BLOOMFIELD TOWNSHIP ZONING ORDINANCE

DISTRICT NO. 1
BLOOMFIELD TOWNSHIP

AN ORDINANCE to promote, protect, and provide for, in the interest of the public health, safety, comfort, convenience, prosperity and general welfare, in Bloomfield Township, the conservation of property values and natural resources and the general trend and character of building and population development, to regulate the location of buildings and structures designed for specified uses, to regulate and determine the areas of given forms of land utilization, to regulate and limit the uses, the height, the area, the size and location of buildings and structures hereafter erected: to prohibit the use of tents and automobile trailers or similar portable dwellings for dwelling purposes in said township; to regulate and restrict the use of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation and the uses for which buildings or structures shall be erected or altered and designating the trades, residences and industries which shall be permitted in such township, to regulate and determine the area of yards, courts and other open spaces, to limit and restrict the number of families which may be housed in dwellings hereafter erected or altered and to provide a Building Zone Map as part of this Ordinance, to provide a method of administration and to provide penalties for the violation thereof, for carrying out the aforementioned regulations, to divide the township into zones of such number, shape and area as appear upon the said building Zone Map.

Be it Ordained by the Township Board of the Township of Bloomfield, County of Oakland, State of Michigan, by authority of Act. No, 184 of the Public Acts of Michigan for 1943 and as subsequently amended and which Act was adopted by the Township Board of Bloomfield Township.

SECTION I—DEFINITIONS

That for the purposes of this Ordinance certain terms used are herewith defined:

A STREET is a thoroughfare or way, other than a public alley, dedicated to the use of the public and/or open to public travel.

An ALLEY is a narrow passage-way open to public travel.

A LOT is the parcel of land on which a principal building and its accessories are placed, together with the required open spaces.

A LOT OF RECORD is a lot the dimensions of which are shown on a document or map on file with the register of deeds or in common use by county or township officers, and which actually exists as so shown, or any part of such lot held in ownership or record separate from the remainder thereof.

An ACCESSORY BUILDING is a building subordinate to the main or principal building on a lot and used for purposes customarily incidental to those of the main building.

A CORNER LOT is a lot of which at least two adjacent sides abut for their full length upon a street, provided that such two sides intersect at an angle of not more than 135°. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line, intersect at an angle of not over 135°. In the case of a corner lot with a curved street line the corner shall be considered to be that point on the street lot line nearest to the point of intersection of the tangents herein described.

AN INTERIOR LOT is a lot other than a corner lot.

THE FRONT LOT LINE: In the case of a lot abutting upon only one street, the front lot line is the line separating such lot from such street. In the case of any other lot one such line shall be elected to be the front lot line for the purposes of this Ordinance provided it is so designated by the building plans filed for approval with the Building Inspector.

THE REAR LOT LINE is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an assumed line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.

A SIDE LOT LINE is any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

A FRONT YARD is an open space extending the full width of a lot and of a uniform depth measured horizontally at right angles to the front lot line, unoccupied from the ground upward except as hereinafter specified.

A REAR YARD is an open space extending the full width of a lot and of a uniform depth measured horizontally at right angles to the rear lot line and unoccupied from the ground upward except as hereinafter specified.

A SIDE YARD is an open space extending from the front yard to the rear yard and of a uniform width measured horizontally at right angles to the side lot line and unoccupied from the ground upward except as hereinafter specified.

A COURT is an open unoccupied space, other than a yard, and bounded on at least two sides by a building. A court extending to the front yard or front lot line or to the rear yard or rear lot line is an OUTER COURT. Any other court is an INNER COURT.

THE HEIGHT OF A BUILDING is the vertical distance from the established side-walk grade at the center of the front of the building to the highest point of the roof surface if a flat roof, to the deck line for mansard roofs and to the mean height level between eaves and ridges for gables, hip and gambrel roofs. Where there is no established side-walk grade, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

A STORY is that portion of a building between one floor level and the floor level next above it, or between the uppermost floor and the roof. Any story lying more than fifty per cent (50%) by volume below the highest level of the adjoining ground, and any mezzanine, balcony or similar story having a floor area of less than fifty per cent (50%) of the floor area of the story immediately above it shall not be counted as a story in measuring the height of buildings under this Ordinance.

A HALF-STORY is an uppermost story lying under a sloping roof, the usable floor area of which does not exceed seventy-five per cent (75%) of the floor area of the story immediately below it, but not used, designed, arranged or intended to be used, in whole or part, as an independent housekeeping unit or dwelling.

A FAMILY is any number of persons living together in a room or rooms comprising a single housekeeping unit and related by blood or marriage, and including the domestic employees thereof. Any group of persons not so related, but inhabiting a single house shall, for the purpose of this Ordinance, be considered to constitute one family for each five persons, exclusive of domestic employees, contained in such group.

