

Article 6: One Family Residential Districts

Amendments:

ARTICLE VI

R-1-E, R-1-H, R-1-S, R-1

ONE FAMILY RESIDENTIAL DISTRICTS

PURPOSE

These residential districts are designed to ensure that the development of the designated areas proceeds in a manner consistent with the existing and desired residential character of the Township. The four (4) One Family Residential Districts are differentiated, among other factors, by densities and yard requirements as established in Article 20, Schedule of Regulations in order to provide a reasonable balance and variety of single family living environments.

SEC. 6.1 PRINCIPAL PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this Ordinance:

1. One family dwellings, subject to the standards of Section 28.3.
2. Home occupations subject to the standards of Section 28.70.
3. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
 - (a) Adult foster care family home [six (6) or fewer adults].
 - (b) Foster family home [four (4) or fewer children 24 hours per day].
 - (c) Foster family group home [five (5) to six (6) children 24 hours per day].
 - (d) Family day care home [six (6) or fewer children less than 24 hours per day].
4. Public schools offering courses in general education provided that such facilities do not meet the definition of “large scale institutional uses” subject to the following requirements:
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.

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5. Accessory structures and uses customarily incidental to the above permitted uses.

SEC. 6.2 SPECIAL LAND USES

The following uses shall be considered special land uses in this district and shall be permitted only after review and approval by the Planning Commission in accordance with the procedure and standards as found in Section 2.7 of this Ordinance and further subject to the requirements listed below:

1. Municipal facilities, including libraries, community buildings, and municipal parks, playgrounds and other recreational facilities (excluding park and ride facilities), provided such facilities do not meet the definition of “large-scale institutional uses.”
2. Nursing and convalescent homes, subject to the following conditions, provided that such facilities do not meet the definition of “large-scale institutional uses.”
 - (a) All vehicular access to the site shall be from a paved collector or primary road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets. Adequate ingress, egress and circulation shall be provided. Vehicles must be able to easily circulate within and through the site to a designated pick-up/drop-off area without impeding circulation on the site or traffic on nearby roads.
 - (b) Adequate outdoor open space, in a park-like setting, shall be provided for use by the residents.
 - (c) Sidewalks shall be provided from the main building entrance(s) to sidewalks along adjacent public or private streets.
 - (d) All facilities shall be licensed by the State of Michigan, and shall be constructed, maintained, and operated in conformance with applicable state and federal laws.
3. Churches, temples and similar places of worship, and other facilities incidental thereto, provided that the uses do not meet the definition of “large-scale institutional uses” or “large scale churches,” and subject to the following conditions:
 - (a) Buildings may exceed the maximum building height permitted in Article 20, Schedule of Regulations, where permitted by Section 28.23, Height Exceptions.
 - (b) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may permit secondary access from local streets.
 - (c) Continuous screening shall be provided wherever such use is located adjacent to a single-family residential district or use, in accordance with Section 26.11, Methods of Screening.

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4. Charter and private schools, including parochial, elementary, intermediate and/or secondary schools (excluding child care or day care facilities provided for in Section 28.64) offering courses in general education, subject to the following conditions. Public, charter and private schools that meet the definition of “large scale institutional uses” shall be permitted only in the R-1-E District and shall also be subject to the conditions specified in Section 28.63.
 - (a) All vehicular access to the site shall be from a paved primary or collector road, as classified in the Township Master Plan. The Planning Commission may allow secondary access from local streets.
 - (b) All schools shall be licensed by the State of Michigan. Documentation shall be provided by the proprietor relative to such facility’s ability to obtain a license.
5. Public and private recreation areas, uses and facilities including country clubs, golf courses and swimming pools, provided that such facilities do not meet the definition of “large-scale institutional uses” and subject to the following conditions:
 - (a) No building shall be located within one hundred (100) feet of any property line.
 - (b) Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 - (c) Golf fairways, swimming pools, tennis courts and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering.
6. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of Section 26.12, Areas Requiring Screening and/or Buffering, and shall provide a front yard setback of not less than forty-five (45) feet, and two side yards and a rear yard of not less than fifty (50) feet each.
7. Cemeteries provided that no buildings or structures shall be located nearer than two hundred (200) feet to the boundary line of any adjacent parcel.
8. Mortuaries or funeral homes, provided that such facilities do not meet the definition of “large-scale institutional uses,” and subject to the following conditions:
 - (a) Adequate off-street vehicle assembly space shall be provided for funeral processions and similar activities. This space shall be required in addition to the required off-street parking and loading areas, except where the Planning Commission determines that an alternative arrangement will be adequate to serve the proposed activities.
 - (b) All loading and unloading areas shall be adequately screened from adjacent residential districts or uses and street rights-of-way.

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- (c) The caretaker's residence shall be contained within the mortuary building or may be provided in an accessory building after review and approval by the Planning Commission.
 - (d) The caretaker's residence shall be constructed in accordance with the adopted building code, and provided with plumbing, heating, bathroom, and kitchen facilities.
 - (e) In no case shall the caretaker's residence be used as a permanent single-family dwelling by anyone other than a watchman or caretaker.
9. Child and adult residential care facilities, subject to the standards of Section 28.64, of the following nature and as licensed by the State of Michigan:
- (a) Group day care home [twelve (12) or fewer children less than 24 hours per day].
 - (b) Adult foster care small group home [twelve (12) or fewer adults].
 - (c) Child care centers.
10. Bed-and-Breakfast Inns with not more than four (4) transient sleeping units, and subject to the conditions of Section 28.71.
11. Veterinary Clinics, subject to the conditions of Section 28.72.
12. Kennels, subject to the conditions of Section 28.73.
13. Public riding stables subject to the following conditions:
- (a) A minimum lot area of not less than ten (10) acres, with a minimum lot width of not less than five hundred (500) feet, shall be maintained for such use.
 - (b) A riding stable shall provide an area of not less than two (2) acres for each horse stabled and used as a part of the riding stable use, but not less than 6.2.13.a, above.
 - (c) Building's pens and runways for housing or keeping of horses, shall not be less than one hundred fifty (150) feet from any adjacent property line, provided however, that such yard space may be used for pasture in connection with a riding stable.
 - (d) Pens and runways shall be screened from view in all directions either by the buildings or a greenbelt plantings.
 - (e) Sites shall be enclosed by a suitable fence, and maintained so that odor, dust, noise or water drainage shall not constitute a nuisance or hazard to adjoining

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properties. Stables shall be kept clean, and manure shall be treated and handled in such a manner as to control odor and flies.

SEC. 6.3 USES PERMITTED REQUIRING APPROVAL OF ZONING BOARD OF APPEALS

The following uses are permitted with the approval of the Zoning Board of Appeals subject to the use standards listed in Section 2.8 and the review procedure specified in Section 31.8 of this Ordinance.

1. The keeping of one (1) or more fowl or four (4) or more rabbits for non-commercial use by the occupants of the premises on lots less than five (5) acres.
2. One (1) roadside stand solely for the sale of fresh produce grown on the same parcel in the R-I-E or R-1-H Districts.
3. The keeping of horses, donkeys, mules, ponies and other domesticated animals, other than house pets, in the R-1-E or R-1-H District for private use only, subject to the standards of Section 2.8.3.
4. Private stables for the keeping of horses and ponies for private use only in a R-1-E District, subject to the standards of Section 2.8.3.

SEC. 6.4 DEVELOPMENT REQUIREMENTS

All principal permitted uses, special land uses, and uses requiring approval of the Zoning Board of Appeals shall comply with all applicable provisions of the Zoning Ordinance, including but not limited to the following:

1. Site plan and development approval for all uses, except for single-family dwellings, as specified in Article 29 of this Ordinance.
2. Off-street parking for all uses, as specified in Article 24 of this Ordinance.
3. Screening and land use buffers for all uses, as specified in Article 26 of this Ordinance.
4. Signs for all uses, as specified in Article 25 of this Ordinance.
5. Special Provisions, as specified in Article 28 of this Ordinance.
6. Height, area, lot coverage and yard regulations, as specified in Article 20 of this Ordinance.

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7. Exterior lighting shall comply with the standards of Section 28.8, Exterior Lighting.
8. The following specific requirements shall apply within a One Family Residential District (R-1-E, R-1-H, R-1-S, R-1):
 - (a) Accessory Buildings in Residential Districts. An accessory building, including a carport, attached to the principal building shall be made structurally a part thereof, and shall comply in all respects with the requirements of this Ordinance applicable to the principal building. Breezeways, as an attachment between the garage or carport and the main building, shall be considered a part of the main building, but shall not be considered livable floor area. When garages are separated from the dwelling unit by an open breezeway, the garage wall and roof nearest that main building shall be not less than three-quarter (3/4) hour fire construction along the entire width of the breezeway.
 - 1) A garage, carport or other accessory buildings, unless attached and made a part of the principal building as above provided, shall not be nearer than ten (10) feet to the principal building.
 - 2) A detached garage or detached accessory building may not be located in the front yard; provided, however, when topographic conditions prevent compliance with this provision, the Zoning Board of Appeals may vary the above requirements in such a manner as to contribute to the public safety and general welfare.
 - 3) Detached garages and detached accessory buildings shall not exceed one (1) story or twelve (12) feet in height. All detached garages and detached accessory buildings combined shall not occupy more than seven (7) percent of the lot area or 650 square feet, whichever is greater, and shall not exceed the total square foot area of the residence.
 - 4) Detached garages and detached accessory buildings, where located on the rear one-quarter (1/4) of the lot, shall not be nearer than five (5) feet to any rear or side lot line, and where otherwise located shall conform to all requirements for side yards set forth in the requirements for each residential district. Where the side yard abuts upon a side street, such accessory structures shall not extend nearer to the side street lot line than the required building setback. In no instance shall an accessory building be located within a dedicated easement or right- of-way.
 - 5) Garage facilities considered incidental to the principal permitted uses may be used to store a maximum of one (1) commercial vehicle. Outdoor storage of commercial vehicles is prohibited.

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- 6) Permit Required: Prior to the construction, repair or alteration of an accessory structure, a zoning compliance and/or building permit must be obtained from the Department of Building and Code Enforcement.

- (b) Yard Grading and Drainage as specified in Section 28.15 of this Ordinance.

- (c) Front Yard Use. Any portion of a lot lying in front of the building line shall be used only for utilities and for ornamental purposes and nothing other than ground cover, flowers, trees and shrubs, permitted professional signs or utilities shall be placed, erected or planted thereon. The front yard, for the purposes of this Section, shall be defined as a yard extending across the full width of the lot between the front lot line and the nearest line of the building. If the lot fronts upon a public street, the area lying between the front lot line and the back of curb or edge of roadway is street right-of-way and as such is under the jurisdiction of the Wayne County Department of Public Services and/or Michigan Department of Transportation. A permit from the agency with jurisdiction shall be required for all work performed in this area.

- (d) Swimming Pools, accessory to an individual single family dwelling shall be permitted as an accessory use, provided they meet the following requirements:
 - 1) There shall be a distance of not less than ten (10) feet between the adjoining property line and the outside of the pool wall or raised deck or walkway.
 - 2) There shall be a distance of not less than four (4) feet between the outside pool wall and any principal building located on the same lot.
 - 3) Swimming pools shall not be located within any required front or street side yard setbacks as specified in Article 20, Schedule of Regulations.
 - 4) If electrical service drop conductors or other utility wires cross under or over a proposed pool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation of wires before a permit shall be issued for the construction of a pool.
 - 5) A swimming pool shall not be located in an easement.
 - 6) For the protection of the public, all areas containing swimming pools shall be completely enclosed by a fence in accordance with regulations of the State of Michigan. The gate shall be of a self-closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use for extended periods. This provision may be waived by the Chief Building Official if the entire yard is securely enclosed. For

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additional pool fence requirements see Charter Township of Plymouth Code of Ordinances Chapter 29, Swimming Pools.

- (e) Tennis Courts, accessory to an individual single family dwelling shall be permitted as an accessory use, subject to the following:
 - 1) The tennis court and its perimeter fence shall be located a minimum of thirty five (35) feet from any side or rear lot line and shall comply with the minimum front yard setback of the zoning district, as specified in Article 20, Schedule of Regulations.
 - 2) If tennis court perimeter fencing is provided, it shall not exceed four (4) feet in height. Lifts or similar devices may be permitted at each of the two (2) ends of the tennis court. These lifts may raise retractable fencing to no greater than ten (10) feet in height, and may only be extended only when the court is being used.
 - 3) Lighting shall be concealed source, shielded and focused so as to not glare off site and shall not exceed twelve (12) feet in height.
 - 4) Administrative site plan approval shall be required, as provided by Section 29.4. The site plan shall contain sufficient detail to determine compliance with the requirements of this Ordinance.
 - 5) Landscape screening shall be provided to effectively form a visual and physical separation between the tennis court and adjacent residential uses, and to buffer the noise created. A planting plan, including size, species, location and spacing of plant materials shall be submitted with the site plan for approval.
 - 6) Letters shall be submitted from all abutting property owners stating that they have no objection to the use

- (f) Fences. In all Single Family Residential Districts it shall be unlawful for any person to build, repair or relocate a fence without first having secured a Building and/or Zoning Compliance permit from the Department of Building and Code Enforcement. In all Single Family Residential Districts the following shall apply in regards to fencing:
 - 1) Protective or Security Fencing: Protective or security fencing shall be considered a structure enclosing a piece of land or separating contiguous lands either in whole or in part serving the purpose of preventing intrusion onto or across a lot of record or any parcel or tract of unplatted land from without or straying from within. The following shall govern the height, location and placement of protective or security fencing:

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- a) **Maximum Height:** The maximum height of a protective or security fence shall be four (4) feet unless otherwise required by the Planning Commission as part of special land use and/or site plan approval.

- b) **Material:** Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.

- c) **Placement:**
 - 1. **Interior Lots:** Fencing may be placed along the lot lines except that no fence shall be built closer to the street than the front setback line applicable to the premises pursuant to the Article 20, Schedule of Regulations, provided no fence shall be built closer to the street than the established front building line along said street or in front of the building closest to the street on the fenced premise.
 - a. **Exception:** Where a lot backs or sides to a major thoroughfare with an ultimate right-of-way of one hundred twenty (120) feet.

The fence may be located within three (3) feet of the street setback line for the major thoroughfare without regards to the established building line for the thoroughfare provided that some form of landscaping is provided between the fence and the proposed sidewalk area and that said location shall not constitute a safety hazard for pedestrian and/or motor vehicles and their passengers.

 - 2. **Corner Lots:** One street frontage shall be identified as the front yard. In said case the standards established under Section 1) Interior Lots shall apply. The designated side yard shall be handled in the following manner. The fence may run along the rear property line to a point not nearer than twenty (20) feet from the side street corner of the

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property. The fence may then run on an angle not less than forty-five (45) degrees to a point which intersects a line located three (3) feet inside the side property line. The fence may then proceed along said line to a point intersecting the rear building line extension of the residence. In all cases the type of fencing and landscaping proposed shall be treated in a manner which will not result in a safety hazard for pedestrian and/or motor vehicles and their passengers.

- 2) **Decorative Fencing:** A structure intended primarily for ornamental purpose. A decorative fence shall be any fence which by definition is not to be considered a pool fence, tennis court fence, protective or security fence or a privacy screen fence.
 - a) **Maximum Height:** The maximum height of a decorative fence shall be four (4) feet.
 - b) **Material:** Chain link fencing shall not be considered decorative fencing for the purpose of this Section of the Ordinance.
 - c) **Placement:** Decorative fencing so located as to result in a safety hazard to pedestrians and/or motor vehicles and passengers shall not be permitted and said fencing shall be removed within thirty (30) days of such determination and notification by the Department of Building and Code Enforcement. No decorative fencing shall be located nearer than two (2) feet from a street right-of-way line.

- 3) **Privacy Screen Fence:** A structure intended to form a visual screen or windbreak for a patio or outdoor living area located in the rear yard only.
 - a) **Maximum Height:** The maximum height of a privacy screen fence shall be six (6) feet.
 - b) **Material:** Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided if such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than ninety (90) degrees. The fence shall comply with the requirements of the applicable requirements of the State Construction Code enforced by the Township. Cyclone fencing or cyclone fencing with plastic or other types of strips intertwined or otherwise attached to the fence shall be prohibited.

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- c) Placement: Said structure shall be located within the rear yard only and shall not be located nearer than twenty (20) feet to the rear property line, nor shall said fencing extend beyond the extension of the side building line of the residence.
- 4) Dog Runs and Outdoor Service Areas Fences: A structure intended to contain an animal permitted within a single family area or to screen an outdoor service area.
 - a) Maximum Height: Maximum height shall be four (4) feet in side yards and six (6) feet in rear yards.
 - b) Maximum Enclosure: Three hundred (300) square feet.
 - c) Material: Fences shall not be constructed of old or used material unless such material shall be reasonably sound in the judgment of the Department of Building and Code Enforcement. Fences shall not be made of or contain barbed wire, electric current or charges of electricity or sharp or pointed projections of any kind; provided such fence is constructed of pickets, the pickets shall be made of not less than one (1) inch by three (3) inch material and shall have an angle at the top of not less than 90 degrees. The fence shall comply with the requirements of the building code. Cyclone fencing with plastic or other types of strips intertwined in the fencing shall be prohibited.
 - d) Placement: Side or rear yard provided that said run shall be screened appropriately from any public right-of-way or adjacent property and shall not be closer than eight (8) feet to a side property line or ten (10) feet from a rear yard line.
- 5) Pool Fence: See Charter Township of Plymouth Code of Ordinances Chapter 29, Swimming Pools.
- (g) Sidewalks shall be provided as required by Section 28.16 of this Ordinance.
- (h) Underground utilities shall be provided as required under Section 28.10.