

1. In such cases where the use of a building which was erected after the levying of the special assessment in such an area or after the establishment of the public off-street parking facility creates a need for an unusual or exceptional amount of off-street parking facilities.

2. In such cases where alteration, extension or change in use of a building which was erected after the levying of the special assessment in such an area or establishment of the public off-street parking facility creates a need for off-street parking facilities more than thirty (30) percent in excess of the requirements for off-street parking facilities for such a building or use before alteration, extension or change in use, as computed on the basis of the table in Paragraph (H) of this section. (As amended September 16, 1947. Ordinance 195-E. Effective Oct. 23, 1947.)

SEC. 3.11. Repealed by Ordinance 176-E, Aug. 5, 1947.

SEC. 3.12. REPEALED BY ORDINANCE 438-D

SEC. 3.13. DISTRICTING OF VACATED STREETS

Where a street or alley shown on the District Maps is hereafter vacated, the land formerly in such street or alley shall be included within the District of adjoining property on either side of said vacated street or alley and in the event such street or alley was a district boundary between two or more different districts, the new district boundary shall be the former center line of such vacated street or alley.

SEC. 3.14. DWELLING AND OTHER OCCUPANCIES

Where a dwelling is erected, located, or placed above another type of use, in districts other than R1, R2, RM, RMA, or RMU, no yards shall be required for the dwelling except a rear yard which may begin at the lowest floor occupied for dwelling purposes.

SEC. 3.15. GROUP HOUSING

Where two or more separate buildings for dwelling purposes are erected or placed on the same lot, the distance between any two such dwellings shall not be less than one-half the height of the higher of those two dwellings.

Front and rear yards shall be provided on such lots in accordance with the requirements of this Ordinance for districts in which such dwellings are first or primarily permitted.

Side yards shall be provided on both sides of such lots and such side yards shall not be less in width, between any such dwelling and the nearest side lot line, than the width of side yard which is required under this Ordinance for such dwelling on a lot in a district in which such dwelling is first or primarily permitted

SEC. 3.16. LOADING SPACE

On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly involving the receipt or distribution by vehicles, of materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets or alleys. Such space, unless otherwise adequately provided for, shall include a 10-foot by 25-foot loading space with 14-foot height clearance for every 20,000 square feet or fraction thereof in excess of 3,000 square feet of building-floor-use for above mentioned purposes, or for every 20,000 square feet or fraction thereof in excess of 3,000 square feet of land-use for above mentioned purposes.

SEC. 3.17. TRANSFERRAL OF RESIDENTIAL REQUIREMENTS

Where a building or structure for dwelling purposes is erected or altered on a lot in a district other than the district in which such building or structure for dwelling purposes is first or primarily permitted under this Ordinance, such lot shall be subject to the same requirements for yards, minimum lot area and percentage of lot coverage as are specified in this Ordinance for a lot in the district in which such building or structure for dwelling purposes is first or primarily permitted, except as specified in Section 3.14 and except in the case of hotels erected or altered in districts other than RMU districts.

SEC. 3.18. ESSENTIAL SERVICES

Essential services shall be permitted as authorized and regulated by law and other ordinances of the City of Detroit, it being the intention hereof to exempt such essential services from the application of this Ordinance.

SEC. 4. DISTRICTS

For the purposes of this Ordinance the City of Detroit is hereby divided into the following districts:

R1—Two and a Half Story—One-Family Dwellings.

R2—Two and a Half Story—Two-Family Dwellings.

RM—Two and a Half Story—Multiple Dwellings.

RMA—

RM4—Fifty (50) foot height—Multiple Dwellings.

RMU—Unlimited Height—Multiple Dwellings.

P1—Open Parking.

B2—Thirty-five (35) foot height—Business.

B6—Seventy (70) foot height—Business.

BL—Limited Bulk—Business.

BC—Limited Bulk—Central Business.

C6—Eighty (80) foot height—Commercial.

ML—Forty (40) foot height—Light Manufacturing.

ML6—Eighty (80) foot height—Light Manufacturing.

MH—One Hundred and Fifty (150) foot height—Heavy Manufacturing.

SEC. 4.1. DISTRICT MAPS

The areas assigned to these districts, the designation of same and the boundaries of said districts shown upon the maps hereto attached and made part of this Ordinance, are hereby established, said maps being designated as the "District Maps" and said maps and their proper notations, references and other information shown thereon, shall be as much a part of this Ordinance as if the matters and information set forth by said maps were all fully described herein.

