

ARTICLE XI. AREA, DENSITY, BULK, HEIGHT AND YARD REQUIREMENTS

SECTION 1100. SCHEDULE OF AREA, DENSITY, BULK, HEIGHT, AND YARDS

Zoning District	Minimum Lot Size		Maximum Height of Structures		Minimum Yard Setback Per Lot in Feet for Main Building			Minimum Floor Area for building	Maximum % of Lot Coverage
	Area in sq. ft.	Width in feet	Stories	Feet	Front	Each Side	Rear		
R-1	9,000	60	2	25	25	10	35	1,200sq.ft.	45%
R-2	15,000	100	2 1/2	35	25	10	35	1,500sq.ft.	45%
R-3	15 acres		2 1/2	35					
CBD			3	45			30		
B-1	15,000	100	3	40	50	15	20	1,500sq.ft.	75%
B-2	25,000	100	3	40	50	15	20	1,500sq.ft.	75%
IN	25,000	125	3 1/2	45	50	15	20	1,500sq.ft.	75%

SECTION 1101. GENERAL RULES

The area, density, bulk, height, and yard requirements of the preceding schedule and the following rules shall apply in all cases except where specific provisions are otherwise provided in this Ordinance for a specific use, development, structure, or circumstance, in which event those specific provisions shall apply.

SECTION 1102. AREA, DENSITY AND BULK

1. The area used for computing lot size and density shall be the total site area exclusive of any dedicated public right-of-way except where a lot abuts an alley or lane, in which event 1/2 of the width of the alley or lane abutting the lot shall be included.
2. There shall be no more than one (1) single family dwelling unit per lot or condominium unit.
3. There shall be no more than twelve (12) multiple dwelling units per acre except for town houses of which there shall be no more than six (6) per acre. For the purpose of computing the permitted number of dwelling units per acre, the following lot area assignments shall control:

<u>Unit Type</u>	<u>Lot Area/Unit</u>
Efficiency	1,200 sq. ft.
1 Bedroom	2,400 sq. ft.
2 Bedroom	3,600 sq. ft.
3 Bedroom	4,800 sq. ft.
4 Bedroom	6,000 sq. ft.

Where plans show one (1) or two (2) bedroom units including a den, library, or other extra room, such extra room shall be counted as a bedroom for the purpose of computing density.

4. No dwelling unit having two or less bedrooms shall have a square foot area of less than seven hundred fifty (750) feet and each additional bedroom shall have an additional one hundred fifty (150) square feet, each being measured around the interior faces of the exterior walls. A room designated as a den, library, or extra room shall be considered a bedroom for computing square footage requirements.
5. All multiple dwelling units shall have at least one (1) living room and one (1) bedroom, except that not more than ten (10%) per cent of the units may be of an efficiency apartment type.
6. Any lot existing and of record on the effective date of this Ordinance may be used for any use permitted in the district in which such lot is located whether or not such lot complies with the lot area requirements of this Ordinance provided all other provisions hereof are complied with.
7. There shall be no minimum lot size, building area requirement for sites zoned B-1 or B-2 located on Huron Avenue between the easterly ROW of Willis Street and the westerly ROW of Scott Street or on Port Crescent, Heisterman, Hanselman, or Scott Street between the northerly ROW of South Street and the southerly ROW of Woodworth Street. In addition, buildings in this area must not be setback from the front or side property lines unless the proposed development includes an existing or proposed public plaza with an approved site plan.

SECTION 1103. HEIGHT

1. A basement shall not be counted as a story unless more than half of the basement height is above the grade level, but that portion of a basement which is above grade level shall be considered in connection with height limitations.
2. The height limitations of this Ordinance shall not apply to chimneys, church spires, flag poles, public monuments or wireless transmission towers; provided, however, that the Planning Commission may specify a height limit for any such structure designated as a use by special approval.

