

ORDINANCE NO. 16

OF THE TOWNSHIP OF TROY, OAKLAND COUNTY, MICHIGAN

Effective August 26, 1934

RURAL ZONING ORDINANCE

For

NORTHWESTERN TROY TOWNSHIP

SECTION 1. INTENT, PURPOSES AND METHODS

AN ORDINANCE to establish districts or zones within Sections 5, 6, 7, 8, 17, 18, 19 and 20 of the unincorporated portions of the Township of Troy, Oakland County, State of Michigan, within which districts given forms of land utilization, viz., trade, residence, recreation, agriculture, forestry, soil conservation, and water supply conservation shall be prohibited, regulated or encouraged, and the use of other resources, buildings and structures shall be regulated and restricted; to designate the trades and industries that shall be permitted or excluded or subject to special regulations within such districts; to regulate and limit within such districts the height, area, and bulk of buildings hereafter erected, and the area of land, yards, courts and other open spaces; to regulate the minimum construction requirements of buildings, including dwellings; to regulate within such districts the location of buildings hereafter erected or altered within such districts to provide for the collection of building permit fees; and to provide for a Board of Appeals.

SECTION 2. GENERAL PROVISIONS

THE TOWNSHIP BOARD OF TROY TOWNSHIP OF COUNTY OF OAKLAND, STATE OF MICHIGAN ORDAINS AS FOLLOWS: SECTION 2.1 INTENT, PURPOSES, AND METHODS The comprehensive plan of the Township of Troy, Michigan, public health, safety, morals, convenience, prosperity and general welfare through regulation and restrictions that provide for the orderly and wholesome development of the Township; that facilitate adequate provision for agriculture, soil conservation, trade, industry, residence, housing, construction of buildings, including dwellings, light, water supply and water conservation, forestry, sewage disposal, education, recreation and recreational areas, transportation, safety in traffic, vehicular parking, public buildings, and other public uses; and that further regulation to prevent disorder and danger that often inhere in unregulated community development that prevent the overdevelopment and improper utilization of land and buildings and to conserve the population, to conserve the public funds for public improvements and services to conform with the most adaptive uses of land and resources.

SECTION 2.2 DEFINITIONS For the purpose of this Ordinance, the following terms used are herewith defined: Not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number, and the word "shall" is always mandatory and not directory.

SECTION 2.3 ACCESSORY BUILDING A supplemental building or structure on the same lot, or part of the main building occupied by or devoted exclusively to an accessory use.

SECTION 2.4 ACCESSORY USE A use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or building.

SECTION 2.5 ALTERED Any structure, either temporary or permanent, having a roof and used for dwelling, sleeping quarters, or for transient or temporary residence, but shall not include what are commonly designated as hotels, lodging houses or tourist homes.

SECTION 2.6 BASEMENT AND CELLAR A basement is that portion of a building partly below grade but so located that the vertical distance from grade to the floor is not greater than the height of the ceiling.

SECTION 2.7 BOARDING HOUSE Primarily a family dwelling where meals with or without lodging are furnished for one or more persons who are not members of the family occupying and operating the premises, but not necessarily to anyone who may apply.

SECTION 2.8 BUILDING Any structure, either temporary or permanent, having a roof and used for dwelling, sleeping quarters, or for transient or temporary residence, but shall not include what are commonly designated as hotels, lodging houses or tourist homes.

SECTION 2.9 CABINS Any tract or parcel of land on which two or more cabins as herein defined are maintained, offered or used for dwelling or sleeping quarters for transient.

SECTION 2.10 DWELLING A building, tent, or other structure which is maintained, offered or used for dwelling, sleeping quarters, or for transient or temporary residence, but shall not include what are commonly designated as hotels, lodging houses or tourist homes.

SECTION 2.11 CHIMNEY A structure in any production or piece of work artificially built up or composed of parts joined together in some definite manner; any chimney.

SECTION 2.12 DWELLING A building, tent, or other structure which is maintained, offered or used for dwelling, sleeping quarters, or for transient or temporary residence, but shall not include what are commonly designated as hotels, lodging houses or tourist homes.

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SECTION 2.14 Erected built, constructed, reconstructed, moved upon, or any physical operation on the land required for the building, excavations, fill, drainage, and the like shall be considered a part of erection.

SECTION 2.15 Service Facilities The term "service facilities" means the erection, construction, alteration or maintenance by public utilities or municipal departments or commissions of underground or overhead, gas, electrical, steam, water, telephone, telegraph, or other lines, conduits, pipes, conduits, cables, towers, fire alarm boxes, police call boxes, or other similar apparatus, and accessories in connection therewith.

SECTION 2.16 Established Grade The elevation of the finished grade as fixed by the County Building Inspector; or where no sidewalk is to be constructed on the ground, a point on the surface of the ground appropriate to the terrain, and approved by the Building Inspector.

SECTION 2.17 Family Any number of individuals living together and cooking together on the premises as a single non-profit householding unit, as distinguished from a group occupying a hotel, club or similar structure, together with all necessary employees of the family.

SECTION 2.18 Farm Any land on which bona fide farming is carried on directly by the owner-operator, manager or tenant-farmer by his own labor or with the assistance of his household or hired employees. Provided, however, that land to be considered a farm hereunder shall include a contiguous, unplatted parcel of not less than twenty (20) acres, and shall include a building, such as a barn, stable, chicken establishment operated as bona fide greenhouses, nurseries, orchards, chicken hatches, poultry farms, apiaries; but establishments kept for the purpose of raising such as hatching, brooding, stock yards, store quarries, or gravel or sand pits shall not be considered farms hereunder unless combined with bona fide farm operations on the same tract of land.

SECTION 2.19 Farm Buildings Any building or structure, other than a dwelling, moved upon, maintained from a group occupying a hotel, club or similar structure, used on farms of that type for the pursuit of their agricultural activities.

SECTION 2.20 Garage, Private and Commercial Any building or structure, other than a dwelling, or part thereof, not over one story or fifteen (15) feet in height for storage of self-propelled private passenger vehicles or trailer coaches where no other use is intended.

SECTION 2.21 Highway Any public thoroughfare, except alleys, in the Northwestern Troy Township road system, including Federal and State roads and high-ways, and any street, whether of depressed, surface, or elevated construction.

SECTION 2.22 Hotel Any building where lodging with or without meals is furnished to transient or resort guests for compensation and containing more than four (4) sleeping rooms and having no cooking facilities in any individual lodging, but where a restaurant may or may not be located.

SECTION 2.23 Lodging House Primarily a family dwelling where lodging with or without meals is furnished to transient or resort guests for compensation and containing more than four (4) sleeping rooms and having no cooking facilities in any individual lodging, but where a restaurant may or may not be located.

SECTION 2.24 Nonconforming Structure A structure conflicting with the provisions of this Ordinance.

SECTION 2.25 Lot The parcel of land on which one (1) principal building and its accessory buildings, together with the open spaces required by this Ordinance.

SECTION 2.26 Lot, Corner Any lot on which adjacent sides abut for their full length upon a street or highway, provided that such two sides intersect at an angle of not more than 135 degrees.

SECTION 2.27 Lot, Front Front lot line shall be considered as a front lot line and the shorter street line shall be considered the front lot line.

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