

The Farmington Enterprise

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FARMINGTON, MICHIGAN, THURSDAY, MAY 31, 1956

SECTION NO. THREE

Zoning Ordinance of the City Of Farmington

ORDINANCE NO. C-49-56

TITLE

An Ordinance to Regulate, in the City of Farmington, the Use of Land and Structures Therein; to Regulate and Restrict the Location of Trades and Industries and the Location of Buildings Designed for Specific Uses; to Regulate and Restrict the Height, Area, Bulk, Size and Location of Buildings and Other Structures; to Regulate a Maximum Number of Families which May Be Housed in Buildings Hereafter Erected, or Altered, and for Said Purposes, to Divide the City of Farmington into Districts, to Provide for the Administration and Enforcement of the Provisions and to Prescribe the Penalties for the Violation Thereof.

THE CITY OF FARMINGTON ORDAINS:

THE INTENT of this Ordinance is for the purpose of promoting public health, safety, morals, order, convenience, prosperity and general welfare of the community by having regulations and restrictions that increase the safety and security of home life by preserving and creating more favorable environment in which to rear children, developing more permanent good citizenship which stabilizes and enhances civic and property values that facilitate adequate provisions for increased safety, recreation and education; that lessen overcrowding, congestion, disorder and danger inherent in unregulated urban development, and that provide more reasonable and serviceable means and methods of protecting and safeguarding the economic structure of the community necessary for the common benefit.

ARTICLE I DEFINITIONS

For the purpose of this Ordinance certain terms and words used herein are herewith defined as follows:

Words used in the present tense include the future; words used in the singular include the plural number; and words in the plural number include the singular number; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory; the words "USED and OCCUPIED" include the meaning and intent, design, or arrangement for use or occupancy; whenever the term "this Ordinance" is used herein it shall be deemed to include where the context permits, any and all amendments thereto as the same may be hereafter from time to time adopted; whenever the word "Board" is used herein it shall be deemed to refer to the Board of Appeals.

Section 1.01 ALLEY. An alley is a narrow way for the convenience of the owner of property abutting thereon and persons dealing with the owner, and for the purposes of this Ordinance less than thirty feet wide.

1.02 ALTERATIONS. Any change, addition or modification in construction, or character of a building, or grade of occupancy, or change in structural members of a building, in the roof, or in the interior walls.

1.03 APARTMENT HOUSES. An apartment house is a dwelling for three or more families, living independently of each other and doing their cooking upon the premises.

An efficiency apartment is a one story building with all living units on the ground floor level and each living unit having its own outside entrance.

1.04 BASEMENT. That portion of a building, wholly or partly below the average grade or ground level adjoining the building is a basement when the height from grade up to the first tier of floor beams or joists is less than the height from the grade down to the floor, provided, however, that if the vertical distance from the grade to the first tier of floor beams or joists is 5 feet or more, such basement shall be considered a story.

1.05 BLOCK. A block shall include the property having frontage on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way.

1.06 BOARDING OR ROOMING HOUSE. Any dwelling in which rooms are leased or rented, without providing therein cooking or kitchen accommodations shall be deemed a rooming house. If the landlord shall provide meals in that portion of the dwelling occupied by himself and family then such dwelling shall be deemed a boarding house.

1.07 BUILDING. A structure having a roof supported by columns or walls for shelter, support or enclosure of persons, animals, or chattels. When any portion thereof is completely separated from every other part thereof by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

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

1.09 BUILDING LINE. The front line of the building or legally established line which determines the location of the building with respect to the street line.

1.10 CLINIC. A clinic, for the purpose of the Ordinance, is a public or proprietary institution providing diagnostic, therapeutic or preventive treatment of ambulatory patients by a group of doctors acting conjointly and in the same building for the purpose aforesaid.

1.11 COURT. A "court" is an open unoccupied space on the same lot with a dwelling and bounded on two or more sides by the walls of the dwelling. A court not extending to the street front or rear yard is an "inner court." A court extending to the street or front yard is an "outer court."

1.12 DOMESTIC HELP. Shall mean only those persons, hired by the householder whose principal activity is to provide domestic services and maintenance of the household.

1.13 DWELLING. A dwelling is any house or building or portion thereof which is occupied wholly as the home, residence or sleeping place of one or more human beings, either permanently or transiently. In case of mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed a dwelling for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings.

