a lot and shown on the application therefor shall not require a separate Building Permit. A record of all such applications shall be kept on file by the Building Inspector. Whenever the building land, and uses thereof as set forth on the application are in conformity with the provisions of this Ordinance it shall be the duty of the Building Inspector to issue within ten (10) days after the receipt of such application a Building Permit, and when such Permit is refused, to state such refusal in writing with cause.

Within five (5) days after notification that the building or premises or part thereof is ready for occupancy, the Building Inspector shall make final inspection thereof and, if it is found to be in conformity with the provisions of this Ordinance, shall endorse such fact on the Building