

**ARTICLE 11
RESIDENTIAL ZONING DISTRICTS**

SECTION 11.1: RESIDENTIAL (R) DISTRICTS

11.1.1 Intent: To establish and preserve single-family neighborhoods free from other uses except those which are both compatible with and convenient to the residents of such Districts, and to maintain the character and integrity of existing residential areas predominantly comprised of single-family dwellings.

11.1.2 Zoning Codes: Residential districts shall be defined on the Official Zoning Map as R-1 or R-2.

11.1.3 Property Divisions: Divisions of parcels of property shall comply with the regulations applicable to the district or sub-district in which they are located.

11.1.4 Uses Permitted by Right and Special Land Uses:

Section 11.1.4 LAND USES: PRINCIPAL USE	R-1	R-2
P = Permitted by Right S = Special Approval Use Permit Required		
Residential Uses /Accessory Buildings		
Accessory building	P	P
Home occupation in a dwelling	S	S
Multi-family dwellings (more than two living units)	S	S
Single family dwellings	P	P
Two family dwellings	P	P
Accommodation and Food Services		
Bed and Breakfasts	S	S
Rooming and boarding homes	S	S
Short-term rentals	S	S
Arts, Entertainment, and Recreation		
Playgrounds	S	S
Educational Services/Religion		
Churches	S	S
Schools	S	S
Public Facilities		
Public or community assembly buildings	S	S

11.1.5 Prohibited Uses:

- A. More than one dwelling on a parcel of land, unless a variance is granted by the Village Council after a public hearing.
- B. Parking on or adjacent to any premises of a commercial truck or vehicle having a gross vehicle weight of 10,000 pounds or more.

11.1.6 Minimum Residential Lot Area:

- A. Parcels of land in R-1 districts shall have a minimum lot area of 7,200 square feet and a minimum street frontage of 60 feet.
- B. Parcels of land in R-2 districts shall have a minimum of 12,000 square feet with a minimum street frontage of 80 feet.

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C. Parcels of land created prior to the establishment of these minimum standards may not be developed unless compliant with regulations in effect at the time of division or unless granted by a variance.

11.1.7 Residential Corner Lot: On any corner lot, walls, fenced, hedges or accessory structures or plantings shall not rise over three (3) feet in height above the level of the road grade within twenty (20) feet of any corner so as to interfere with traffic visibility. Side yards on corner lots shall not be less than the ratio of the setback on adjacent streets.

11.1.8 Residential Driveways and Parking: Driveways shall be not less than ten (10) feet wide and at least three (3) feet from the lot line. No driveway common to two residences shall be permitted unless an easement providing for same is recorded with the Sanilac County Register of Deeds. Off street vehicle parking, access and egress shall be provided as shown in Section 3.20.

11.1.9 Residential Yards: Every dwelling hereafter erected, altered or moved upon a premise shall be provided with yards complying with the following minimum requirements:

A. Front Yards:

1. Front yards shall be equal to the average depth of existing front yards in the block in which parcel is located.
2. In the event that there are no pre-existing dwellings on the block or in a new subdivision, then the front yard shall be not less than 30 feet as measured from the street or road right-of-way.

B. Side Yards (other than corner lots):

1. For parcels with 60 feet of street frontage or more, the minimum side yard setback shall be 10 feet.
2. No garage or accessory structure shall be located closer to the right-of-way of an abutting side street than the average setback on abutting side street. In all cases, structures shall be far enough from each line so as not to obstruct a view of traffic on the intersecting streets.

C. Rear Yards: Rear yards in all residential districts shall be at least thirty-five (35) feet. The depth of a rear yard abutting upon a street shall not be less than the depth of a front yard required for a building of the same size and kind, on the adjoining lot fronting on such street. (See "Lakefront Property" Section 3.15 and "Transition Zoning" Section 3.34)

11.1.10 Residential Signs: Signs shall be in conformance with Article 7.

11.1.11 Residential Floor Area: In no case shall minimum floor area include floor space in an attached garage, open porch, unheated closed porch, or other attached structure.

A. R-1 *established plats or subdivisions:*

1. Every one family, one story dwelling hereafter erected, altered or moved upon premises (located in an R-1 District shall contain not less than one thousand (1,000) square feet of floor area.
2. Every one family dwelling hereafter erected, altered or moved upon a premise shall contain not less than one thousand (1,000) square feet of total floor area and not less than seven hundred and fifty (750) square feet of ground floor area.
3. Every two-family dwelling hereafter erected, altered or moved upon a premise shall contain not less than one thousand (1,000) square feet of total floor area per unit.
4. Multiple dwellings, if permitted, shall contain an equivalent minimum floor area per unit as required in two family districts.

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B. R-2 new plats and subdivisions:

1. Every one family, one story dwelling hereafter erected, altered or moved upon premises located in an R-2 District shall contain not less than one thousand two hundred (1,200) square feet of floor area.
2. Every one family, two story dwelling hereafters erected, altered or moved upon a premise shall contain not less than one thousand two hundred (1,200) square feet of total floor are and not less than eight (800) hundred square feet of ground floor area.
3. Every two-family dwelling hereafter erected, altered or moved upon premises located in an R-2 District shall contain not less than one thousand two hundred (1,200) square feet of floor area per unit. (amended 11/17/2020)
4. Multiple dwellings, if permitted, shall contain an equivalent minimum floor area per unit as required in two family dwellings.

11.1.12 Residential Building Height: A building may be erected or structurally altered to a maximum height of thirty-five (35) feet at its highest point. However, churches (not including steeples), public and semi-public buildings may be erected to a greater height if the building is set back from each required yard line at least one more foot for each foot of additional height above thirty-five (35) feet.