SEC. 4.2. BOUNDARY LINE LOTS

Yards shall be provided in commercial and industrial districts where adjacent to or across a street or alley from residential districts in accordance with the following:

(a) Where a commercial or manufacturing district (C6, ML, ML6 and MH) is separated by a public street from the front yard of lots in a residential district (R 1, R2, RM, RMA, RM4, and RMU), then there shall be provided a twenty (20) foot yard in such commercial or manufacturing district where contiguous to the street separating such residential and commercial or manufacturing districts: Provided, This requirement shall not apply to a piece or parcel of land measuring 100 feet or less from the property line along the said separating street to the property line opposite therefrom, all as indicated on a plat of record in the case of subdivided property, or a deed of record in the case of unsubdivided property, all as recorded at the effective date of this section.

(b) Where a commercial or manufacturing district (C6, ML, ML6, and MH) is separated by a public street from the side yard of lots in a residential district (R1, R2, RM, RMA, RM4, and RMU), then there shall be provided a ten (10) foot yard in such commercial or manufacturing district where contiguous to the street separating such residential and commercial or manufacturing districts: Provided, This requirement shall not apply to a piece or parcel of land measuring 100 feet or less from the property line along the said separating street to the property line opposite therefrom, all as indicated on a plat of record in the case of subdivided property, or a deed or record in the case of unsubdivided property, all as recorded at the effective date of this section.

(c) Where a commercial or manufacturing district (C6, ML, ML6, and MH) abuts without being separated by a street or alley a residential district (R1, R2, RM, RMA, RM4, and RMU), there shall be provided a twenty (20) foot yard in such commercial or manufacturing districts where contiguous to the lot line separating the commercial or manufacturing and residential districts: Provided, This requirement shall not apply to a piece or parcel of land measuring 100 feet or less from the property line abutting the residential district to the property line opposite therefrom, all as indicated on a plat of record in the case of subdivided property, or a deed of record in the case of unsubdivided property, all as recorded at the effective date of this section. Any part of the yard provided on the lot in accordance with the provisions of this paragraph may be used for parking and loading or unloading of vehicles.

Nothing in this section shall prevent the alteration, improvement or increase in the bulk of a structure existing at the effective date of this section: Provided, That any addition resulting in an increase in ground area of the structure shall conform to the following yard requirements:

(1) If the addition exceeds the existing building in dimensions along a street, such addition shall conform to the provisions of this section.

(2) If the addition is less than the existing building in dimension along a street, the minimum yard of the addition shall be not

less than the yard of the existing building: Provided, That if the existing building exceeds the yard requirements of this section, the addition shall be subject only to the minimum yard requirements of this section. (Adopted February 15, 1951. Ord. No. 532-E. Sec. 4.2C amended May 15, 1952. Ord. 630-E.)

SEC. 4.3. REAR YARD AND LOT AREA MEASUREMENTS

Where a lot abuts upon an alley, one-half of the width of said alley may be considered a part of such lot for the purpose of computing the area of such lot, and for the purpose of computing the depth of any rear yard required under this Ordinance.

SEC. 4.4. MAXIMUM STREET WIDTH

For the purpose of determining the permissible cubical content of any building or structure, a street more than one hundred and fifty (150) feet in width shall be considered to have a width of one hundred and fifty (150) feet.

SEC. 4.5. PARK AS PART OF STREET

Where a lot abuts upon a public street for the full width or depth of the lot and there is a public park or other permanent public open space bordering on such street opposite such lot, a part of such park or open space may be considered as a portion of the street for the purpose of determining the permissible cubical contents of a building on such lot, provided the augmented width of such street shall not be more than one hundred and fifty (150) feet.

SEC. 4.6. YARD ENCROACHMENTS

Every part of any required yard shall be open and unobstructed by any structure, from the ground to the sky, except for unenclosed porches, sills, belt courses, cornices, eaves or gutters: Provided, however, that such sills, belt courses, cornices, eaves or gutters shall not project more than fourteen (14) inches into any required yard.

No part of any required yard, except a rear yard and as permitted in Section 4.2, paragraph (c), shall be used for any accessory building or use, or for the storage of vehicles, and any accessory building erected in a required rear yard shall not exceed one story of fifteen (15) feet in height.

Fire escapes, stairways and balconies which are open and unenclosed, and marquee, may project not more than five (5) feet into a required yard. Chimneys and pilasters may project not more than one (1) foot into a required yard. (Adopted February 15, 1951. Ord. No. 532E.)

SEC. 4.7. USES OF PREMISES WITHOUT BUILDINGS

Where a lot is to be occupied for permitted uses without buildings or structures thereon, the side yards and front yards required herein for the district within which such lot is located, shall be provided and maintained between such use and the respective lot lines, except on lots used for parking spaces specified in Section 7.1 Paragraph (7), on which side yards shall not be required, provided that front, side or rear yards shall not be required on lots without buildings or structures, used for garden purposes or public playgrounds.