A DWELLING is any house or building or portion thereof which is occupied wholly as the home, residence or sleeping place of one family whether permanently or transiently. In cases of mixed occupancy where a building is occupied in part as a dwelling the part so occupied shall be deemed a dwelling for the purposes of this Ordinance and shall comply with the requirements thereof relative to dwellings. Garage space whether in an attached or detached garage shall not be deemed a part of a dwelling; nor shall automobile trailers or similar portable dwellings or tents be considered dwellings.

A FARM is all of the unplatted contiguous or neighboring land which is directly farmed by one farmer by his own labor or with the assistance of members of his household or hired employees. Provided, however, land to be considered a farm hereunder shall include a continuous, unplatted parcel of not less than forty (40) acres in extent; provided further, farms may be considered as including establishments operated as greenhouses, nurseries, orchards, chicken hatcheries, apiaries; but establishments keeping, or operating, fur bearing animals, game, fish hatcheries, stock yards, recreational parks, stone quarries, or gravel or sand pits shall not be considered farms hereunder unless combined with bona fide farm operations on the same continuous tract of land.

A PRIVATE GARAGE is a structure for the storage principally of non-commercial motor vehicles, having no public shop or service in connection therewith, and not occupying a ground floor area of not to exceed six hundred (600) square feet or as a larger area if for the private use solely of the owner or occupant of the principal building on a lot or of his family or domestic employees.

A COMMUNITY GARAGE is a structure, or series of structures, for the storage of motor vehicles, having no public shop or services in connection therewith, and separated into compartments or sections with separate vehicular entrances, for the use of two or more owners or occupants of property in the vicinity.

A PUBLIC GARAGE is a structure, other than a private or a community garage, for the storage, care, repair or refinishing of motor vehicles, except that a structure or room used solely for the display and sale of such vehicles, in which they are not operated under their own power, and in connection with which there is no repair, maintenance or refinishing service or storage of vehicles other than those displayed, shall not be considered a garage for the purposes of this Ordinance.

A MOTOR SUPPLY STATION is a building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, and including the customary space and facilities for installation of such commodities on or in such vehicles, but not including space or facilities for the storage, repair, refinishing or other servicing thereof.

SECTION II—ZONES

For the purpose of this Ordinance the Bloomfield Township is hereby divided into the following zones:

RESIDENCE 1 ZONES
RESIDENCE 2 ZONES
RESIDENCE 3 ZONES
COMMERCIAL 1 ZONES

The boundaries of said zones, shown upon the map marked and designated Building Zone Map of Bloomfield Township which is on file in the Township office and made a part of this Ordinance are hereby established; said map and all notations, references and other information shown thereon shall be as much a part of this Ordinance as the matters and informtion set forth by said map were all fully set forth and described herein.

SECTION III—GENERAL PROVISIONS

Except as hereinafter provided, no building or land or part thereof shall be used, altered, constructed or reconstructed in Bloomfield Township except in conformity with the provisions of this Ordinance which apply to the zone in which it is located. However, any lawful non-conforming use existing at the time of passage of this Ordinance may be continued except as herein prohibited or restricted provided that the building or land involved shall neither be structurally altered or enlarged unless such altered or enlarged part shall conform to the provisions of this Ordinance for the zone in which it is located. No non-conforming use if changed to a use permitted in the zone in which it is located shall be resumed or changed back to a non-conforming use.

Nothing in this Ordinance shall prevent the continued occupancy of any existing dwelling whose area is four hundred (400) square feet or greater at the first floor level, but any dwelling occupied at the time of the passage of this Ordinance and having an area less than four hundred (400) square feet at the first floor level, may at the discretion of the Board of Appeals hereinafter provided, be granted for a period not to exceed two years an unrenewable temporary Certificate of Occupancy.

Nothing in this Ordinance shall prevent the restoration of a building destroyed less than fifty per cent (50%) of its value, exclusive of the foundations, by fire, explosion, act of God, or act of the public enemy, subsequent to the passage of this Ordinance; or shall prevent the continuance of the use of such building or part thereof as such use existed at the time of such impairment of such building or part thereof.

Nothing in this Ordinance shall require any change in the plans, construction or intended use of a building having an area of at least four hundred (400) square feet at the first floor level which has been started prior to the effective date of this Ordinance and the construction of which shall have been diligently prosecuted. Nothing herein contained shall prevent the strengthening or restoration of any building or wall declared unsafe by the Building Inspector hereinafter provided.

No yard, court or other open space provided about any building for the purpose of complying with the provisions of these regulations shall again be used as a yard, court or other open space for another building existing or intended to exist at the same time.

No dwelling shall be built upon a lot having a width at the front of less than sixty (60) feet and fronting upon a public street, or upon a permanent unobstructed easement of access to a public street, such easement to have a width throughout of not less than thirty (30) feet and to the end thereof and at intermediate intervals of five hundred (500) feet a turn-around not less in width than forty (40) feet.

