

Charter Township of Fort Gratiot Code of Ordinances Chapter 38-Zoning, Article III-District Regulations  
**DIVISION 12. SCHEDULE OF DISTRICT REGULATIONS**  
**Section 38-441. Schedule of District Regulations**

ZONING DISTRICT	MINIMUM FLOOR AREA OF STRUCTURE	MINIMUM LOT SIZE <sup>J</sup>		MINIMUM YARD SETBACKS <sup>O</sup>				MAXIMUM HEIGHT OF STRUCTURE		MAXIMUM % LOT COVERAGE
				FRONT YARD <sup>MP</sup>	REAR YARD	SIDE YARD				
	PER UNIT	AREA	WIDTH			LEAST	TOTAL TWO	STORY	FEET	
AGRICULTURAL (AG)	1,200 SQ FT	2 Acres	165 FT	35 FT	50 FT	20 FT <sup>A</sup>	40 FT <sup>A</sup>	2	35 FT	30%
SINGLE FAMILY (R-1A)										
<i>Sewer</i>	1,200 SQ FT	10,000 SQ FT	75 FT	35 FT	35 FT	10 FT <sup>A</sup>	20 FT <sup>A</sup>	2	35 FT	30%
<i>Without Sewer</i>		1 Acre	100 FT							
<i>Accessory Structure</i>	<i>SEE SECTION 38-602</i>			NOT PERMITTED	10 FT	10 FT <sup>A</sup>	20 FT <sup>A</sup>	16 FT		Sec 38-602
SINGLE FAMILY (R-1B)										
<i>Sewer</i>	1,200 SQ FT	8,400 SQ FT	70 FT*	35 FT	35 FT	10 FT <sup>A</sup>	20 FT <sup>A</sup>	2	35 FT	30%
<i>Without Sewer</i>		1 Acre	100 FT							
<i>Accessory Structure</i>	<i>SEE SECTION 38-602</i>			NOT PERMITTED	10 FT	10 FT <sup>A</sup>	20 FT <sup>A</sup>	16 FT		Sec 38-602
TWO-FAMILY (R-2) <sup>F</sup>	864 SQ FT	14,400 SQ FT	120 FT	35 FT	35 FT	10 FT <sup>A</sup>	20 FT <sup>A</sup>	2	35 FT	30%
MULTIPLE FAMILY (RM) <sup>F</sup>	B & L	5 Acres <sup>J</sup>	200 FT <sup>J</sup>	50 FT <sup>C</sup>	50 FT <sup>C</sup>	20 FT <sup>C</sup>	50 FT <sup>C</sup>	3	45 FT	30%
MOBILE HOME (MHR) <sup>N</sup>	<i>THERE IS A MINIMUM 15-ACRE LOT AREA FOR ALL MOBILE HOME PARKS AND HEIGHT, BULK, DENSITY, AND AREA REQUIREMENTS ARE REGULATED BY THE MICHIGAN MOBILE HOME COMMISSION. MOBILE HOMES PLACED IN RESIDENTIAL DISTRICTS MUST FOLLOW APPLICABLE DISTRICT REGULATIONS.</i>									
NEIGHBORHOOD OFFICE (O-1)		15,000 SQ FT	100 FT	25 FT	25 FT	15 FT	30 FT	2	35 FT	30%
MID-RISE OFFICE (O-2)		5 Acres	200 FT	K				5	75 FT	35%
NEIGHBORHOOD BUSINESS (C-1)				20 FT <sup>D</sup>	20 FT <sup>E</sup>	E	E	2	35 FT	
GENERAL BUSINESS (C-2)				25 FT <sup>D</sup>	25 FT <sup>E</sup>	E	E	3 <sup>G</sup>	45 FT	
LIGHT INDUSTRIAL (M-1)				35 FT <sup>HI</sup>	35 FT <sup>I</sup>	15 FT <sup>I</sup>	30 FT <sup>I</sup>		40 FT	50%
HEAVY INDUSTRIAL (M-2)				50 FT <sup>HI</sup>	20 FT <sup>I</sup>	20 FT <sup>I</sup>	40 FT <sup>I</sup>			

