

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

(5) That the rear yard requirements shall not be less than 50% of the rear yard requirements of the district in which the lot 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 lot in the same district shall be not less than 50% of the total side yard required in the district in which the lot 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 ft.

(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.

(k) Permit 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. As amended by Ordinance 176-E, Aug. 5, 1947. Effective Sept. 4, 1947.

SECTION 21. 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 22. COMMISSION APPROVAL

In cases where the Commission is empowered to approve certain uses of premises under the provisions of this Ordinance or in cases where the Commission is required to make an investigation, 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 or of any public hearing required by this ordinance.

The Commission may impose such conditions or limitations in granting approvals as may in its judgment be necessary to fulfill the spirit and purpose of this ordinance.

SECTION 23. VALIDITY

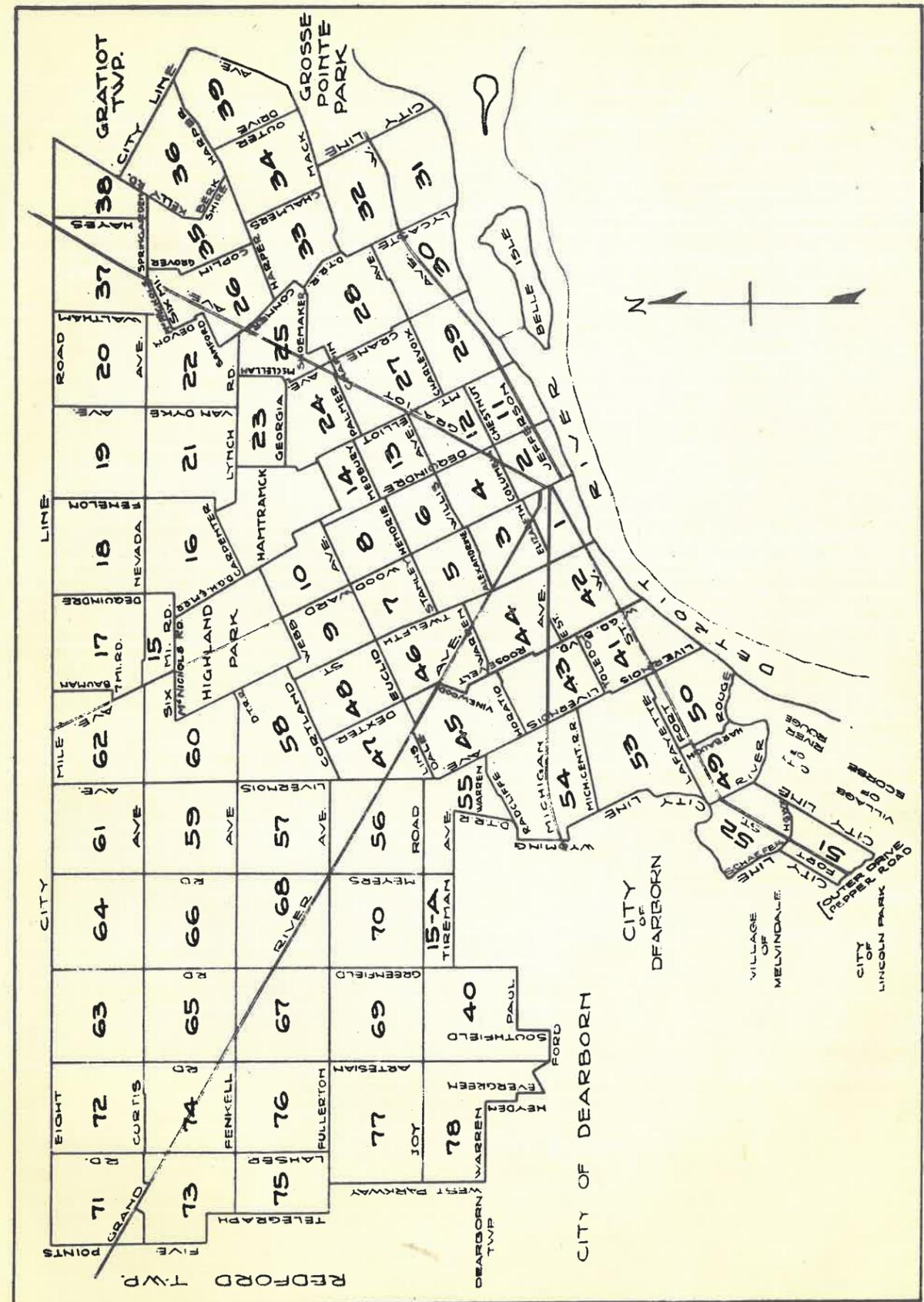
This Ordinance and the various parts, sections, and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby.

SECTION 24. VIOLATIONS AND PENALTIES

Any person, persons, firm or corporation or anyone acting in behalf of said person, persons, firm or corporation violating any of the provisions of this Ordinance shall upon conviction thereof be subject to a fine of not more than five hundred (\$500.00) dollars or to imprisonment in the Detroit House of Correction for a period of not more than ninety (90) days, or to both such fine and imprisonment in the discretion of the court. Each day that a violation of this Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this Section.

SECTION 25. IMMEDIATE EFFECT

This Ordinance is hereby declared necessary for the preservation of the peace, health, safety and welfare of the people of the City of Dearborn and is hereby given immediate effect.



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