Garage space, whether in an attached or detached garage, shall not be deemed a part of a dwelling. Automobile trailers or similar portable dwellings, tourist cabins or tents, shall not be considered dwellings.

1.14 DWELLING, TWO FAMILY DUPLEX. A dwelling so designed and arranged to provide sleeping, cooking and kitchen accommodations, and toilet facilities for occupancy of two families only, together with such domestic help as necessary to service and maintain the premises and their occupancy, but each family living on separate floors, one over the other.

1.15 DWELLING — ONE FAMILY. A dwelling so designed and arranged to provide sleeping, cooking and kitchen accommodations and toilet facilities for occupancy by one family only, together with such domestic help as necessary to service and maintain the premises and their occupancy.

1.16 DWELLING — MULTIPLE. A building used or intended to be used as a dwelling by three or more families, or as an apartment house.

1.17 DWELLING — SINGLE FAMILY TERRACE. A building or structure occupied by three or more families, where each dwelling unit is divided from the one adjacent to it by a party wall extending the full height of the building. Each dwelling unit is capable of individual use and maintenance without trespassing upon adjoining properties, and utilities and service facilities are independent for each property.

1.18 DWELLING — TWO FAMILY SEMI-DETACHED. A dwelling so designed and arranged to provide sleeping, cooking and kitchen accommodations, and toilet facilities for occupancy of two families only, where each dwelling unit is divided from the other by a party wall extending the full height of the building, with utilities and service facilities independent for each property.

1.19 DWELLING — TWO FAMILY INCOME. A dwelling designed and arranged to provide sleeping, cooking and kitchen accommodations and toilet facilities for occupancy of two families only, together with such domestic help as necessary to service and maintain the premises and their occupants and one and one-half stories or more in height, with a single entrance and the appearance of a single dwelling.

1.20 ESSENTIAL SERVICES. The phrase "essential services" means the erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground, surface, or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment, and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare.

1.21 FAMILY. A family, for the purpose of this Ordinance, shall be considered to constitute a man and wife or a father or a mother and their children by natural birth or adoption and the parents of either or both and may also include 2 additional persons who occupy rooms for which compensation may or may not be provided, any group of persons, not so related, but inhabiting a single housekeeping unit, shall be considered to constitute one family for each 5 persons, exclusive of domestic employees contained in each group.

1.22 FLOOR AREA. The ground floor area shall be the area within the exterior walls of the main structure as measured from the outside of the walls at the ground floor level, not including garages, breezeways or enclosed or unenclosed porches, and not including attached utility or accessory rooms having three or more exterior side walls.

1.23 FLOOR AREA, LIVEABLE. The liveable floor area shall include interior partitions and shall have a minimum clear height of 5 feet.

1.24 GARAGE — COMMUNITY. A community garage is a space or structure or series of structures for the storage of motor vehicles having no public shop or service therewith, for the use of two or more owners or occupants of property in the vicinity.

1.25 — GARAGE — PRIVATE. A private garage is a space or structure for the storage of not more than 3 motor vehicles, having no public shop or services in connection therewith for the use solely of the owner or occupant of the principal building on a lot, or his family or domestic employees. For the purpose of this ordinance a carport shall be construed as being an attached private garage.

1.26 GARAGE — SERVICE. A space or structure, other than a private or community garage, for the storage, repair or refueling of motor vehicles.

1.27 MOTOR SUPPLY STATIONS. A "motor supply station" is a space, structure or building or part of a building for the retail sale or supply of motor fuels, lubricants, air, water and other customary facilities, for the installation of such commodities in or on such motor vehicles, but not including special facilities for the painting, major repair or similar servicing thereof.

1.28 GRADE

(a) For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of all walls adjoining the street.

(b) For buildings having walls adjoining more than one street, the average of the correct elevations of the sidewalks at the center of the walls adjoining the streets.

(c) For buildings having no walls adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building. Any wall approximately parallel to and not more than 5 feet from a street line is to be considered as adjoining the street.

1.29 HEIGHT OF BUILDING. The vertical distance from the ground level adjoining the building to the highest point on the roof surface if a flat roof, to the deck line for mansard roofs, to the mean height level between eaves and ridge for gabled, hip

or gambrel roofs.