SECTION 1104. YARDS

1. Setbacks shall be measured from the future right-of-way lines or from the center of existing and/or proposed adjacent alleys whichever is greater as set forth in the City's Thoroughfare Plan.
2. When twenty-five (25%) percent or more of all the frontage on one side of a street between two intersecting streets has, on the effective date of this Ordinance, been built up with buildings, the front set back line for that side of the street between those intersecting streets shall be the average setback of the existing homes, or that line established by the preceding schedule whichever is closest to the street line.
3. On corner lots, the side yard abutting a street shall not be less than fifteen (15) feet when there is a common rear yard line. In the ease of a rear yard line abutting a side yard line of an adjacent lot, the side yard abutting a street shall not be less than the minimum front yard of the district in which located.
4. If permanent access is provided to the rear of the property by a public alley or a driveway, the side yard requirement may be waived, except as otherwise specified in applicable Building Codes; provided that if walls of structures facing interior side lot lines contain windows, or other openings, side yards of not less than five (5) feet shall be provided.
5. Every lot on which a two family or a multiple dwelling is erected shall be provided with a side yard on each side of the lot according to Section 1100. The width of each side yard shall be increased by one (1) foot for each ten (10) feet or part thereof, by which the length of the multiple or two family dwelling exceeds forty (40) feet in overall dimension along the adjoining lot line. No two family or multiple dwelling shall exceed one hundred eighty (180) feet in length. The depth of any court shall not be greater than three (3) times the width.
6. Access drives may be placed in the required front or side yards so as to provide access to rear yards or accessory or attached buildings. These drives shall not be considered as structural violations in front and side yards. Further, any walk, terrace or other pavement serving a like function and not in excess of nine (9) inches above finished grade shall, for the purpose of this Ordinance, not be considered to be a structure and shall be permitted in any required yard.
7. Unenclosed porches, roofed or unroofed, may project into a required side, front, or rear yard area provided:

- a. The porch is no higher than one (1) story and erected on supporting piers.
 - b. The porch shall not be closer than eight (8) feet to any side or rear lot line, or fifteen (15) feet from the front lot line.
8. Enclosed porches shall be considered an integral part of the building and shall be subject to all yard requirements.
9. Special structural elements such as cornices, sills, chimneys, gutters, and similar structural features may project into any yard up to a maximum of two and one half (2½) feet.
10. Fire escapes, outside stairways and balconies, if of open construction, may project into yard areas up to a maximum of five (5) feet.
11. Paved terraces, patios, uncovered porches and decks shall not be subject to yard requirements; provided:
 - a. The paved area is unroofed and without walls or other forms of solid continuous enclosure that link the paved area to the principal building.
 - b. The highest finished elevation of the paved area is not over two (2) feet above the average surrounding finished grade.
 - c. No portion of any paved area is closer than eight (8) feet from any lot line nor projects into any front yard setback area. Such paved areas may have non-continuous windbreaks or walls not over six (6) feet high and not enclosing more than one-half (½) the perimeter of the paved area.
12. For any industrial structure or use, except for landscape improvements and necessary drives and walks, the front yard shall remain clear, and shall not be used for parking, loading, storage, or accessory structures. Side and rear yards, except for a strip along the lot boundary ten (10) feet in width, may be used for parking and loading, but not for storage. The side or rear yard may be eliminated where a railroad service to the site is obtained at the edge of the lot.

SECTION 1105. SUBDIVISION OPEN SPACE PLAN

1. The intent of the Subdivision Open Space Plan is to promote the following objectives:
 - a. Provide a more desirable living environment by preserving the natural character of open fields, stands of trees, brooks, hills and similar natural assets.
 - b. Encourage developers to use a more creative approach in the development of residential areas.

- c. Encourage a more efficient, aesthetic and desirable use of an open area while recognizing a reduction in development costs and allowing the developer to bypass natural obstacles on the site.
 - d. Encourage the provision of open space within reasonable distance to all lot development of a subdivision and to further encourage the development of recreational facilities.
2. Modification of the preceding area, density, bulk, height and yard requirements may be made in residential districts by the Planning Commission when the following conditions are met:
- a. The lot area in a residential district, which is served by a public sanitary sewer system, may be reduced up to twenty (20%) percent. These lot area reductions shall be permitted; provided that the dwelling unit density shall be no greater than if the land area to be subdivided were developed in the minimum square foot lot areas as required for the district.
 - b. Rear yards may be reduced to twenty (20) feet when lots border on land dedicated for park, recreation, and/or open space purposes; provided that the width of said dedicated land shall not be less than one hundred (100) feet measured at the point at which it abuts the rear yard of the adjacent lot.
 - c. For each square foot of land gained within a residential subdivision through the reduction of lot size, at least equal amounts of land shall be dedicated to the common use of the lot owners of the subdivision in a manner provided by the Planning Commission.
 - d. The area to be dedicated for subdivision open space purposes shall in no instance be less than three (3) acres and shall be in a location and shape approved by the Planning Commission.
 - e. The land area necessary to meet the minimum requirements of this section shall not include bodies of water, wetlands or land with excessive grades making it unsuitable for recreation. All land dedicated shall be so graded and developed as to have natural drainage. The entire area may, however, be located in a flood plain.
 - f. This plan, for reduced lot sizes, shall be permitted only if it is mutually agreeable to the Planning Commission and the subdivision or developer.
 - g. This plan, for reduced lot sizes, shall be started within six (6) months after approval of the final plat or site condominium, and must be completed in a reasonable time. Failure to start within this period shall void all previous approval.
 - h. Under this subdivision open space approach, the developer or subdivision shall ensure that the proposed open space will be permanently preserved either through dedication to a public entity, or a private association.