Wherever there is a public alley at the rear of a lot upon which the lot abuts for its full width, measurements of the depth of any abutting rear yard required under this Ordinance may be made to the center-line of such alley.

THE CUBICAL CONTENT shall be computed on the following basis: The cubic content of the actual space enclosed within the outer surfaces of the outside walls and contained between the outside of roof and bottom of first floor joist or floor slab. Bays, oriels, dormers, chimneys, pent house, enclosed porches, are to be part of the full volume. Non-enclosed porches if built within the residence proper and having no screens or sash are to be taken at ⅔ volume. Non-enclosed porches if built as an extension to a house and having screens and sash are to be taken at full volume. The cubic content to include private garage either attached or detached, outside steps, terraces, light shafts, cornices, footing, piles, caissons, deep foundations and exterior garden walls.

Outside stairways fire-escapes, fire-towers, porches, platforms, balconies and other projections shall be considered as part of the building and not as a part of the yards or courts, or unoccupied spaces. This provision shall not apply to unenclosed outside porches not exceeding one story in height which do not extend into the required front or rear yard farther than eight (8) feet, nor to any unenclosed porch which does not extend into the side yard nearer than five (5) feet to the side lot line nor exceed twelve (12) feet in its other horizontal dimension, or cornices not exceeding eighteen (18) inches in width. Provided, that the Building Inspector may permit encroachment or extensions into the front or rear yards provided whenever such structures do not extend more than thirty (30) inches from the main wall of the building, do not in the aggregate occupy more than twenty per cent (20%) of the length of such wall, and do not interfere with the light or ventilation of any room used as a dwelling.

SECTION IV—RESIDENCE 1 ZONES

USES. In a Residence 1 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 (but not a residential club or one operated as a commercial enterprise), when permitted by the Board of Appeals.
(6) The use of open land and waters for privately owned and operated parks, picnic groves, 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 (1½) 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 BUILDING: No dwelling shall be erected or altered in this zone which provides less than seven hundred (700) square feet or one thousand two hundred fifty (1,250) square feet of floor area per family at the first floor level for one and one and one-half story houses, 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 aforespecified 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 side 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 story 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 (2½) 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 twenty thousand 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 eight per cent (8%) 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 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 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. No accessory building shall be constructed except concurrently with or subsequent to the construction and completion of the principal building with which the lot is to be improved.

SECTION V—RESIDENCE 2 ZONES

USES: In a Residence 2 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 (but not a residential club or one operated as a commercial enterprise), when permitted by the Board of Appeals.
(6) The use of open land and waters for privately owned and operated parks, picnic groves, 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 (1½) 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 BUILDING: No dwelling shall be erected or altered in this zone which provides less than seven hundred (700) square feet or one thousand two hundred fifty (1,250) square feet of floor area per family at the first floor level for one and one and one-half story houses, 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 aforespecified 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 side 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 story 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 (2½) 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 twenty-five thousand 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-five thousand (25,000) square feet, but not less than twenty thousand (20,000) 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 eight per cent (8%) 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 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 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. No accessory building shall be constructed except concurrently with or subsequently to the construction and completion of the principal building with which the lot is to be improved.

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 groves, 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 (1½) tons capacity for each lot and including signs pertaining to the sale, lease or use of 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 BUILDING: 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 for two story houses or one thousand six hundred fifty (1,650) square feet of floor area per family at the first floor level for one and one and one-half story houses, 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 side 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 story 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 (2½) 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 two thousand 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 two thousand (2,000) square feet, but not less than seventeen hundred (1,700) 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 eight per cent (8%) 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 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. No accessory building shall be constructed except concurrently with or subsequently to the construction and completion of the principal building with which the lot is to be improved.

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 including 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 unreasonably adversely affect the normal development or use of neighboring property in the Residence Zones 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 resistive 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 fireproof 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 court, 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 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 such other outer court opening on the rear yard. On a lot thirty (30) feet or less in width, such court, when measured above, has a width of more than one-third of the width of the lot, such court on one side of such lot may be omitted, provided all walls erected along the side lot lines are wholly without windows or other openings, but in no case shall the width of lot between such 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 outer courts for dwellings, in cases where such variation does not alter total area of yards and courts provided about 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 Laws 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 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 not less than 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 (2½) 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.

In Commercial 1 Zone no commercial use shall extend beyond 200 feet from the street or highway line, and such 200 feet shall include any auxiliary service such as car parking area, storage yards, etc.

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. 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.

No accessory building shall be constructed except concurrently with or subsequent to the construction and completion of the principal building with which the lot is to be improved.

BOOTHS: 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 owner's 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.

The use of lot or lots in Commercial 1 Zones for the erection of signs or billboards advertising products or services which are not produced or provided on such lot or lots is expressly forbidden.

COMMERCIAL ZONES AS SHOWN ON THE MASTER MAP, AS TO SIZE ARE AS FOLLOWS: On the East Side of Woodward Ave., from Quarton Road, South to the River Rouge.

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