1.30 HOME OCCUPATION. Home occupation shall include, in general, personal services as the professions of a doctor, dentist, osteopath, chiropractor, chiropodist, optometrist, artist, engineer, lawyer, accountant and the occupation of a dressmaker, beautician and barber, such profession or occupation shall be carried on by but one member of a family residing in the residence with not more than one outside employee and with only one non-illuminated name plate, which is not more than 2 square feet in area which may be attached to the building.

1.31 HOSPITAL. A building, structure or institution in which sick or injured persons are given medical or surgical treatment and operating under license by the Health Department of the State of Michigan.

1.32 HOTEL. A building occupied as a more or less temporary abiding place for individuals who are lodged with or without meals in rooms occupied singly for hire, in which provision is not made for cooking on any individual plan and in which there are more than 10 sleeping rooms, a public dining room for the accommodation of at least 20 guests and a general kitchen.

1.33 KENNEL. Any lot or premises on which 3 or more dogs are kept, either permanently or temporarily boarded.

1.34 LOT. A lot is a piece or parcel of land occupied or to be occupied by a building and its accessory building, or by any other activity permitted thereon and including the open spaces required under this Ordinance. A lot may or may not be a lot of existing record.

1.35 LOT — CORNER. A corner lot is a lot of which at least two adjacent sides abut for their full length upon a street.

1.36 LOT — INTERIOR. A lot other than a corner lot.

1.37 LOT LINE — FRONT. In the case of a lot abutting upon one street, the front lot line is a line separating such lot from such street. In case of any other lot, one such line shall be elected to be the front lot line for the purpose of this Ordinance, provided it is so designated in the building plans filed for approval with the Building Inspector. Where new street lines are established by Ordinance on the Master Thoroughfare Plan of the City of Farmington such lines shall be the front line.

1.38 LOT LINE — REAR. 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 that assumed line parallel to the front lot line not less than 10 feet long, lying most distant from the front lot line and wholly within the lot.

1.39 LOT LINE — SIDE. 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 lot line.

1.40 MOTEL OR MOTOR COURT. A building or a group of buildings in which overnight lodging is provided and offered to the public for compensation and catering primarily to the public traveling by motor vehicle.

1.41 OCCUPANCY LOAD. The number of individuals normally occupying the building or part thereof, or for which the existing facilities have been designed.

1.42 PARKING SPACE. A parking space is that space as defined by Ordinance No. C-40-54 known as the "Off Street Parking Ordinance."

1.43 PERCENTAGE OF LOT COVERAGE. By percentage of lot coverage is meant, in this Ordinance, the percentage or proportion of the area of a lot as herein defined, which may be covered as building area.

1.44 PUBLIC UTILITY. Any person, firm, corporation or governmental body or agency, subject to regulation by any governmental agency and furnishing to the public, electricity, gas, steam, communication or transportation.

1.45 SIGN. A sign shall include a closed sign, a display sign, a ground sign, a marquee sign, an open sign, a roof sign, a wall sign and a projecting sign and shall include any other sign as now or hereafter defined in the Building Ordinance or Code of the City of Farmington, but shall not include billboards and poster panels.

1.46 SIGN — TEMPORARY. A display sign, banner or other advertising device constructed of cloth, canvas, fabrics or other light temporary material, with or without a structural frame, intended for a limited period of display; including decorative displays for holidays or public demonstration.

1.47 SOUND LEVEL. Sound level, in decibels, is defined as the reading of a sound-level motor which conforms to the latest standards of the American Standards Association, for Sound-Level Meters.

The decibel reading shall be based on the 70 DB weighting network and shall be the average of 5 readings taken at intervals approximately 5 feet apart, at a height of 5 feet above the established grade.

1.48 STORY. That portion of a building included between the surface of any floor and the surface of the floor next above or if there should be no floor above then the space between such floor and the ceiling next above.

A basement shall be considered a story if its ceiling is over 5 feet above the average established grade.

1.49 STORY — HALF. 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 of the floor area of the story immediately below it and which is not less in area than is required for a bedroom under statutes and ordinances applicable thereto.

1.50 STREET. A thoroughfare or way over land set apart for public travel and for the purposes of this Ordinance 20 feet or more in width.

1.51 PRIVATE STREET. A thoroughfare or way, not open for use by the general public.

1.52 TOURIST CABIN. A small structure which is arranged and maintained so as to furnish over-night accommodations for transient guests for compensa-