SECTION 11.2: MULTIPLE FAMILY RESIDENTIAL (MFR) DISTRICT

11.2.1 Intent: To provide sites for multiple-family dwelling structures and related densities of dwellings which generally serve the residential needs of persons desiring an apartment-type of accommodation with central services as opposed to the residential patterns found in single family residential Districts. The multiple-family district is further provided to serve as a zone of transition between nonresidential districts and lower density residential districts. This district is further intended to permit boarding and lodging houses under specified maximum capacities.

11.2.2 Regulations: The area, density, bulk, and yard requirements of 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 even those specific provisions shall apply.

11.2.3 Uses Permitted by Right and Special Land Uses:

Section 11.2.3		MFR
LAND USES: PRINCIPAL USE		
<small>P = Permitted by Right S = Special Approval Use Permit Required</small>		
Residential Uses/Accessory Buildings		
Accessory building		P
Adult foster care home		P
Residential Uses/Accessory Buildings (continued)		
Apartment building		P
Condominiums that comply with PA 59 of 1978		P
Multi-family dwellings (more than two living units)		P
Single family dwellings		P
Townhouses		P
Accommodation and Food Services		
Boarding and lodging house containing ≤ 6 separate units		P

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Lodging homes	P
Rooming and Boarding Homes	S
Bed and breakfasts	S
Tourist homes	S
Human Care and Social Assistance	
Child care center	P
Convalescent home	P
Day nursery	P
Housing for elderly, orphans or wards of the court ≤ 6	P
Housing for the elderly when provided as a planned development	P
Nursery school	P
Nursing home	P
State licensed residential facility providing services for ≤ 6 within accordance with P.A. 395 of 1976	P
Educational Services and Religion	
Churches	S
Public, private or parochial school offering courses in general education and not operated for profit	P
Schools	S
Public Facilities	
Public or community assembly buildings	S

11.2.4 Prohibited Uses:

- A. Parking on or adjacent to any premises of a commercial truck or vehicle having a gross vehicle weight of 10,000 pounds or more.

11.2.5 Lot Area and Density/Computation of Area: 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 land in which even half of the alley or lane abutting the lane shall be included.

11.2.6 Minimum Lot Area:

- A. **Maximum Units per Area:** There shall be no more than twelve (12) multiple units per 40,000 square feet except for *town houses of which shall be not more than six (6) in 40,000 square feet.*
- B. **Schedule of areas/or various units:** For the purpose of computing the permitted number of dwelling units per 40,000 square feet, the following lot area assignments shall control.

UNIT TYPE	LOT AREA PER UNIT
Efficiency	1,200 square feet
1 Bedroom	2,400 square feet
2 Bedroom	3,600 square feet
3 Bedroom	4,800 square feet
4 Bedroom	6,000 square feet

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

- C. Minimum Lot Size: The minimum lot size for each dwelling unit shall be 20,000 square feet area and 100 feet width.
- D. Maximum Lot Area Development: The combined area of all structures shall not exceed thirty percent (30%) of the total lot area.

11.2.7 Corner Lot: On any corner lot, no walls, fenced, hedges or accessory structures or shrubbery shall rise over three (3) feet in height above the level of the road grade within twenty (20) feet of any corner so as to interfere with the traffic visibility.

11.2.8 Driveways and Parking:

- A. Driveways shall be not less than ten (10) feet wide and at least three (3) feet from the lot line.
- B. Off street vehicle parking, access and egress shall be provided as shown in Section 3.21.

11.2.9 Yards:

- A. Front Yards. The minimum front yard setback per lot in feet from main building is thirty (30) feet.
- B. Side Yards. The minimum side yard setback per lot in feet from main building is ten (10) feet.
- C. Rear Yards. The minimum rear yard setback per lot in feet from main building is thirty-five (35) feet.

11.2.10 Fences: Fences located in residential districts:

- A. Shall not exceed four (4) feet in height in the required front yard setback and shall not exceed six (6) feet in height in any part forward from the extreme rear line of the dwelling on the lot if the fence is built on the property line or within five (5) feet thereof, and shall not be of closed construction.
- B. Fences located in the rear yard on the lot line or within five (5) feet thereof may be built to a height of eight (8) feet without restriction on solid matter or closed construction.

11.2.11 Signs: Signs shall be in conformance with Article 7.

11.2.12: Building Floor Area and Height:

- A. Floor Area:
 - 1. No dwelling unit having two (2) or less bedrooms shall have a square foot area of less than six hundred fifty (650) 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.
 - 2. A room designated as den, library or extra room shall be considered a bedroom for the purpose of computing the square footage requirements.
 - 3. All multiple dwelling units shall have at least one (1) living room and one (1) bedroom, except that not more than ten (10%) percent of the units may be of an efficiency apartment type.
 - 4. The minimum floor area for a building is 1,200 square feet.
- B. Height:
 - 1. A basement shall not be counted as a story, but that portion of a basement which is above grade level shall be considered in connection with height limitations.

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2. The height limitations of this Ordinance shall not apply in farm buildings, 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.
3. The maximum height of structures shall be thirty-five (35) feet at its highest point.

11.2.13 Accessory Buildings: No accessory building may be located closer to a side lot line than the permitted distance for the dwelling. However, if an accessory building is located completely to the rear of the dwelling, it may be erected three (3) feet from the side and rear lot lines. Garages shall not exceed fifteen (15) feet in overall height.