

# TABLE OF CONTENTS

	Page
SEC. 1 INTENT, PURPOSES AND METHODS.....	7
SEC. 2 DEFINITIONS .....	7
SEC. 3 GENERAL PROVISIONS .....	9
3.1 Conflicting Regulations .....	9
3.2 Scope .....	9
3.3 Buildings under Construction .....	9
3.4 Non-Conforming Buildings and Uses.....	9
3.5 Reconstruction of Damaged Non-Conforming Buildings.....	10
3.6 Repair or Alteration of Non-Conforming Buildings.....	10
3.7 Location of Dwellings.....	10
3.8 Separate Ownership of Dwelling Units.....	10
3.9 Boundaries of Districts.....	10
3.10 Off-Street Parking Facilities.....	11
3.11 Loading Space.....	13
3.12 Districting of Vacated Streets.....	13
3.13 Dwelling and Other Occupancies.....	13
3.14 Group Housing.....	13
3.15 Transferral of Residential Requirements.....	13
3.16 Essential Services .....	13
SEC. 4 DISTRICTS .....	13
4.1 Classes and Symbols .....	13
4.2 District Maps .....	13
4.3 District Regulations .....	13
4.4 District Boundary Line Plots.....	14
4.5 Alley as Part of Rear Yard and Plot Area Measurements.....	14
4.6 Park as Part of Street.....	14
4.7 Maximum Street Width.....	14
4.8 Yard Encroachments .....	14
4.9 Use of Premises without Buildings.....	14
4.10 Location of Accessory Buildings.....	14
4.11 Side Yard Reduction for Offsets.....	14
4.12 Public Thoroughfares, Parks and Waterways as Part of Required Yards.....	14
SEC. 5 R1 DISTRICTS.....	14
5.1 Uses Permitted .....	14
5.2-5.9 Other Regulations.....	15

injurious to the property or improvements in such zone or district in which the property is located.

(4) That the granting of such variance will not adversely affect the purposes or objectives of the Master Plan of the City of Detroit.

(C) Permit a change in occupancy or use of a non-conforming structure or any part thereof, provided that such structure or part thereof was utilized for a non-conforming use at the effective date of this Ordinance, to be utilized for or occupied by some other non-conforming use permissible generally in the same or in a more restricted district under this Ordinance, if the Board after public hearing approves such new use as being less injurious to the contiguous property and less injurious to the surrounding neighborhood, provided the Board in its approval may impose any reasonable limitations and conditions which it may deem necessary to carry out the spirit and purpose of this Ordinance as provided for in Section 3, paragraph (G).

(D) Permit, after public hearing, an increase in the number of dwelling units in a multiple dwelling existing in an R1 or R2 district at the effective date of this Ordinance, as provided for in Section 3.6, paragraph (B) and subject to the following conditions and limitations:

(1) No increase is made in the height, area or bulk of the structure and no outside stairways, fire escapes or balconies are added to the exterior of the structure.

(2) A finding is made by the Board that the alteration will not be materially injurious to the surrounding neighborhood or detrimental to the public welfare.

(E) Permit the extension of any building, structure or use into a more restricted district immediately adjacent thereto under such conditions and limitations as will safeguard the character of the more restricted district, provided a reasonable need for such an extension and an absence of injurious effect on the contiguous property is shown to the satisfaction of the Board.

(F) In undeveloped sections of the city the Board may approve temporary and conditional permits for non-conforming uses, to terminate at a date specified in the approval, which date shall not exceed two (2) years from the date of the permit, provided that upon investigation by the Board it is ascertained that such uses are helpful to the development of such sections and are not detrimental to the adjoining and neighboring developed sections. Renewals of such permits may be approved by the Board provided the general conditions of the neighborhood have remained practically unchanged.

(G) Permit such variation or modification of yard, plot area and percentage of plot coverage requirements of this Ordinance as may be necessary to secure an appropriate improvement of a specific parcel of land which at the effective date of this Ordinance was of such size, shape or dimension, or which at the effective date of this Ordinance had such peculiar or exceptional geographical or topographical conditions, that it cannot be appropriately improved without such variation or modification, provided that the purpose and spirit of this Ordinance shall be observed, public safety secured, and substantial justice done.

(H) Permit a partial or complete exception to the loading space provisions of Section 3.11 where, after investigation by the Board, it is ascertained that the volume of vehicular service will not require compliance with said provision, and will not cause undue interference with the public use of the streets or alleys or imperil the public safety and where such modification or exception will not be inconsistent with the spirit and purpose of this Ordinance.

(I) Permit a variation in the use of and/or location of a building or structure upon a plot which abuts directly a zoned district different than the district in which the plot is located, under the following conditions and limitations:

(1) That a reasonable need for such a variance is shown.

(2) That such use or location will not have an injurious effect on the contiguous or the surrounding property.

(3) That the height of the structure shall not exceed the maximum height restrictions permitted in the district in which the plot is located.

(4) That the front yard requirements shall be not less than the front yard requirements of the district in which the plot is located.

(5) That the rear yard requirements shall not be less than 50% of rear yard requirements of the district in which the plot is located: Provided, however, that this limitation does not reduce the rear yard to a lesser amount than that required in the less restricted district.

(6) That the side yard adjacent to the adjoining plot in the same district shall be not less than 50% of the total side yard required in the district in which the plot is located: Provided, however, That this limitation does not reduce the side yard to a lesser amount than that required in the less restricted district.

(7) That the structure permitted is similar in character and appearance to the existing or permitted structures in the more restricted district.

(8) That the distance the variation extends into the more restricted district shall be not more than 50 feet.

(9) Such other conditions and limitations which the Board of Zoning Appeals may impose so that the spirit of this Ordinance shall be observed, public safety secured and substantial justice done.

(J) Permit, as provided for under Section 3.10, paragraph (M), a variation or modification in the required location of off-street parking facilities or in the amount of off-street parking facilities required, or both, if after investigation by the Board it is found that such variation is necessary to secure an appropriate development of a specific parcel of land which has such peculiar or exceptional geographical or topographical conditions, or is of a size, shape or dimension that it cannot be reasonably developed in accordance with the provisions of Section 3.10 and that any variation will not be inconsistent with the spirit and purpose of this Ordinance, with public safety, and with substantial justice.

Provided, that in case of appeals to the Board by churches, special consideration shall be given to any reasonable request for variation or modification of such provisions in view of the obvious necessity for allowing the construction of churches to serve all neighborhoods.

In granting any such variation or modification, the Board shall impose such conditions and limitations in respect to the proposed use and development of the premises as in its opinion are necessary in order to minimize the need for parking facilities and to make such off-street parking facilities as are provided reasonably adequate.

## SEC. 26.8. DECISION OF BOARD

The decisions of the Board shall be governed by the powers vested unto them under this Ordinance and shall be made a part of the record. A copy of each decision shall be transmitted to the applicant and appellant.

Every decision of the Board shall indicate the specific paragraph or provision of Section 26.7 upon which it is based.

## SECTION 27. ZONING COMMISSION

The City Plan Commission is hereby designated as the Commission specified in Section 4, of Act 207 of the Public Acts of 1921, and shall perform the duties of said Commission as provided in the statute in connection with the Amendment of this Ordinance.

## SECTION 28. COMMISSION APPROVAL

In cases where the Commission is empowered to approve certain uses of premises under the provisions of this Ordinance the applicant shall furnish such surveys, plans or other information as may be reasonably required by said Commission for the proper consideration of the matter.

The Commission shall investigate the circumstances of each such case and shall notify such parties, who may in its opinion be affected thereby, of the time and place of any hearing which may be held relative thereto as required under its rules of procedure.