

Charles E. Gies

in the number of dwelling units in a multiple dwelling existing in an R1 or R2 District at the effective date of this Ordinance, 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 alterations will not be detrimental to the contiguous property, injurious to the surrounding neighborhood or contrary to the spirit and purpose of this Ordinance.

(C) In addition to that allowed under paragraphs (A) and (B) of this section the following changes shall be permitted in non-conforming one and two family dwellings and buildings accessory thereto:

1. Interior alterations and/or addition to existing one or two family dwellings which comply with all regulations excepting minimum lot size and/or required yard spaces, provided that any addition or change in the bulk of the dwelling does not encroach into any required yard space or create a greater lot coverage than is permitted in an R1 district.

2. The conversion of a one-family dwelling, erected prior to December 25, 1940, into a two family dwelling, in any district excepting an R1 district, irrespective of yard and/or lot deficiencies, provided that any additions to or increase in the bulk of the dwelling, made as a part of the conversion, do not encroach into any required yard space and/or exceed the height or lot coverage provisions of an R2 district.

3. The rebuilding of garages or sheds in the rear yards of lots occupied by one or two family dwellings, in any district, when existing garages or sheds have been destroyed by fire or require reconstruction because of their dilapidated condition or increasing the size of existing garages where such garage is inadequate to house a private automobile, notwithstanding deficient front or side yards on the dwelling located on the premises, deficient lot size or excessive lot coverage, provided, that in no event shall the permissible maximum lot coverage be exceeded by more than ten (10) per cent of the lot area.

4. The making of alterations and/or additions to existing one and two-family dwellings and buildings accessory thereto in any ML6 or MH district where such alterations and/or additions conform to the provisions of this and other sections of this Ordinance. (Adopted October 10, 1952. Ord. 675-E.)

SEC. 3.7. ULTIMATE ERECTION

A building or structure constructed to a less height, area or bulk than originally planned, prior to the effective date of this Ordinance, may be erected to its full height, area and bulk, provided the Board, after public notice and hearing, approves such extension, enlargement or addition as being in accordance with the original intent when such building or structure was erected and as being not injurious to the surrounding neighborhood and not contrary to the spirit and purpose of this Ordinance.

SEC. 3.8. LOCATION OF DWELLINGS

Except where otherwise provided for in this Ordinance, every dwelling shall face or front upon a street or permanent means of access to a street, other than an alley. No dwelling shall be built upon a lot having a frontage of less than twenty (20) feet upon a street or upon a permanent means of access to a street, such means of access to have a width throughout of not less than thirty (30) feet or not less than ten (10) feet in width for each lot fronting upon it, except that no width of means of access greater than sixty (60) feet shall be required hereby.

SEC. 3.9. BOUNDARIES OF DISTRICTS

Unless otherwise shown, the district boundaries are street lines, alley lines or the subdividing or boundary lines of recorded plats, or the extensions thereof, and where the districts designated on the maps accompanying and made a part of this Ordinance are approximately bounded by street lines, alley lines, or the subdividing or boundary lines of recorded plats, such lines or the extensions thereof shall be considered to be the district boundaries.

Where, due to the scale or illegibility of the district maps or due to the absence of street, alley, or recorded subdividing or plat lines, there is any uncertainty, contradiction, or conflict as to the intended location of any district boundaries on a district map, the Commission shall have the power and duty of interpreting the intent of said district map so as to determine and designate the proper location for such district boundaries in accordance with the spirit and purpose of this Ordinance.

SEC. 3.10. OFF-STREET PARKING FACILITIES:

(A) In all zoning districts, except BC districts, off-street parking facilities for the storage or parking of self-propelled passenger vehicles for the use of occupants, employees, and patrons of buildings erected after the effective date of this ordinance, and of such extensions, alterations, additions, or changes in use of such buildings as specified in Paragraph (E) below, shall be provided in amounts not less than hereinafter specified, and shall not subsequently be reduced below the requirements of this ordinance.

Provided, That nothing in this amendment shall prevent the reconstruction, repairing or rebuilding and continued use of any conforming building or structure existing at the effective date of this amendment, which is damaged by fire, collapse, explosion or Acts of God, subsequent to such effective date.

(B) For the purpose of this ordinance, a "Parking Space" shall mean an area of not less than 160 square feet, exclusive of drives or aisles giving access thereto, accessible from streets or alleys or from private driveways or aisles leading to streets or alleys and to be usable for the storage or parking of self-propelled passenger automobiles.