SEC. 4.8. LOCATION OF ACCESSORY BUILDINGS

In residential districts all accessory buildings shall be in the rear yard except when built as a part of the main building.

SEC. 4.9. SIDE YARD REDUCTION FOR OFFSETS

That part of the overall dimension of a building along a side lot line, in which the exterior enclosing wall, running along the side lot line, through offset or break, is located a distance from such side lot line not less than twice the width of side yard which would otherwise be required for a building of its overall dimension along the side lot line, need not be considered in determining any required increase in width of side yard.

SEC. 4.10. STREETS AS REAR YARDS

Where a lot is bounded on two opposite sides by public thoroughfares other than alleys, either line separating such lot from such public thoroughfare may be designated as the front lot line. In such cases a portion of the public thoroughfare opposite the front lot line may be utilized to supply a part of a required rear yard, provided that at least twenty (20) feet of such required rear yard shall be provided on the lot independently of such public thoroughfare.

SEC. 4.11. PUBLIC THOROUGHFARES AS SIDE YARDS

Any portion of the adjoining one-half of an abutting public thoroughfare may be utilized to supply a part of a required side yard adjacent to such public thoroughfare, provided that at least three (3) feet of said required side yard is provided on the lot independently of such adjoining public thoroughfare.

SECTION 5. R1 DISTRICTS

The following regulations shall apply in all R1 Districts:

SEC. 5.1. USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or used, or premises used, in whole or in part, for other than one or more of the following specified uses:

1. One-family dwellings.
2. Churches.
3. Publicly owned and operated museums, libraries, parks, parkways, or playgrounds.
4. Educational, recreational, social, neighborhood or community centers not operated for profit and approved by the Commission after public hearing, as being not injurious to the surrounding neighborhood and not contrary to the spirit and purpose of this Ordinance.
5. Cemeteries, when approved by the Commission as being essential or desirable to the public convenience or welfare and not contrary to the spirit and purpose of this Ordinance; Provided, that a written report of the Commission's decision shall be filed with the Common Council which shall become final unless within 30 days from the date of the Commission's decision a protest is filed with the Common Council in which event the Council shall by resolution approve or disapprove such use.
6. Golf courses, tennis courts, and playfields, not operated for profit.
7. Elementary public and parochial schools.
8. The growing of vegetables, fruits, flowers, shrubs and trees, provided such use is not operated for profit.
9. Uses accessory to any of the above when located on the same lot and not involving any business, profession, trade or occupation.
10. Open parking lots accessory to any of the above non-residential uses when located on a separate lot and not involving any business, profession, trade, or occupation, where found by the Commission to be essential to public convenience and not contrary to the spirit and purpose of this Ordinance, and subject to the following conditions:
  - (a) A front yard of not less than 25 feet shall be provided excepting where existing dwellings on the same side of the street in the same block, not including those built on the rear half of lots, have provided front yards average in excess of 25 feet in which case the open parking lot shall provide a front yard equal to the average of the front yards of the existing dwellings.
  - (b) A side yard shall be provided on each side, except on alley side, of not less than 15 feet.
  - (c) The required front and side yard shall be kept free from refuse and debris and shall be kept in lawn that is to be maintained so as to present a healthy, neat and orderly appearance.
  - (d) A solid ornamental fence or wall, 3 feet 6 inches in height shall be erected and maintained in good condition and appearance between the parking area and each front and side yard, alley or easement with only such openings as may be required for access. Where the side lot is adjacent to or across the alley from a business, commercial or industrial zone no wall or fence is required.
  - (e) The location of all entrances shall be determined by the Commission.
  - (f) No signs shall be permitted other than unlighted entrance and exit markers, not exceeding 2 square feet in area, located within the parking area.
  - (g) The parking area shall be maintained with a stable surface that will not retain water and treated so as to prevent the raising of dust or loose particles. It may be constructed of crushed stone, slag, gravel, cinders or any permanent type of surfacing drained away from all adjacent lots and streets.
  - (h) If lighting is provided all lights shall be subdued, shaded and focused away from all dwellings.
  - (i) The Commission may increase or modify any of these requirements in specific cases, or may impose additional requirements, where necessary to protect the surrounding neighborhood. (Adopted October 4, 1951. Ord. No. 586E.)

SEC. 5.2. SIGNS

No signs shall be permitted on a lot other than one (1) non-illuminated real estate sign not exceeding six (6) square feet in area, advertising the sale or rental of the premises upon which it is maintained, except in the case of lots containing permitted non-residential buildings or structures other than accessory buildings, whereon one flat sign not exceeding thirty-two (32) square feet in area may be maintained.