\*WHEN CREATING 5 OR MORE RESIDENTIAL PARCELS, THE SCHEDULE OF REGULATIONS FOR R1A SHALL PREVAIL, PER ORDINANCE #102, UPDATED IN ORDINANCE #171 & ORDINANCE #198

**SETBACKS FOR LOTS ADJACENT TO MAJOR (150'), SECONDARY (120') OR COLLECTOR (86') ROADS ARE MEASURED FROM THE PLANNED R.O.W.**  
**POOL SETBACKS: FRONT: NOT PERMITTED; 10' EACH SIDE, ALL OTHER STRUCTURES & POWER LINES; 4' REAR YARD**

**Charter Township of Fort Gratiot Code of Ordinances**  
**Chapter 38 – Zoning**  
**Article III – District Regulations**  
**Division 12 – Schedule of District Regulations**  
**Section 38-442 – Schedule Notes**

The following are the schedule notes for Section 38-441:

A. In the case of a rear yard abutting a side yard, or where a side yard is adjacent to a front yard across a common separating street, the side yard abutting a street shall not be less than the minimum front yard of the district in which located. (See illustration *Side Yards Abutting a Street*)

B. In a RM, Multiple Family District the total number of rooms of eighty (80) square feet or more (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by sixteen hundred (1,600). All 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 type, and not more than seventy (70%) percent one (1) bedroom units. These restrictions shall not apply to multiple family developments intended for exclusive occupancy for senior citizens and handicapped.

In a RM District, for the purpose of computing the permitted number of dwelling units per acre, the following room assignments shall control:

Unit Type	# of Rooms
Efficiency	1 room
One Bedroom	2 rooms
Two Bedrooms	3 rooms
Three Bedrooms	4 rooms

Plans presented showing one, two or three bedroom units and including a den, library or other extra room shall count such extra room as a bedroom for the purpose of computing density.

In a RM District, the area used for computing density shall be the total site area exclusive of any dedicated public right-of-way, either interior or bounding roads.

C. In a RM District, front, side or rear yards need not refer to spacing between buildings for a planned development for two (2) or more buildings on the same parcel. In such cases the minimum distance between any two (2) buildings shall be regulated according to the length and height of such building or buildings, and in no instance shall this distance be less than thirty (30') feet. (See illustration *Distance Spacing for Multiple Dwellings*)

In a RM District, areas devoted to off-street parking, drives or maneuvering lanes shall not cover more than thirty (30%) percent of the area of any required yard or any required minimum distance between buildings.

In a RM District the maximum horizontal length of any one (1) building shall be one hundred and eighty (180') feet, measured along any single front, side, rear or other exterior wall elevation.

In a RM District, the formula for regulating the required minimum distance between two (2) buildings is as follows:

$$S = \frac{L_A + L_B + 2(H_A + H_B)}{6}$$

S= Required minimum horizontal distance between any wall of building A and any wall of building B or the vertical prolongation of either.

**L<sub>A</sub>**= **Total length of building A.** The total length of building A is the length of that portion or portions of a wall or walls of building A from which, when viewed directly from above, lines drawn perpendicular to building A will intersect any wall of building B.

**L<sub>B</sub>**= **Total length of building B.** The total length of building B is the length of that portion or portions of a wall or walls of building B of which, when viewed directly from above, the lines drawn perpendicular to building B will intersect any wall of building A.

**H<sub>A</sub>= Height of building A.** The height of building A at any given level is the height above natural grade level of any portion or portions of a wall or walls along the length of building A. Natural grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.

**H<sub>B</sub>= Height of building B.** The height of building B at any given level is the height above natural grade level of any portion or portions of a wall or walls along the length of building B. Natural grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.

D. Off-street parking shall be permitted to occupy a required front yard after approval of the parking plan layout and points of ingress and egress by the Planning Commission provided that there shall be maintained a minimum unobstructed and landscaped setback of ten (10) feet between the nearest point of the off-street parking area, exclusive of access driveways, and the nearest right-of-way as indicated on the Major Thoroughfare Plan. Said landscaped area shall conform to the provisions of Sections 38-614 and 38-615 of this Ordinance.

E. The Planning Commission may waive one (1) or both side yard requirements of building in the C-2 or C-1 Districts provided that adequate access to the rear of the property is provided by one of the following manners:

(A) There shall be provided, on every lot in a C-2 or C-1 District on which a permitted building is located, at least 1 side yard not less than twenty (20') feet wide for access to the rear yard. If the permanent building is not placed on the property line of the remaining side to allow for a common wall, then a setback of at least three (3') feet is required for maintenance; or

(B) A dedicated alley or service aisle or permanent easement of access to the rear of the property is provided; or

(C) An overall master site development plan is presented to the Planning Commission, agreed upon by affected property owners; the plan shall include building elevations for said commercial center, adequate off-street parking and loading area, access to all buildings and the rear of the property for police and fire vehicles.

Side yard requirements for C-2 and C-1 Districts shall not be waived if any of the following conditions exist:

- (a) Where side yards are adjacent to a public right-of-way.
- (b) Where side yards abut property zoned other than C-2 or C-1.
- (c) Where the continuous development of stores exceeds 500'.

F. Required lot area, lot width, and other regulations for single family residences in an RM District shall be the same as for the single family district abutting on said RM District at the nearest distance from the lot or lots in question, or the same as the R-1B District if no single family district abuts.

Required lot area, lot width, and other regulations for two family residences in an RM District shall be the same as for the R-2 Two Family Residential district.

G. Planned commercial development involving five (5) acres or more under one (1) ownership shall be subject to the review and recommendation of the Planning Commission after public hearing, regarding modifications with respect to height regulations subject further to the review by the Township Board and approval thereof. In approving an increase in structure height the Planning Commission shall require that all yards shall at least be equal to their depth to the height of the structure.

H. Off-street parking may be permitted in a portion of the required front yard provided that such off-street parking is not located within fifty (50') feet of the front lot line. Any portion of required front yard not used for off-street parking shall be planted in lawn, and landscaped and shall be maintained in a healthy growing condition.

I. No building shall be located closer than fifty (50') feet to the outer perimeter (property line) of such district when said property line abuts any residential district.

Required side or rear yards may be used for off-street parking or loading and unloading provided that in such instance the Planning Commission shall review and approve the proposed parking and site plan to determine that sufficient access to the rear of the building is provided for fire fighting or other emergency type equipment.

A heavily planted, completely obscuring, year-round greenbelt, not less than twenty (20') feet wide, an obscuring wall or a landscaped earth berm (as approved by the Planning Commission) shall be provided on those sides of the property used or planned for open storage, parking or service drives, loading, unloading or servicing, and abutting land zoned AG, R-1A, R-1B,

R-2, RM, or MHR. The extent of such greenbelt, wall or berm may be determined by the Planning Commission on the basis of usage. Such wall shall not be less than six (6') feet in height and may, depending upon land usage, be required to be eight (8') feet in height. Said greenbelt, wall or berm shall be subject further to the requirements of Article VI of this chapter, Sections 38-614 and 38-615.

J. Where two-family dwelling units are permitted, minimum lot area and minimum lot width shall be determined as follows:

<b>Minimum District</b>	<b>Minimum Lot Width</b>	<b>Minimum Lot Area</b>
(RM) Multiple-Family		
with sewer:	120 feet	14,400 sq. ft.
without sewer:	180 feet	36,000 sq. ft.

K. Height of office buildings: Office buildings may be constructed to the maximum height and story limits of the district provided that when the structure exceeds thirty (30') feet in height, the following setbacks shall apply:

- (A) Front Setback: The distance equal to the height of the building.
- (B) Side and Rear Yard Setbacks: The distance equal to one half (1/2) height of said building.
- (C) From a residential lot line or residential district: A distance equal to the height of said building.

L. Minimum floor area per dwelling units in square feet for multiple family dwellings are as follows:

<b>Unit Type</b>	<b>Minimum Floor Area</b>
Efficiency	450 sq. ft.
One (1) Bedroom	600 sq. ft.
Two (2) Bedroom	800 sq. ft.
Three (3) Bedroom	1,000 sq. ft.
Four (4) Bedroom	1,200 sq. ft.

M. For those lots adjacent to a Major or Secondary Thoroughfare or Collector street as identified in the Township Planning Commission, the yard spaces shall be measured from the proposed future right-of-way line for such thoroughfare to the building or structure on a lot. In determining the location of the edge of the planned right-of-way, the centerline of a planned right-of-way shall be considered to coincide with the centerline of the existing thoroughfare. Until such time as the Thoroughfare Plan shall have been adopted, the existing right-of-way or a sixty six (66') foot right-of-way shall be observed, whichever is greater.

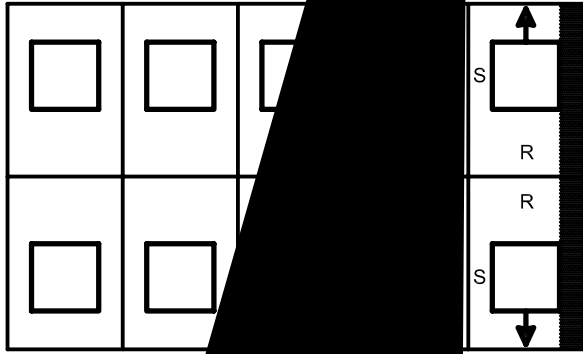
N. The requirements listed in the table for this district which are not for parks and condominiums, are for subdivision and development sites as well as for other single-family homes. There is no Township minimum lot width or setbacks for sites within a park or condominium project. Those are subject to the control of the State Mobile Home Commission regulations.

O. All accessory farm buildings for uses other than those usually incidental to the dwelling shall be located not less than one hundred (100') feet from any dwelling and not less than twenty five (25') feet from any lot line or property boundary, with the exception that the main farm barn building shall be less than one hundred fifty (150') feet from the front property line. This requirement shall not apply to the alteration or addition of any existing barn or other farm buildings, except dwellings, which are located closer to the road and existed prior to the adoption of this Ordinance.

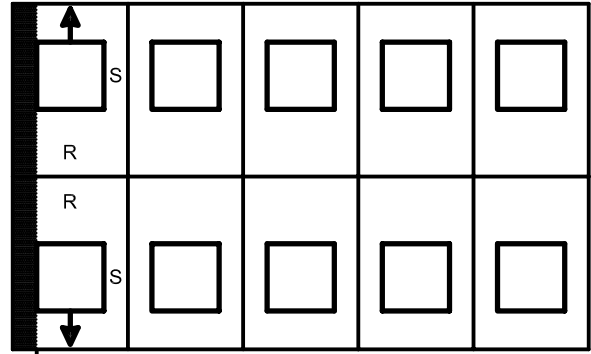
P. For properties fronting on Lake Huron, minimum setback established by the Michigan Department of Environmental Quality pursuant to part 323 of Public Act 451 of 1994 (MCL 324.32301 et seq.) will apply if greater than that normally prescribed by this schedule; or the setbacks established by section 38-678; otherwise, the setback set forth in this schedule shall apply.

# SIDE YARDS ABUTTING A STREET

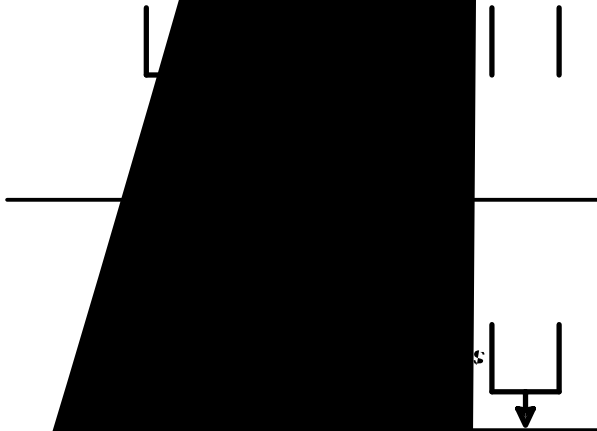
Section 3-442 Schedule Note A Illustration



SITUATION



DEPTH EQUAL TO REQUIRED SIDE YARD



STREET

# DISTANCE SPACING FOR MULTIPLE DWELLINGS

Section 38-442 Schedule Note C Illustration

Minimum Distance Between Buildings Formula

$$\frac{L_A + L_B + 2 (H_A + H_B)}{6}$$