(C) Loading space as required in Section 3.16 of this ordinance shall not be construed as supplying required off-street parking space.

(D) Existing off-street parking facilities provided at the effective date of this ordinance and actually being used at that date for the parking of automobiles in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required under this ordinance for a similar new building or new use except as provided in Paragraph (L).

(E) Whenever in a building or structure which was erected after the effective date of this ordinance, there is a change in use or change in number of employees, within twelve months of the date of completion of such building or structure or an increase in floor area, or in any other unit of measurement specified in Paragraph (H) to indicate the required off-street parking facilities, by means of extension, addition, alteration, breaking, opening, removal of partitions or by any other means, and the change in use or increase in floor area or in any other unit of measurement given in Paragraph (H) to indicate the required off-street parking facilities, creates a need for an increase of more than fifteen (15) percent in off-street parking facilities as determined by the table in Paragraph (H) of this section, off-street parking facilities shall be provided on the basis of the total floor area, as herein defined, or on the basis of the total units of measurement of the new use or of the altered or expanded existing use.

(F) For the purpose of this ordinance, "Floor Area" in the case of offices, merchandising or service types of uses shall mean the gross floor area used or intended to be used for service to the public as customers, patrons, clients or patients, or as tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise. It shall not mean floors or parts of floors used principally for non-public purposes, such as the storage, incidental repair, processing or packaging of merchandise, for show windows, or for offices incidental to the management or maintenance of stores or buildings. Floors or parts of floors used principally for toilet or rest rooms, or for utilities or for fitting rooms, dressing rooms and alteration rooms shall also be excluded from the definition of "Floor Area" for the purpose of this ordinance.

In hospitals, bassinets shall not be counted as beds. In stadia, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this ordinance.

(G) Not more than fifty (50) percent of the off-street parking facilities required by this ordinance for theaters, churches, bowling alleys, dance halls and establishments for the sale and consumption on the premises of alcoholic beverages, food or refreshments may be supplied by off-street parking facilities provided for other kinds of buildings or uses, as defined below, not normally open, used or operated during the principal operating hours of theaters, churches, bowling alleys, dance halls or establishments for the sale and consumption on the premises of alcoholic beverages, food or refreshments, and not more than fifty (50) percent of the off-street parking facilities required by this ordinance for buildings or uses other than theaters, churches, bowling alleys, dance halls, and establishments for the sale and consumption on the premises of alcoholic beverages, food or

refreshments may be supplied by off-street parking facilities provided for theaters, churches, bowling alleys, dance halls and establishments for the sale and consumption on the premises of alcoholic beverages, food or refreshments, and other uses not normally open, used or operated during the principal operating hours of the given buildings or uses, provided that a written consent is executed by the parties concerned for the joint use of the off-street parking facilities, a copy of which shall be filed with the application for a building permit. Buildings or uses not normally open, used or operated during the principal operating hours of theaters, churches, bowling alleys, dance halls, and establishments for the sale and consumption on the premises of alcoholic beverages, food or refreshments, are defined as banks, business offices, retail stores, personal service shops, household equipment or furniture shops, and manufacturing buildings and similar uses.

(H) The amount of off-street parking facilities required under Paragraphs (A) and (E) of this section shall be determined in accordance with the following table:

Use
One-family dwellings and two-family dwellings. One parking space for each dwelling unit. Multiple dwellings not over 2 stories in height. 3 parking spaces for each 4 dwelling units. Rooming Houses, Lodging Houses, Club Rooms, Fraternity Houses, Dormitories. Having not more than 3 guest bedrooms or 6 beds for guests— 2 parking spaces. Having more than 3 guest bedrooms or 6 beds for guests— 2 parking spaces for first three guest bedrooms or first 6 beds for guests plus 1 parking space for each 3 guest bedrooms or 6 beds thereafter.
Multiple dwellings over two stories in height. One parking space for each 2 dwelling units. Hotels. One parking space for each 6 guest bedrooms. Hospitals. One parking space for each 4 beds. Sanitariums, Convalescent Homes, Homes for Aged, Asylums. One parking space for each 6 beds. Orphanages. One parking space for each 10 beds. Theaters having not more than 1,000 seats. One parking space for each 6 seats. Theaters having more than 1,000 seats. 167 parking spaces for the first 1,000 seats plus 1 parking space for each 4 seats over 1,000 seats. Stadia, Sports Arenas, Auditoriums. One parking space for each 8 seats. Churches. One parking space for each 12 seats in the main worship unit. Dance Halls, Assembly Halls without fixed seats, Exhibition Halls. One parking space for each 100 square feet of floor area used for dancing or assembly. Bowling Alleys. Four parking spaces for each alley. Medical or Dental Clinics, Banks, Business or Professional Offices. One parking space for each 400 square feet of floor area. Establishments for the sale and consumption on the premises of alcoholic beverages, food or refreshments. Having more than 2,000 sq. ft. of floor area. Two parking spaces plus 1 parking space for each 100 sq. ft. of floor area over 2,000 sq. ft. Mortuaries or Funeral Homes. Three parking spaces for each room used as a chapel room, or slumber room or parlor or 1 parking space for each 50 sq. ft. of floor area of assembly rooms used for services, whichever amount is greater. Retail Stores, except as otherwise herein specified. Having not more than 2,000 sq. ft. of floor area. No parking spaces required. Having more than 2,000 sq. ft. but not more than 20,000 sq. ft. of floor area. 2 parking spaces, plus 1 parking space for each 333 sq. ft. above 2,000 sq. ft. of floor area. Having more than 20,000 sq. ft. of floor area. 56 parking spaces plus 1 parking space for each 250 sq. ft. above 20,000 sq. ft. of floor area. Furniture and Appliance Stores, Motor Vehicle Sales, Wholesale Stores, Machinery Sales, Personal Service Shops, Household

Equipment or Furniture Repair Shops, Clothing and Shoe Repair or Service Shops, and Hardware Stores.

Having not more than 2,000 sq. ft. of floor area.

No parking spaces required.

Having more than 2,000 sq. feet of floor area.

2 parking spaces, plus 1 parking space for each 800 sq. ft. of floor area above 2,000 sq. ft.

Manufacturing and Industrial Uses, Research and Testing Laboratories, Creameries, Soft Drink Bottling Establishments, Printing and Engraving Shops, Warehouses and Storage Buildings.

One parking space for each 5 employees, computed on the basis of the greatest number of persons to be employed at any one period during the day or night. Provided, that in cases of mixed uses, the provisions of Paragraph J shall not apply where a use is accessory to the main use and is not intended to serve additional patrons or employees.

When units or measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.

(I) The off-street parking facilities required for one-family, two-family, and multiple dwellings not over two stories in height shall be on the same lot or parcel of land as the building they are intended to serve. For rooming houses, lodging houses, club rooms, fraternity houses, dormitories, hospitals, sanitariums, convalescent homes, homes for the aged, asylums and orphanages and for other similar uses, the off-street parking facilities required shall be within five hundred (500) feet of the building they are intended to serve, measured between the nearest point of the off-street parking facilities and the nearest point of the building. The off-street parking facilities required for any of the other uses mentioned in Paragraph (H) or for similar uses shall be within one thousand (1,000) feet of the building they are intended to serve measured between the nearest point of the off-street parking facilities and the nearest point of the building.

(J) In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is so mentioned, and to which said use is similar, shall apply. In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements of the various uses computed separately in accordance with the table in Paragraph (H) and off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as herein specified for joint use.

(K) Nothing in this section shall be construed to prevent collective provision of off-street parking facilities for two or more buildings or uses, provided that the total of such off-street parking facilities provided collectively shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with the table in Paragraph (H) of this section.

(L) The City Plan Commission, in consultation with the Traffic Engineering Bureau, shall make studies of various areas in the City of Detroit for the purpose of determining areas within which there is need for the establishment of off-street parking facilities to be provided by the City of Detroit and to be financed wholly or in part by a special assessment district, or by other means, where such need is found, the Commission shall report its recommendation for the acquisition of such off-street parking facilities to the Common Council. This report shall include recommendations on the size, location and other pertinent features of the proposed off-street parking facilities and the area they should be intended to serve.

Wherever, pursuant to this procedure, the Common Council shall establish off-street parking facilities by means of a special assessment district under the provisions of Ordinance 86-E or by any other means which the Common Council may determine upon completion and acceptance of such off-street parking facilities by the Common Council, all existing buildings and uses and all buildings erected or uses established thereafter within the special assessment district or other district which the Common Council may have determined shall be exempt from the requirements of this section for privately supplied off-street parking facilities except as hereinafter provided.

The Common Council, upon recommendation of the City Plan Commission and after public hearing, may require by resolution that a portion not to exceed fifty (50) per cent of off-street parking facilities required by this section shall be provided in connection with occupancy or use of a building in an area that was included in a special assessment district for the provision of off-street parking facilities or in any other district which the Common Council may have determined to be served by a public off-street parking facility in the following cases: