

# CITY OF CROSWELL

## CERTIFICATION

THIS COMPILATION OF ORDINANCES IS PRINTED BY  
AUTHORITY OF THE CITY COUNCIL AND CONTAINS  
THOSE ORDINANCES PRINTED HEREIN, COMPILED  
WITH ALL AMENDMENTS UP TO **JULY, 1977**

ARTHUR EMERSON

(S)

CLERK

PROOF OF ORDINANCES

EVIDENCE IN COURT

*MICHIGAN COMPILED LAWS OF 1970, SEC. 600.2116; as amended by PUBLIC ACT  
No. 140 of the Public Acts of 1973, being (M.S.A. 27A.2116)*

### PROVIDES:

All laws, bylaws, regulations, resolutions, and ordinances of the common council or of the board of trustees of an incorporated city or village or the township board of a township in this state may be read in evidence in all courts and in all proceedings before any officer, body, or board in which it is necessary to refer thereto, from a record thereof, kept by the clerk or recorder of the city, village, or township; or from a printed copy thereof, purporting to have been published by authority of the common council, board of trustees, or township board, in a newspaper published in such city, village, or township; or from any volume of ordinances, codification, or compilation of ordinances purporting to have been printed by authority of the common council or board of trustees of such city, village, or township; and the record, certified copy, volume, codification, or compilation shall be prima facie evidence of the existence and validity of such laws, regulations, resolutions, and ordinances, without proof of the enactment, publishing, or any other thing concerning the same.

(C.L. '70 600.2116, as amended by PA No. 140 - 1973 - M.S.A. 27A.2116)

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three for a term of two years, and three for a term of three years. All such appointments shall date from July 1, 1955. The member shall hold office until his successor has been appointed. Vacancies occurring otherwisw (otherwise) than through the expiration of term shall be filled for the unexpired term by the Mayor subject to approval by the City Council.

The Mayor, may designate not more than two additional city employees to serve ex-officio (ex officio) on the Commission and to assist said Commission in its work. (ord. no. 135 eff. July 1, 1955)

14.753 All members of the Croswell City Plan Commission including city employees servinf (serving) ex-officio (ex officio), whall (shall) serve as such without compensation. (ord. no. 135 eff. July 1, 1955)

14.754 REMOVAL OF MEMBER. Members of the Croswell City Plan Commission may, after public hearing, be removed by the mayor for inefficiency, neglect of duty, of malfeasance in office; provided that such removal be approved by the Commission. (ord. no. 135 eff. July 1, 1955)

14.755 MEETINGS AND RECORDS. The Commission shall annually elect its chariman from amounfst (amongst) the appointed members and create and fill such other of its offices as it may determine. The Commission shall hold at least one regular meeting on each month. It shall adopt rules for transaction of business and

ORDINANCE NO. 135

CROSWELL CITY PLAN COMMISSION  
CITY OF CROSWELL, MICHIGAN  
effective July 1, 1955

14.750           Whereas, it is desirable and expidient (expedient)  
for the City of Croswell to have a Planning Commission,

And whereas, Act #215 of the Public Acts of 1895 as  
granted by Act #368 of the Michigan Local Act of 1905  
provids ( provides) the council with authority,

THEREFOR THE CITY OF CROSWELL ORDAINS:

14.751           CREATION OF PLANNING COMMISSION. A city planning  
commission is hereby created pursuant to the Act #285  
of the Public Acts of the State of Michigan for 1931,  
as amended. It shall be known as the Croswell City  
Plan Commission.  
(ord. no. 135 eff. July 1, 1955)

14.752           MEMBERSHIP OF CROSWELL CITY PLAN COMMISSION. The  
Croswell City Plan Commission shall consist of nine  
members who shall represent insofar as possible differ-  
ent professions or occupations. The members shall be  
appointed by the Mayor, subject to the approval of  
the City Council. The term of each member of the  
Commission shall be three years, except that in the case  
of the first Commission appointed hereunder, three of  
said members shall be appointed for a term of one year,

shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record and open to inspection in the Office of the City Clerk.

(ord. no. 135 eff. July 1, 1955)

14.756

CONTRACTS FOR SERVICES. The Commission may contract with city planners, engineers, architects, and other consultants for such specialized services as it may require. In addition, the services of regular city employees may be obtained as found necessary for its work. Provided, however, the Croswell City Plan Commission shall not expend any funds or enter into any contracts or agreements for expenditures in excess of amounts appropriated for the purpose by the City Council. The City Council may appropriate such funds for city planning as it may deem advisable.

(ord. no. 135 eff. July 1, 1955)

14.757

POWERS AND DUTIES (DUTIES) OF COMMISSION. The Commission shall have such powers concerning the preparation and adoption of a master plan or any part thereof, the making of (of) surveys as a basis for such plan, the approval of public (public) improvements, the carrying out of educational and publicity programs, the approval of plats and such other rights, powers, duties and responsibilities (responsibilities) as are provided in Section 6 to 15 of Act. No. 285 of the Public Acts of the State of Michigan for 1931, as amended.

(ord. no. 135 eff. July 1, 1955)

- 14.758            GIFTS.    The Commission may receive gifts for purposes of carrying out its objectives and may expend any funds received in the form of a gift in such manner as it may deem proper.  
(ord. no. 135 eff. July 1, 1955)
- 14.759            IMPORTS AND RECOMMENDATIONS.    The Commission shall make reports and recommendations to the City Council, provided, however, that no such recommendation shall be binding upon the City Council.  
(ord. no. 135 eff. July 1, 1955)
- 14.760            SEVERABILITY.    The sections of this Ordinance are declared to be severable and if any section hereof is declared illegal or void for any reason, it shall not effect the remainder of this Ordinance.  
(ord. no. 135 eff. July 1, 1955)
- 14.761            PUBLICATION.    This ordinance shall be published in the Sanilac County Jeffersonian, a newspaper of general circulation (in) the (the) City of Croswell.  
(ord. no. 135 eff. July 1, 1955)
- 14.762            EFFECTIVE DATE.    The effective date of this ordinance shall be July 1, 1955.

ORDINANCE NO. 167

15.000

ZONING ORDINANCE  
CITY OF CROSWELL, MICHIGAN  
effective January 8, 1968

15.010

ARTICLE 1. TITLE.

An Ordinance to enact the official Zoning Ordinance of the City of Croswell, Michigan, and to establish in the City of Croswell, pursuant to Act 207 of the Michigan Public Acts of 1921, as amended, districts to regulate the use of land and structures therein; to regulate and limit the height, the area, the bulk and location of buildings; to regulate and restrict the location of trades and industries and the location of buildings designed for specific uses; to regulate and determine the area of yards, courts, and other open space; to regulate the density of population; to provide for the administration and enforcement of this Ordinance; to provide for a Board of Zoning Appeals, and its powers and duties; and to provide a penalty for the violation of the terms thereof.

In pursuance of authority conferred by the provisions of Act 207 of the Public Acts of the State of Michigan of 1921, as amended.

15.000 - 15.010



THE CITY OF CROSWELL ORDAINS:

15.011      SHORT TITLE. This Ordinance shall be known and cited as the "City of Croswell Zoning Ordinance," and shall be referred to herein as "this Ordinance."  
(ord. no. 167, eff. Jan. 8, 1968)

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(ord. no. 167, eff. Jan. 8, 1968)

15.021

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1. Words used in the present tense include future tense.
2. The singular number includes the plural, and the plural the singular.
3. The word "person" includes a firm, partnership or corporation as well as an individual.
4. The term "shall" is always mandatory.
5. The word "occupied" and the word "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied."

15.021

6. Terms not herein defined shall have the meanings customarily assigned to them.  
(ord. no. 167, eff. Jan. 8, 1968)

15.022

DEFINITIONS PERTAINING TO ACCESS

STREET: A dedicated and accepted public thoroughfare, or, a permanent unobstructed private easement of access having a right-of-way of more than 30 feet and a roadway suitable for vehicular travel at least 10 feet wide which affords the principal means of vehicular access to abutting property.

(ord. no. 167, eff. Jan. 8, 1968)

15.023

DEFINITIONS PERTAINING TO A BUILDING

STRUCTURE: Any constructed or erected material or combination of materials the use of which requires location on the ground; including, but not limited to, buildings, stadiums, radio towers, sheds, storage bins, fences and signs.

BUILDING: Any structure having a roof including, but not limited to, tents, awnings, carports, and such devices as trailer coaches which have a primary function other than being a means of conveyance.

(ord. no. 167, eff. Jan. 8, 1968)

15.024

DEFINITIONS CONCERNING A LOT

LOT: A platted lot of a recorded subdivision or a parcel of land including, in addition to the land required to

meet the regulations of this Ordinance, all of the land area shown in a request for a Zoning Compliance Permit, occupied or intended to be occupied by a principal and accessory building or use.

LOT, CORNER: A lot where the corner interior angle at the intersection of the two streets is less than one hundred thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purpose of this Ordinance, if tangents to the curve at the two points where the lot lines meet the curve form an interior angle of less than one hundred thirty-five (135) degrees.

LOT, INTERIOR: Any lot other than a corner lot.

LOT THROUGH, OR LOT, DOUBLE-FRONTAGE: (See definition of Lot Line, Front).

LOT OF RECORD: A parcel of land, the deed to which is on record with the Sanilac County Registrar of Deeds, and which exists as described.  
(ord. no. 167, eff. Jan. 8, 1968)

15.025

DEFINITIONS PERTAINING TO LAND USE

AGRICULTURE: The art or science of cultivating the ground; the production of crops or livestock on a farm; excluding commercial greenhouses, the sale of nursery stock, riding stables, mink, fox and similar so-called fur farms, hog or poultry farms using garbage as a feed, milk processing other than milk produced on the farm on which the processing is located.

15.025

FARM: A tract of land in single ownership or single operation, on which agriculture as defined takes place.

TRAILER COACH PARK: Any site, lot, field, or tract of land upon which three or more trailer coaches used for habitation are parked either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

USE, PRINCIPAL: The primary and chief purpose for which a lot is used. (See "Use, Accessory", "Building, Principal", "Building, Accessory", and "Lot".)

USE, ACCESSORY: A subordinate use which is customarily incidental to the principal use on the same lot. (See "Use, Principal".)  
(ord. no. 167, eff. Jan. 8, 1968)

15.026

DEFINITIONS PERTAINING TO THE MEASUREMENT OF LAND USE AREAS, AND THE REQUIRED OPEN SPACE

LOT LINE: The lines bounding a lot as defined herein.

LOT LINE, FRONT: In the case of an interior lot, the line separating said lot from the street. In the case of a corner or double frontage lot, the line separating said lot from that street which is designated as the front street in the request for Zoning Compliance Permit.

LOT LINE, SIDE: A side lot line is any lot boundary line not a front lot line or a rear lot line. A side lot line separating a lot from a street is an exterior side

15.026

lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

LOT LINE, REAR: The lot boundary opposite and most distant from the front lot line. In the case of an irregular shaped lot, it shall be an imaginary line parallel to and farthest from the front lot line not less than ten feet long and wholly within the lot.

LOT WIDTH: The length of a straight line drawn between the points where the front setback cuts the side lot lines.

REQUIRED SETBACK: The distance required to obtain the minimum front, side, and rear open space provisions of this Ordinance.

REQUIRED OPEN SPACE: The open space established between the street or lot lines thereof and the required setback, open, unoccupied, and unobstructed by any building or any part, from the ground to the sky, except as otherwise provided in this Ordinance.

OPEN SPACE, REQUIRED FRONT: The required open space extending the full width of the lot and of a depth equal to the required setback measured horizontally at right angles to the front lot line.

OPEN SPACE, REQUIRED REAR: The required open space extending the full width of the lot and of a depth equal to the required setback measured horizontally at right angles to the rear lot line; or, in case the rear lot line abuts an alley, to the centerline of the alley.

OPEN SPACE, REQUIRED SIDE: The required open space extending from the front open space to the rear open space and of a width equal to the required side setback

DWELLING, ONE-FAMILY: A detached building containing only one dwelling unit.

DWELLING, TWO-FAMILY: A building containing only two dwelling units.

DWELLING, MULTI-FAMILY: A building containing three (3) or more dwelling units, arranged either side by side or one above the other.

FILLING STATION: Buildings or premises or portions thereof arranged or designed to be used for the retail sale of oil, gasoline or other fuel for the propulsion or lubrication of motor vehicles and which may include facilities for changing of tires, tube repairing, polishing, greasing, washing or servicing such motor vehicles; but excluding so-called high speed automotive washing, steam cleaning, body repairing, bumping or painting.

*amended  
6-7-99  
167-3*

GARAGE, PRIVATE: An accessory building having not more than seven hundred fifty <sup>960</sup> (750) sq. ft., of usable floor area to be used for the storage of non-commercial motor vehicles and not more than one commercial vehicle of not more than one ton capacity, and there shall be no public shop or services in connection therewith.

GARAGE, PARKING: A building, having no public shop or service in connection therewith, for the storage of non-commercial vehicles.

GARAGE, PUBLIC: Any garage other than a private garage or parking garage, available to the public, and which is used for the storage, repair, rental, greasing, washing, sales, servicing, adjusting, or equipping of automobiles



or other motor vehicles.



HOME OCCUPATION: An occupation that is traditionally and customarily carried on in the home; provided that such occupation is incidental to the residential use to the extent that not more than twenty (20) percent of the usable floor area of the principal and accessory buildings be occupied by such occupations that no article or service is sold or offered for sale on the premises except such as is produced by such occupation, that such occupation shall not require internal or external alterations or construction features or equipment or machinery not customary in residential areas, and that there be not more than one employee other than members of the family.

HOTEL: A building containing primarily rooming units; the units with the exception of the unit occupied by the management staff being used only for the accommodation of transients.

MOTEL: A group of attached, semi-attached or detached rooming units, with not more dwelling units than 10% of the rooming units, each unit having entrance leading directly from the outside of the building; the units with the exception of the unit occupied by the management staff being used only for the accommodation of transients.

ROOMING HOUSE: This term, boarding house and lodging house, are used synonymously in this Ordinance. A rooming house is a building other than a hotel where, for compensation and by prearrangement for definite periods, lodging, or lodging and meals, is provided for more than three persons.

measured horizontally at right angles to the side lot line.

(ord. no. 167, eff. Jan. 8, 1968)

15.027

DEFINITIONS PERTAINING TO BUILDING USE.

PRINCIPAL BUILDING: A building or, where the context so indicates, a group of buildings in which is conducted the main or principal use of the lot on which said building is situated.

ACCESSORY BUILDING: A subordinate building, whether attached or detached, or a subordinate adjunct to the main building, the use of which is customarily incidental to the permitted use of the principal building.

BUILDING, UNENCLOSED: A building having no enclosure, either by screening or otherwise, other than its roof and such necessary supporting structure as will present the minimum obstruction to light, air and view. The term shall include such carports, porches, soffits, cornices, awnings, and similar structures as meet the above definition.

*amended  
(#167-1, 1996)*

FAMILY: An individual or two or more persons related by blood, marriage, or adoption, together with not more than three (3) additional persons not related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit.

DWELLING UNIT: One or more rooms and kitchen facilities designed as a unit for occupancy by only one family for cooking, living, and sleeping purposes.

15.027

ORDINANCE NO. 167-3

An ordinance to amend Section 15.027, Definition Pertaining to Building Use, definition of Garage, Private, Ordinance No. 167 of the City of Croswell.

The City of Croswell Ordains:

SECTION 1. Amendment to Section 15.027 - The definition of "Garage, Private" is hereby amended to be as follows:

Section 15.027 - Garage, Private: An accessory building having not more than nine hundred and sixty (960) sq. ft., of usable floor area to be used for the storage of non-commercial motor vehicles and not more than one commercial vehicle of not more than one ton capacity, and there shall be no public shop or services in connection therewith.

SECTION 2. Amendment to Section 15.056 - Accessory Buildings. (A) Accessory buildings shall not exceed fourteen (14) feet in height.

SECTION 3. Severability

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof, other than the part declared void or inoperable.

SECTION 4. Effective Date

The provisions of this Ordinance shall take effect fifteen (15) days after its enactment and upon publication, as required by law and City of Croswell Charter.

Certification

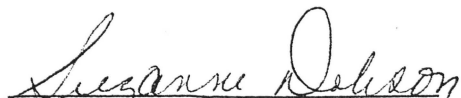
I, Suzanne Dobson, Clerk of the City of Croswell, do hereby certify that Ordinance No. 167-3 was adopted by the City of Croswell Council at a regular meeting of the City Council held at the Community Center on the 7<sup>th</sup> day of June, 1999.

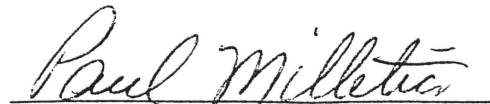
Vote on this ordinance, 5 members being present, was as follows:

AYES: Milletics, Parry, Fockler, Parry, Espinoza

NAYS: \_\_\_\_\_

Further certify that said Ordinance No. 167-3 adopted by the City of Croswell Council on the 7<sup>th</sup> day of June, 1999, was published once in The Jeffersonian, a paper published in Sanilac County and circulated in the City of Croswell, on the 14<sup>th</sup> day of June, 1999, this being the first and final day of publication of this ordinance.

  
Suzanne Dobson, City Clerk

  
Paul Milletics, Mayor

TRAILER COACH: Any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and which is licensed as such, and shall include self-propelled and nonself-propelled vehicles so designed, constructed, reconstructed, or added to by means of an enclosed addition or room in such manner as will permit the occupancy thereof as a dwelling or sleeping place for one (1) or more persons, and having no foundation other than wheels, jacks, and skirtings. The term "trailer coach" shall include and is intended to be synonymous with, automobile trailer, house trailer, trailer home, mobile home, house car, or similar vehicles, regardless of its designation for descriptive purposes. (ord. no. 167, eff. Jan. 8, 1968)

15.028

DEFINITIONS PERTAINING TO BUILDING MEASUREMENTS.

BUILDING HEIGHT: The vertical distance measured from grade to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, and gambrel roofs.

GRADE: For the purposes of determining building height:

- A. For buildings adjoining one street only, means the elevation of the sidewalk at the center of that wall which adjoins the street, except that in case the average elevation of the finished surface adjacent to the exterior walls of the building is lower than the elevation of the sidewalk grade, or, where there are no sidewalks, the grade shall be the average elevation of the ground on the lowest side adjacent to the exterior walls of the building;

- B. For buildings adjoining more than one street, means the elevation of the sidewalk at the center of the wall adjoining the street having the lowest sidewalk elevation;
- C. For buildings having no wall adjoining the street, means the average level of the ground, finished surface, adjacent to the exterior walls of the building.

All walls approximately parallel to and not more than five feet from a street line shall be considered as adjoining the street. In alleys the surface of the paving shall be considered to be the sidewalk elevation. Where the elevation of the sidewalk or alley paving has not been established, the municipal engineer shall determine such elevation for the purpose of this Ordinance.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of any floor above; or any portion of a building between the topmost floor and the roof having a usable floor area equal to at least fifty percent (50%) of the usable floor area of the floor immediately below it. A top floor area under a sloping roof with less floor area is a half-story. The first story shall be considered a lowest story of which the ceiling is more than four (4) feet above the average contact ground level at the exterior walls of the building.

USABLE FLOOR AREA, RESIDENTIAL: The measurement of usable floor area for residential uses shall be the area measured to the exterior face of exterior walls. Each area must have more than seven (7) feet six (6) inches headroom in any story that is connected by a fixed stairway and which may be made usable for human

habitation; but excluding the floor area of basements, garages, accessory buildings, attics, breezeways, and unenclosed porches.

USABLE FLOOR AREA, NON-RESIDENTIAL: The measurement of usable floor area for non-residential uses shall be to the exterior face of exterior walls on the first story and any other story connected by a fixed stairway or elevator, which may be made fit for human habitation; the measurement shall include the floor area of all accessory buildings measured similarly, but exclude the floor area required for heating and other mechanical equipment, unenclosed porches, light shafts, public corridors, and public toilets.

(ord. no. 167, eff. Jan. 8, 1968)

15.029

DEFINITIONS PERTAINING TO USES OR SITUATIONS WHICH ARE TO BE GIVEN SPECIAL PREFERENCE.

PUBLIC UTILITY: Any person, firm, corporation, municipal department or board duly authorized to furnish, and furnishing under state or municipal regulations, to the public, electricity, gas, steam, communication, telegraph, transportation, or water.

ESSENTIAL SERVICE: The erection, construction, alteration, or maintenance by a public utility of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, poles, wires, mains, drains, sewers, pipes, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities for the public health, safety, or general welfare.

15.029

(This definition does not include buildings, electric sub-stations, transmission towers, or the open storage of vehicles, equipment, and poles.)

NON-CONFORMANCE, TYPE "A": A use, lawfully existing at the time of enactment of this Ordinance or an amendment thereto, that does not conform to the provisions of this Ordinance and that is located in a building that, because of its design, bulk, arrangement, or other features cannot be readily remodeled or adapted to serve a use that does conform to the provisions of this Ordinance for the district in which said building is located.

NON-CONFORMANCE TYPE "B": A use, lawfully existing at the time of enactment of this Ordinance or an amendment thereto, that does not conform to the provisions of this Ordinance and that is located either in a building that does conform to the provisions of this Ordinance or can be readily adapted to serve a use that is located on open land.

NON-CONFORMANCE, TYPE "C": A building or structure, lawfully existing at the time of enactment of this Ordinance or an amendment thereto, that does not conform to the provisions of this Ordinance and that is located either in a building that can be readily adapted to serve a use that does conform to the provisions of this Ordinance or that is located on open land.

NON-CONFORMANCE, TYPE "C": A building or structure, lawfully existing at the time of enactment of this Ordinance or an amendment thereto, that does not conform to regulations (regulations) contained in ARTICLE 5

(Article 5 is now numbered Section 15.050), AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS or ARTICLE 8 (Article 8 is now numbered Section 15.080), SUPPLEMENTARY REGULATIONS.

(ord. no. 167, eff. Jan. 8, 1968)

15.030 ARTICLE 3. ESTABLISHING ZONE DISTRICTS.

15.031 CLASSIFICATION OF DISTRICTS.

Croswell shall be and is hereby divided into districts as enumerated in ARTICLE 6 (Article 6 is now numbered Section 15.060), SCHEDULE OF REGULATIONS.

(ord. no. 167, eff. Jan. 8, 1968)

15.032 REQUIRED CONFORMITY TO DISTRICT REGULATIONS.

Except as otherwise provided in this Ordinance, no structure or land shall hereafter be used or occupied and no structure or part thereof shall be erected, moved, or altered except in conformity with the regulations herein specified for the District in which the structure or land is located.

(ord. no. 167, eff. Jan. 8, 1968)

15.033 DISTRICT BOUNDARIES SHOWN ON ZONING MAP.

The boundaries of said Districts are hereby established as shown on the ZONING MAP, which accompanies this Ordinance, and which ZONING MAP with all notations, references, and other information shown thereon shall be as much a part of this Ordinance as if fully described herein. The ZONING MAP shall be certified as the official copy by the City Clerk and shall be kept on display in the



office of the City Clerk.

1. The boundaries of said Districts as shown on the Zoning Map are hereby amended as follows:

Lot 43, also part of Lot 42, commencing in NE corner of Lot 43, thence N 33 feet, E 196.37 feet, S 132 feet, West 176.47 feet, No. 98.8 feet to point of beginning, Assessors Plat of Croswell is rezoned from Residential to Commercial.

Also, Twenty acres more or less of E 1/2 of SW 1/4 of SW 1/4, T 10 N, R 16 E., Section 20, and

Part of SW 1/4 Section 20, T 10 N, R 16 E, known as the Benko's Riverside Meadows, is hereby rezoned from Agricultural to Residential 1-A and the zoning map is hereby amended to correspond with these changes.

(ord. no. 167, eff. Jan. 8, 1968, amend. by ord. no. 163, eff. March 21, 1966)

2. Rezone from residential to commercial parcels listed below.

Parcel #1

Lots 27 and 28, Block 3, of Croswell Land Company's First Addition to the City of Croswell

Parcel #2

Lot 58 of Assessors Plat to Croswell

And the zoning map is hereby amended to correspond with these changes.

(ord. no. 167, eff. Jan. 8, 1968, amend. by ord. no. 174, eff. March 26, 1970)

3. Rezoning from neighborhood Part to RMI Multiple Family Dwelling. Lots 1,2,3,4,5, and 6 of Stevensons addition to the City of Croswell and the zoning map is hereby ammended (amended) to correspond with these changes.  
(ord. no. 167, eff. Jan. 8, 1968, amend. by ord. no. 175, eff. April 4, 1970)
  
4. Rezone from Agricultural to R.I.A. the following described Land. SW  $\frac{1}{2}$  of the SW  $\frac{1}{2}$  of Sec. 21, Town 10-N, Range 16E except there from the 5198 feet of the W 429 feet, and the zoning map is hereby amended to correspond with these changes.  
(ord. no. 167, eff. Jan. 8, 1968, amend. by ord. no. 178, eff. Oct. 26, 1970)
  
5. Rezone from Agricultural to R.M.I. Multiple Family Dwellings the following described land. Commencing 33 feet north and 33 feet east of the intersection of the center line of Harrington Road with the center line of Mills Street in the City of Croswell, thence east 528 feet, north 633 feet, west 528 feet, south 633 feet to the point of beginning exepcting (excepting) commencing 33 feet north and 33 feet east of the intersection of the center line of Harrington Road with the center line of Mills in the City of Croswell east 140.0 feet, north 141.75 feet, west 140.0 feet, south 141.75 (feet) to the point of beginning. Also except commencing at the north quarter corner of Section 29, T 10 N, R16 E. N  $89^{\circ} 26$  minutes, east 964.02 feet, north 33 feet as a point of beginning of this description, thence north 283.5 feet, north  $89^{\circ} 26$  minutes, east 190.0 feet, south 283.5 feet, south  $89^{\circ} 26$  minutes, west 190.0 feet to the point of beginning and the zoning map is hereby ammended (amended) to correspong (correspond) with these

changes.

(ord. no. 167, eff. Jan. 8, 1968, amend. by  
ord. no. 186, eff. June 5, 1972)

6. Rezone from R.M.I. multiple family dwelling to R.I.A. single family residential the following described land.

Section 20 T 10 N, R 16 E City of Croswell (,) Sanilac County, Michigan, South 89° - 26' West 190.00 feet; thence 141.75 feet; thence South 89° - 26' West 140.00 feet; thence North 491.25 feet along the East line of Mill Street; thence North 89° =(-) 26' 330.00 feet along an old line of fence; thence South 349.50 feet to the point of beginning.

(ord. no. 167, eff. Jan. 8, 1968, amend. by ord. no. 193, eff. Dec. 17, 1973)

15.034

INTERPRETATION OF ZONING MAP.

Where due to the scale, lack of detail, or illegibility of the ZONING MAP accompanying this Ordinance, there is an uncertainty, contradiction, or conflict as to the intended location of any District boundary as shown thereon, interpretation concerning the exact location of the District boundary line shall be determined by the Board of Appeals.

(ord. no. 167, eff. Jan. 8, 1968)

15.035

CLASSIFICATION OF NEW AREAS.

Where there has been prepared a plan as authorized by Section 6, P.A. 235 of 1931, of land outside the boundaries of Croswell, and where the zoning aspect of such plan has had a public hearing and has been adopted by the City Council, that Zoning shall take effect on the date

such land becomes annexed to the City of Croswell.  
(ord. no. 167, eff. Jan. 8, 1968)

15.040

ARTICLE 4. USE REGULATIONS.

Except as otherwise provided herein, regulations governing land and building use are hereby established as shown in ARTICLE 6, SCHEDULE OF REGULATIONS. Any use not expressly permitted is prohibited. Uses requiring Board of Appeals permit are special exceptions that require some measure of individual consideration and the imposing of conditions in order to make them compatible with the uses permitted by right in such districts. In some instances, where so indicated in the language of the SCHEDULE OF REGULATIONS, uses requiring the Board of Appeals permit are permissible only if in the opinion of the Board of Appeals adequate conditions exist or can be imposed that will make such uses compatible with the purposes of this Ordinance. Otherwise such uses are prohibited uses.

(ord. no. 167, eff. Jan. 8, 1968)

15.050

ARTICLE 5. AREA, HEIGHT, BULK, AND  
PLACEMENT REGULATIONS

15.051

GENERAL.

Except as otherwise provided herein, regulations governing the percentage ratio of usable floor area to lot area, lot size, lot area per dwelling unit, required open spaces, height of buildings, and other pertinent factors, are as shown in ARTICLE 6, SCHEDULE OF REGULATIONS. (Article 6 is now numbered Section 15.060).

(ord. no. 167, eff. Jan. 8, 1968)

15.040 - 15.051

15.052

REGULATIONS ENCUMBERING LAND REQUIRED TO SATISFY  
REGULATIONS.

No portion of a lot used in, or necessary for, compliance with the provisions of this Ordinance, in regard to area, height, bulk, and placement regulations in connection with an existing or proposed building or use, shall, through sale or otherwise, again be used as a part of the lot required in connection with any other building or structure or use.

(ord. no. 167, eff. Jan. 8, 1968)

15.053

EXCEPTIONS TO HEIGHT LIMITS.

The height limits of this Ordinance may be modified by the Board of Appeals in its application to church spires, belfries, cupolas, penthouses, domes, water towers, observation towers, power transmission towers, radio towers, masts and aerials, flagpoles, chimneys, smokestacks, ventilators, skylights, derricks, conveyors, cooling towers, and other similar and necessary mechanical appurtenances pertaining to and necessary to the permitted uses of the districts in which they are located.

(ord. no. 167, eff. Jan. 8, 1968)

15.054

AVERAGING EXISTING FRONT SETBACKS.

Where there are two or more existing buildings on the same side of the street in the same block and within two hundred (200) feet of a lot the required front open space for said lot may be reduced to the average distance

from the street lot line of said buildings.  
(ord. no. 167, eff. Jan. 8, 1968)

15.055 CORNER LOT SETBACK ON THE SIDE STREET.

In a residential district every corner lot, having on its side street an abutting interior lot, shall have a minimum setback from the side street equal to the minimum required front setback of the district in which it is located; provided, however, that this does not reduce the width of the area on which building may be placed of any lot of record to less than twenty-five (25) feet. On corner lots where a rear open space abuts a side open space on the adjoining lot, accessory buildings on the corner lot shall have a minimum setback from the rear lot line a distance equal to the smaller of the side setbacks required for the lot abutting the corner lot.

(ord. no. 167, eff. Jan. 8, 1968)

15.056 ACCESSORY BUILDINGS.

Accessory Buildings in AG Agricultural District, R-1-A and R-1-B Residential Districts, shall conform to the following regulations except as may be otherwise provided in this Ordinance:

A. Accessory buildings shall not exceed ~~twelve~~ <sup>fourteen</sup> ~~(12)~~ <sup>(14)</sup> feet in height.

B. Accessory buildings shall not be erected in any required front or side open space.

*amended*  
6-7-99  
167-3

C. Accessory buildings may occupy required side open space provided that such buildings are more distant from the street than any part of the principal building on the same lot and any part of the principal building of any lot abutting on said required side open space, and provided further such accessory buildings, are not closer than three ~~(3)~~ feet from any lot line.

five (5)

Accessory buildings may occupy rear open spaces provided that such buildings do not occupy more than thirty-five (35) percent of the required rear open space, and are not closer than three ~~(3)~~ feet 5 from any lot line. Accessory buildings or structures or additions to the principal building, in residentially zoned districts may be relieved of the required side and rear setback provided a properly executed agreement between two owners of abutting property has been filed with the Building Inspector, and further provided the Board of Appeals has examined the proposal and determined that such accessory building or addition will have no material adverse effect upon the value, use or enjoyment of any property beyond that of the aforesaid two abutters.

On any corner lot in a residential district, no part of any accessory building shall be nearer the exterior side street lot line than the required setback as regulated in Section 5.5 (Section 5.5 is now numbered Section 15.055)  
(ord. no. 167, eff. Jan. 8, 1968)

15.057

APPLICATION TO LOTS OF RECORD.

Where two or more abutting lots of record are held in one ownership, either in fee simple and/or under a vendee's land contract interest, or subsequently come to be held in one ownership, they shall be considered to be a single lot of record for the purpose of this Ordinance, and the provisions of this Ordinance shall not thereafter be circumvented or avoided by the willful sale or conveyance of a part or portion of any parcel or parcels.

Where the owner of a lot of record does not own and cannot reasonably acquire sufficient adjacent land to enable him to conform to the open space and other requirements herein prescribed, such lot may be used by said owner as a building site provided the open space and other provisions conform as closely as possible, in the opinion of the Board of Zoning Appeals, to the requirements for the district in which it is located.  
(ord. no. 167, eff. Jan. 8, 1968)

15.060

ARTICLE 6. SCHEDULE OF REGULATIONS.

(See Schedule ....15.060 - 15.0612)

*See Amendment 167-18  
8/2/2010*

15.057 - 15.060



ORDINANCE #167-18  
ZONING ORDINANCE AMENDMENT

AN ORDINANCE AMENDING ARTICLE 6, SECTION 15.060 OF ORDINANCE #167

THE CITY OF CROSWELL ORDAINS:

Section 1. Section 15.060 of Article 6 of Ordinance #167, as amended is hereby adding the following regulation.

District Regulations – Each district, as created in this article, shall be subject to the regulations contained in this ordinance. Uses not expressly permitted are prohibited. Uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances are prohibited. Waiver uses, because of their nature, require special restrictions and some measure of individual attention in order to determine whether or not such uses will be compatible with uses permitted by right in the district and with the purposes of this ordinance. Waiver uses are therefore prohibited uses unless a waiver of such prohibition is reviewed and findings submitted by the City Planning Commission as provided in this ordinance and approved by the City Council.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 3. Should any portion of this ordinance held invalid for any reason, such holding shall be construed as affecting the validity of any of the remaining portions of this ordinance.

Certification

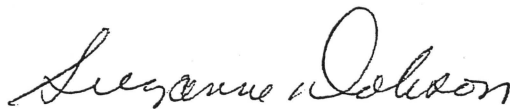
I, Suzanne Dobson, Clerk of the City of Croswell, do hereby certify that Ordinance No. 167-18 was adopted by the City of Croswell Council at a Regular meeting of the City Council held at the Wm. Aitkin Memorial Library on the 2<sup>nd</sup> day of August, 2010.

Vote on this ordinance, 5 members being present, was as follows:

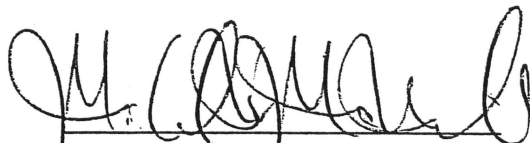
AYES: Willis, McMillan, Butler, Krawczyk, Geiger

NAYS: \_\_\_\_\_

Further certify that said Ordinance No. 167-18 adopted by the City of Croswell Council on the 2<sup>nd</sup> day of August, 2010, was published once in The Jeffersonian, a paper published in Sanilac County and circulated in the City of Croswell, on the 8<sup>th</sup> day of August, 2010, this being the first and final day of publication of this ordinance.



Suzanne Dobson, CMC  
Croswell City Clerk



Michael McMillan, Mayor

*Garage  
5 ft*

*R1-A 1500 sq ft  
Other zoning  
no minimum*

15.060 ZONING ORDINANCE, CITY OF CROSWELL, MICHIGAN  
SCHEDULE OF REGULATIONS - ARTICLE VI

Sec. 15.061 DISTRICT	15.062 PERMITTED PRINCIPAL USE	15.063 PERMITTED ACCESSORY USE (Any use that is customarily incidental to permitted principal use is permitted)	15.064 SPECIAL-EXCEPTIONS (Requiring Board of Appeals special ex- ception permit in accordance with Section 15.4 (b) (see 15.254 (B) of Zoning Ordinance)	15.065	15.066	15.067	15.068	15.069	15.0610	15.0611	15.0612		
				AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS									
				MINIMUM SETBACK				MAX. HEIGHT				MINIMUM LOT	
				FRONT	SIDE		REAR	FEET	STORIES	AREA	WIDTH		
ONE	TWO												
RV River Valley Flood Plains of the Black River	1. Recreational 2. Agricultural		Any State, local or national governmental pur- pose not involving construction of permanent building.		No land filling to be allowed in this district.								
AG Agricultural Residential	1. Single family dwellings 2. Agriculture-Barns and other agricultural buildings and structures required to serve the farm on which located. 3. Golf Courses 4. Cemeteries	1. Private Garages Greenhouses 2. Home Occu- pations (See Defi- nition) 3. Roadside Stands 4. Signs (See Article 9 (15.090) of Zoning Ordinance)	1. Drive-in Theatre 2. Trailer Coach Park in accord- ance with Article 12 (See 15.220) of Zoning Ordinance. 3. Airport 4. Schools, Churches, parks, playgrounds, community facilit- ties such as hospitals, con- valescent homes, library.	25'	20'	50'	50'	25'	2	20 Acres	330'		
R-1-A Single Family Residential	1. Single family dwellings 2. Home Occupations (See definition)	1. Private Garages 2. Signs (See Article 9 Zoning Ordinance) 3. Fences	1. Schools, Churches parks, playgrounds, community facilit- ties such as hospi- tal, convalescent home, library, fire station.	25'	8'	18'	30'	25'	2	8800 sq.ft.	66'		
R-1-B Single Family Residential	1. Same as R-1-A	1. Same as R-1-A	1. Same as R-1-A  2. <del>Two-Family Dwellings</del>	25'	5'	15'	30'	25'	2	6600 sq. ft. per family 3300 sq. ft. per family	50'		

15.060 - 15.0612

*ord 167-10  
9/2/03*

SCHEDULE OF REGULATIONS - ARTICLE VI (continued)

Sec. 15.061	15.062	15.063	15.064	15.065	15.066	15.067	15.068	15.069	15.0610	15.0611	15.0612
AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS											
				MINIMUM SETBACK		MAX. HEIGHT		MINIMUM LOT			
				SIDE		IN	IN				
				FRONT	ONE	TWO	REAR	FEET	STORIES	AREA	WIDTH
C Commercial	1. Retail establishments 2. Business services such as banks, real estate, insurance 3. Personal Services such as barber, beauty shops, drycleaning, Laundry 4. Restaurants (except drive-ins) 5. Commercial Recreation such as bowling alleys, clubs, dance halls, theatres (except drive-ins) 6. Newspaper & Printing Shop 7. Hotels, Motels 8. Electric Substation, telephone exchange 9. All permitted uses must satisfy regulations set out in Performance Standards, Article 10 (15.100) of Zoning Ordinance	1. Signs (See Article 9 (15.090) Zoning Ordinance) 2. Off Street Parking	1. Restaurants Drive-in				None where abutting alley- other- 20'	30'	2	None	
M Industrial	1. Any use permitted by right or special permit in "C" Commercial District. 2. Public Utility uses such as water reservoir, terminal for inter-city vehicles for movement of freight and persons 3. Sale at Wholesale and Warehousing. Any commodity, the sale, assembly and fabrication of which is permitted in this district 4. Shops and Processes such as Agricultural Products, food canning, pickling, bottling, sugar manufacture, grain storage, and processing dairy products plant; Bag, rug and carpet cleaning; Bakery, large wholesale; Candy, Potato chips, flavoring extracts; Chemicals, manufacture and processing;	1. Signs (See Article 9 (15.090) Zoning Ordinance) 2. Off Street Parking 3. Any use customarily incidental to principal use. 4. Living quarters of a watchman or caretaker	1. Coal yards, builders supply yards 2. Bulk storage of flammable (flammable) liquids 3. If greater height than 2 stories is required can be approved by Board of Appeals.	25'	20'	40'	None	30'	2	None	

15.060 - 15.0612 continued

SCHEDULE OF REGULATIONS - ARTICLE VI (continued)

Sec. 15.061	15.062	15.063	15.064	15.065	15.066	15.067	15.068	15.069	15.0610	15.0611	15.0612
continuing	continuing 4.			AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS							
M Industria				MINIMUM SETBACK		MAX. HEIGHT		MINIMUM LOT			
				SIDE		IN	IN				
				FRONT	ONE	TWO	REAR	FEET	STORIES	AREA	WIDTH
	Cinder Blocks; Cleaning or dyeing plants and laundries; Cold storage plant; Garage maintenance tools and equipment; Garment making; Heating and Air Conditioning equipment; Paints, pigments and enamels; Rubber and rubber products; Sawmill or planing mill; any other similar manufacturing process and/or assembly not prohibited by law. 5. Fabrication and Assembly such as Automotive and aircraft parts; Automotive assembling and including major repair; Electric foundry or small foundry for non-ferrous metals; Electrical equipment and motor assembly; Forge plant, foundries; Fungicides and insecticides; Galvanizing and anodizing processes; Insulating manufacture or fabrication; Mattress making and box springs; Metal working; Paper and paper products fabrication; Pharmaceuticals, cosmetics and toiletries; Plastic products; Plating of metals; Professional and scientific instruments; Screw machine products; Surgical supports and hospital equipment; Tool and die shops; Tube fabrications, binding and welding; Wire fabricators; Wood products manufacture or assembly. 6. Experimental and Research Laboratories. All permitted uses must satisfy regulations as set out in Performance Standards, Article 10 (15.100) of Zoning Ordinance.										

SCHEDULE OF REGULATIONS - ARTICLE VI (continued)

Sec. 15.061	15.062	15.063	15.064	15.065	15.066	15.067	15.068	15.069	15.0610	15.0611	15.0612
AREA, HEIGHT, BULK AND PLACEMENT REGULATIONS											
				MINIMUM SETBACK		MAX. HEIGHT		MINIMUM LOT			
				SIDE		IN	IN				
				FRONT	ONE	TWO	REAR	FEET	STORIES	AREA	WIDTH
RM - 1 (a) Multiple Family Residential	Single Family Dwellings	Same as in R1-B	Same as in R1-A	25'	5	15	30	25	2	6600 s.f. per Fam.	50
	Two Family Dwellings	"	"	25'	5	15	30	25	2	3300 s.f. per Fam.	50
	Multiple Family Dwellings	"	"	35	20	40	30	25	2	(c)	(c)

(a) In the case of multiple dwelling developments, all site plans shall be submitted to the Planning Commission for its review and approval prior to the issuance of a building permit.

Approval shall be contingent upon a finding that: (1) The site plan shows that a proper relationship exists between local streets and any proposed service roads, driveways, and parking area to encourage pedestrian and vehicular traffic safety, and (2) all the development features including the principal building or buildings and any accessory buildings, or uses, open spaces, and any service roads, driveways and parking areas are so located and related to minimize the possibility of any adverse effects upon adjacent property, such as, but not limited to, channeling excessive traffic onto local residential streets, lack of adequate screening or buffering of parking or service areas, or building groupings and circulation routes located as to interfere with police or fire equipment access.

(b) Where more than one building occupies a single lot or parcel the following building relationships shall be maintained:

<u>Building Relationships</u>	<u>Overall Distance Between Buildings</u>
Front to front	50'
Front to side	45'
Front to rear	60'
Rear to rear	60'
Rear to side	45'
Side to side	20'
Corner to corner	15'

The front and rear of the multiple family building shall be considered to be the distance along the longest dimension of said building. The builder may designate the front and rear of his structures.

(b) continued.

Every lot on which a multiple dwelling is erected shall be provided with a side yard on each side of the lot. 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 dwelling exceeds forty (40) feet in overall dimension along the adjoining lot line. No multiple dwelling shall exceed one hundred eighty (180) feet in length. The depth on any court shall not be greater than three (3) times the width.

(c) In an RM-1 Multiple Family District, the permitted number of dwelling units per acre shall be established by allotting the following lot areas per unit:

<u>UNIT TYPE</u>	<u>LOT AREA/UNIT</u>
Efficiency	1,200 sq. ft.
1 Bedroom	2,200 sq. ft.
2 Bedroom	3,000 sq. ft.
3 Bedroom	3,800 sq. ft.
4 Bedroom	4,600 sq. ft.

The area used for computing density shall be the total site area exclusive of area dedicated to public right-of-way of either interior or bounding roads.

(amendment effective April 20, 1970)

ORDINANCE NO. 218

COMMERCIAL ZONING

CITY OF CROSWELL, MICHIGAN  
effective September 18, 1986

An Ordinance to amend Article 6, schedule of Regulations, Section 15.062:  
Permitted Principal Uses under Commercial Zones.

The City of Croswell Ordains:

- A) that it shall be a permitted Principal Use within the Commercial Zone to establish residential occupancy in accordance with the building code for second and third story levels.
- B) it remains the intent of this ordinance to reserve ground level occupation for commercial non-residential use only as previously provided.
- C) Adopted this 18th day of August, 1986, by the Council of the City of Croswell.

15.070 ARTICLE 7. ZONING MAP.

15.080 ARTICLE 8. SUPPLEMENTARY REGULATIONS.

15.081 REAR DWELLINGS AND ALLEY DWELLINGS.

No dwelling unit shall be built on a lot unless it is fronting upon a public street or upon a permanent unobstructed easement of access to a public street. Such easement shall have a minimum width of thirty (30) feet, excepting where an easement of access of less width exists prior to the adoption of this Ordinance. Regulations shall apply to such easements in the same manner as to streets.

(ord. no. 167, eff. Jan. 8, 1968)

15.082 USE OF ACCESSORY BUILDING PRIOR TO USE OF PRINCIPAL BUILDING PROHIBITED.

No accessory building may be used prior to its principal building or use except as a facility of construction of said principal building. This exception is a temporary one which shall lapse one year after the issuance of the Zoning Compliance Permit.

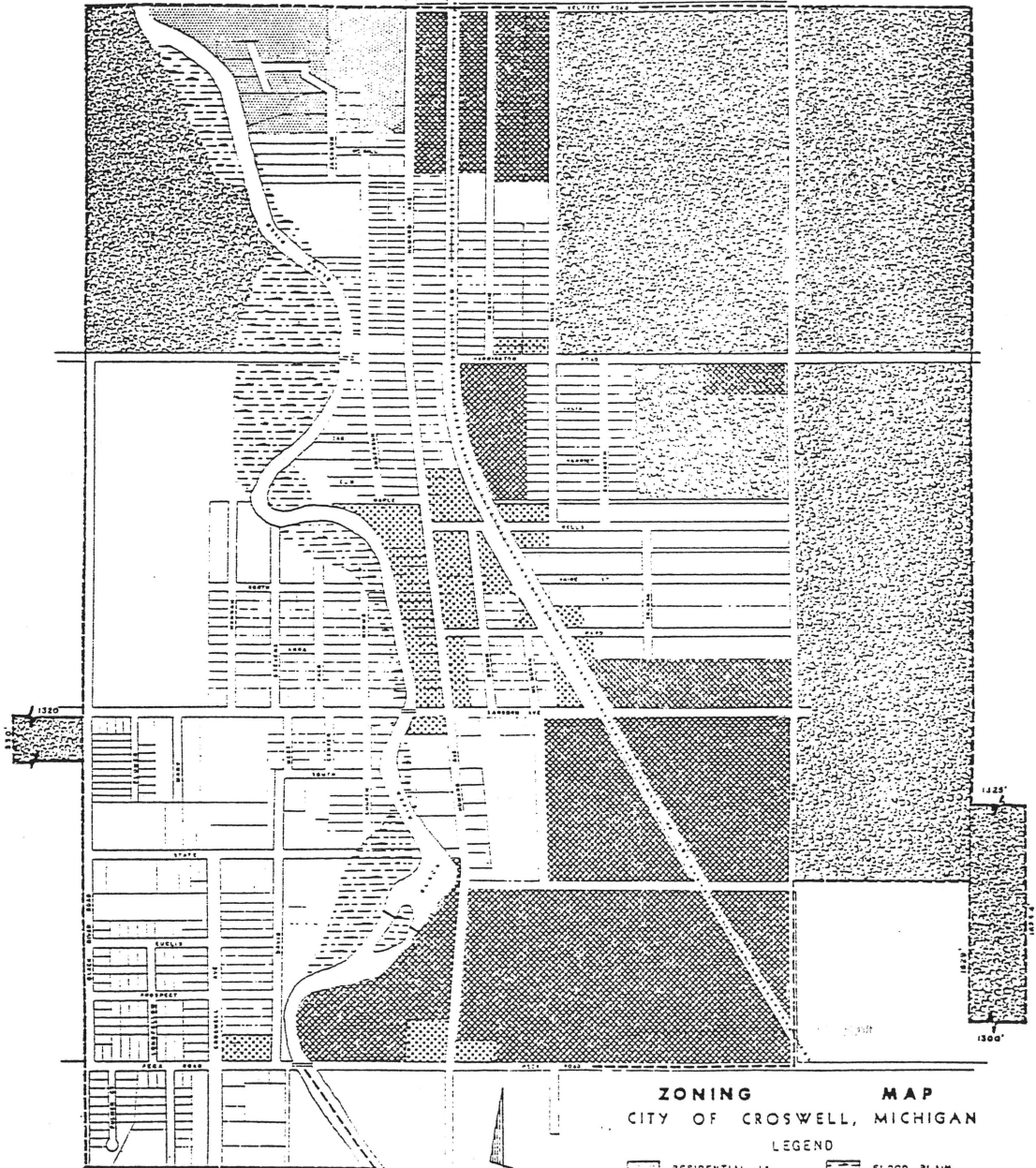
(ord. no. 167, eff. Jan. 8, 1968)

15.083 ESSENTIAL SERVICES.

Essential services shall be permitted as authorized and regulated by law and other Ordinances of Croswell,



ARTICLE 7



**ZONING MAP**  
CITY OF CROSWELL, MICHIGAN

- LEGEND
- |   |   |
|---|---|
|  RESIDENTIAL, 1A |  FLOOD PLAIN |
|  RESIDENTIAL, 1B |  COMMERCIAL  |
|  AGRICULTURAL    |  INDUSTRIAL  |

3 100 FEET  
DATE: OCTOBER, 1962

PREPARED BY GEER ASSOCIATES

PLANNING CONSULTANTS

it being the intention hereof to exempt such essential services from the application of this Ordinance.  
(ord. no. 167, eff. Jan. 8, 1968)

15.090

ARTICLE 9. SIGNS

15.091

SIGN REGULATIONS.

It shall be unlawful to commence the erection of any sign until the City Clerk has issued a Zoning Compliance Permit for such work. The location, size, type, and maintenance of signs is hereby regulated as follows.  
(ord. no. 167, eff. Jan. 8, 1968)

15.092

SIGNS DEFINED.

- A. SIGN: Any structure or part thereof or device attached thereto or painted or represented thereon, which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as, which is in the nature of (of) an announcement, direction or advertisement, the word "sign" includes the word "Billboard," but does not include the flag, pennant, or insignia or (of) any nation, state, city or other political unit.
- B. BUSINESS SIGN: A sign which directs attention to a business, profession, activity, or land use conducted on the premises. A "For Sale" sign or a

"To Let" sign relating to the property on which it is displayed shall be deemed a "business sign."

- C. ADVERTISING SIGN: A sign having less than sixty (60) square feet of display surface which directs attention to a business commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all.
- D. BILLBOARD: A type of advertising sign having more than sixty (60) and less than two hundred ten (210) square feet of display surface.
- E. BANJO SIGN: A type of business sign usually supported on a single post, commonly associated with gasoline filling stations.
- F. TEMPORARY SIGN: Any sign, banner, pennant, valance, or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard or other light material, with or without frame, where either by reason of construction or purpose the sign is intended to be displayed for a short period of time only.
- G. ERECT: When used in connection with signs, shall mean to build, construct, attach, hang, place, suspend, or affix, and shall also include the painting of wall signs.  
(ord. no. 167, eff. Jan. 8, 1968)

15.093

GENERAL REGULATIONS OF SIGNS.

- A. BILLBOARDS: Billboards are permitted in C - Commercial District and M - Industrial District.
- B. ADVERTISING SIGNS OTHER THAN BILLBOARDS: Advertising signs are permitted in the C - Commercial District and M - Industry (Industrial) District.
- C. TRAFFIC HAZARD: Placement, erection, operation or lighting of any sign, structure or device in such manner as to interfere with the necessary free and unobstructed view of vehicular or pedestrian traffic or of traffic signs or signals shall be unlawful. The color saturation and hue of any illuminated sign shall be such as to preclude confusion with traffic signals.
- D. PUBLIC RIGHTS-OF-WAY: No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs, except that existing nonconforming signs shall be permitted to continue in use for a period of fifteen (15) years after the adoption date of this Ordinance.
- E. TEMPORARY SIGNS:
  - 1. Temporary signs, banners, posters, and placards may be erected provided such signs conform with the provisions of this regulation.

15.093

2. No such temporary sign shall be erected on or otherwise fixed to any utility pole.
3. No such temporary sign shall be erected on or otherwise fixed to any pole, tree, stone, fence, building, structure, or other object within the right-of-way of any street.
4. In places of public assembly, public buildings, and office buildings more than two stories in height, no temporary sign shall be placed so as to prevent free ingress to or egress from any door, window, fire escape, nor shall such temporary sign be attached to any stand-pipe or fire escape.
5. Temporary signs attached to or suspended from a building, canopy, marquee, pole or other structure shall be strongly constructed; every temporary sign shall be securely attached to firm supports by fasteners or holders approved by the Building Official.
6. No temporary sign shall be erected at the intersection of any streets in such manner as to obstruct free and clear vision; or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device; or which makes use of the words "STOP", "LOOK", "LISTEN", "DRIVE-IN", "DANGER", or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

7. Any temporary sign or other form of advertising regulated herein found to be unsafe or insecure by the Building Official, or which has been erected in violation of the provisions of this Ordinance, must be removed or altered by the owner so as to comply with this Ordinance; provided, however, the Building Official may immediately cause to be removed any sign or other form of advertising which is an immediate peril to persons or property, at the expense of the violator.
  8. No temporary sign shall exceed six (6) feet in one of its dimensions or one hundred and fifty (150) square feet in area.
  9. Temporary signs may be erected or posted for a period not to exceed sixty (60) days, unless such temporary signs are authorized by resolution of the City Council for specific limited periods of time of less than six (6) months. Any sign posted for a longer period must meet the requirements for permanent signs.
- F. FOR SALE OR FOR LEASE SIGNS: "For Sale" or "For Lease" business signs not to exceed eighteen (18) square feet of display area per parcel offered for sale or for rent are permitted in any district. (ord. no. 167, eff. Jan. 8, 1968)

15.094

DISTRICT REGULATIONS OF BUSINESS SIGNS.

In addition to GENERAL REGULATIONS OF SIGNS, the following regulations are applicable to business signs in each of the several districts according to the following schedule.

(See Schedule following)

15.094

## SECTION 15.094

BUSINESS SIGN SCHEDULE

DISTRICT	PERMITTED Announcement of:	PROHIBITED Announcement of:	SIZE IN SQ. FT.	LOCATION	ILLUMINATION
RV and	Boarders or roomers or home occupations		2	Attached to Principal Building	Indirect
AG	Farming operation or roadside stand		18	20 feet from street line	Indirect. Flashing or intermittent prohibited.
R-1-A	Home Occupation		22	Attached to Principal Building	Indirect. Flashing or intermittent prohibited.
R-1-B	Church, School, or public building or hospital bulletin		20	One-half required set-back	Indirect
R-M (Residential)		Boarders or roomers			

15.094 continued



## SECTION 15.094 continued

BUSINESS SIGN SCHEDULE continued

DISTRICT	PERMITTED Announcement of:	PROHIBITED Announcement of:	SIZE IN SQ. FT.	LOCATION	ILLUMINATION
C (Commercial)	All permitted uses except Filling Stations		One per fifty (50) sq. ft. of usable floor area, or for open air business uses, one per three hundred (300) sq. ft. of land in such use.	No portion pro- jecting more than one foot from the space of the building or for open air business uses, not closer than ten feet from the street lot line	Flashing or inter- mittent prohibited
C (Commercial)	Filling Stations		30 sq. ft. of Ban- jo signs plus attached to build- ing one sq. ft. per ten sq. ft. of usable floor area	Not overhanging public property	
M (Industrial)	All permitted uses		One per fifty (50) sq. ft. of usable floor area.	One half required front set back.	

15.094 continued

15.100

ARTICLE 10. PERFORMANCE STANDARDS.

It shall be unlawful to carry on or permit to be carried on any activity or operation or use of any land, building or equipment contrary to or in violation of the Performance Standards of this Ordinance and/or any activity, operation or use that produces irritants to the sensory perceptions greater than the measure herein established which is hereby determined to be the maximum permissible hazards to humans or human activities as hereinafter stated.

(ord. no. 167, eff. Jan. 8, 1968)

15.101

SMOKE.

The maximum permissible discharge into the atmosphere from any single source of emission whatsoever of any air-contaminant for a period or periods aggregating more than four minutes in any one-half hour shall not be:

1. As dark or darker in shade than that designated as number 2 on the Ringelmann Chart. The Ringelmann Chart as published by the United States Bureau of Mines, Microringelmann Chart, or any other nationally recognized guide giving similar results is hereby made a part of this Ordinance, and shall be the standard. A Ringelmann Chart shall be on file in the office of the Building Official.

2. Of such opacity as to obscure an observer's view to a degree equal to or greater than the smoke described in (1) above, except when the emission consists only of water vapor.  
(ord. no. 167, eff. Jan. 8, 1968)

15.102 DUST, DIRT, AND FLY ASH.

The quantity of gas-borne or air-borne solids shall not exceed 0.20 grains per cubic foot of the carrying medium at a corrected stack temperature of 500 degrees Farenheit.  
(ord. no. 167, eff. Jan. 8, 1968)

15.103 NOISE, SOUND.

The intensity level of sounds shall not exceed the following decibel levels when adjacent to the following types of uses:

<u>SOUND LEVEL IN DECIBELS</u>	<u>ADJACENT USE</u>	<u>WHERE MEASURED</u>
55	All Resdtl. Districts	Common lot line
65	Gen. Bus. District	Common lot line
70	Industrial District	Common lot line
80	Major Street	At street lot line
65	Secondary Res. Street	At street lot line

The sound levels shall be measured with a type of audio output meter approved by the Bureau of Standards. Objectionable noises due to intermittence, beat frequency, or shrillness, shall be muffled so as not to become a nuisance to adjacent uses.  
(ord. no. 167, eff. Jan. 8, 1968)

15.104 LIGHT.

Exterior and/or interior lighting shall be so installed that the surface of the source of light shall not be visible from any bedroom window, and shall be so arranged as far as practical (practical) to reflect light away from any residential use; and in no case shall more than one foot candle power of light cross a property line five feet above the ground in a residentially zoned district.  
(ord. no. 167, eff. Jan. 8, 1968)

15.105 GLARE AND HEAT.

Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure such operation from direct view from any point along the property line, except during the period of construction of the facilities to be used and occupied.  
(ord. no. 167, eff. Jan. 8, 1968)

15.106 ODOR.

The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines

when diluted in the ratio of one volume of odorous air to four volumes of clean air, or as to produce a public nuisance or hazard beyond lot lines, is prohibited.

(ord. no. 167, eff. Jan. 8, 1968)

15.107

VIBRATION.

All machinery shall be so mounted and operated as to prevent transmission of ground vibrations beyond any lot line common with a residential district.

(ord. no. 167, eff. Jan. 8, 1968)

15.108

ELECTROMAGNETIC RADIATION.

Applicable rules and regulations of the Federal Communications Commission in regard to propagation of electromagnetic radiation are hereby made a part of this Ordinance, and shall be on file in the office of the City Clerk.

(ord. no. 167, eff. Jan. 8, 1968)

15.109

INCINERATION FACILITIES.

Every non-residential use shall have available within the building adequate disposal facilities of the type approved by the Fire Marshal.

(ord. no. 167, eff. Jan. 8, 1968)

15.110

HAZARDOUS MATERIALS AND INDUSTRIAL WASTE.

No inflammable, explosive, gaseous material(s) or materials, compounds, or chemicals which tend to be or may be hazardous to the public safety, welfare, and comfort, shall be deposited in, disposed of, drained in, or connected to any public sewer. If there is to be special Industrial Sewage Waste, or if any other stream pollution possibility is raised, the written approval of the appropriate official of the Water Pollution Control Commission and the State Department of Health shall be filed with the City regarding compliance or its equivalent with their requirements of stream pollution prevention.

(ord. no. 167, eff. Jan. 8, 1968)

15.211

ARTICLE 11. OFF-STREET PARKING AND LOADING.

Off-street parking in conjunction with all land or building uses shall be provided prior to the issuance of a certificate of occupancy as herein prescribed:

- A. The off-street parking may be provided either by individual action or by a parking program carried out through public action, whether by a special assessment district or otherwise.
- B. Whenever a use requiring off-street parking is increased in floor area and such use is located in a building existing on or before the effective date of this Ordinance, the minimum number of parking spaces required at the time of the increase in floor area shall be based on either twice the

usable floor area or other determining unit of measure of the addition, or 2/3 of the usable floor area or other determining unit of measure of the entire building including the addition.

- C. Off-street parking for other than residential use shall be either on the same lot or within two hundred (200) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot.
- D. Residential off-street parking space shall consist of a parking strip, driveway, garage, or combination thereof and shall be located on the premises it is intended to serve and not closer than three (3) feet from any street lot line.
- E. For uses not specifically mentioned herein, off-street parking requirements shall be interpreted by the Board of Appeals.
- F. Any area once designated as required off-street parking shall never be changed to any other use unless and until equal facilities are provided elsewhere.
- G. Where off-street parking in permanent public ownership and operation exists in quantity and location greater than would be necessary to fulfill the requirements of this Ordinance for the existing buildings, then the excess number of parking spaces may be prorated to the land area within two hundred (200) feet, as measured in paragraph (C) above.

When such a proration calculation has been made, the Board of Appeals may grant an exception to the minimum number of off-street parking spaces required to be provided prior to the issuance of a certificate of occupancy for any new building or new use.

- H. Off-street parking existing at the effective date of this Ordinance in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
- I. Two or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces shall be not less than the sum of the requirements for the several individual uses computed separately.
- J. The required off-street parking shall be for occupants, employees, visitors, patrons, and shall be limited in use to motor vehicles. The storage of merchandise, motor vehicles for sale, or the repair of vehicles is prohibited.
- K. In cases of dual functioning of off-street parking, where operating hours do not overlap, the Board of Appeals may grant an exception.
- L. The minimum number of off-street parking spaces shall be determined in accordance with the following table:



<u>USE</u>	<u>SPACE</u>	<u>PER UNIT</u>
1. Residential	1	Dwelling Unit
2. Hospitals, convents, homes for aged, con- valescent homes	1	Each bed
3. Private clubs, dormitories	1	Two (2) beds
4. Tourist homes, motels	1	Each rooming unit and each dwelling unit
5. Theatres, auditoriums	1	Four (4) seats
6. Churches, mortuaries	1	Four (4) seats or twenty-eight (28) square feet of usable floor area of auditorium, whichever is greater.
7. Elementary, Junior High Schools	1	Two (2) teachers, employees, or ad- ministrators or twenty-eight (28) square feet of usable floor area of auditorium which- ever is greater.

<u>USE</u>	<u>SPACE</u>	<u>PER UNIT</u>
8. High Schools, Colleges	1	Two (2) teachers, employees and administrators, plus one (1) space per ten students, or twenty-eight (28) square feet of usable floor area of largest auditorium or other public assembly room, whichever is greater.
9. Dance Halls, exhibition halls, and assembly halls without fixed seats	1	One hundred (100) square feet of usable floor area.
10. Banks, business offices, or professional offices of lawyers, engineers, and similar allied professions.	1	Three hundred (300) square feet of usable floor area plus one parking space per each three (3) employees.
11. Professional offices of doctors and dentists.	1	One hundred (100) square feet, plus one parking space per each three (3) employees.
12. Stadiums & sport arenas	1	Eight (8) seats or twelve (12) feet of benches.
13. Bowling alleys	5	Alley

15.211 continued

<u>USE</u>	<u>SPACE</u>	<u>PER UNIT</u>
14. Swimming Pool	1	Thirty (30) square feet of water area.
15. Establishments for sale and consumption on the premises of beverages, food or refreshments	1	One hundred (100) square feet of usable floor area.
16. Retail stores except as otherwise specified herein.	1	One hundred fifty (150) square feet of usable floor area.
17. Furniture and Appliance household equipment repair shops, showroom of a plumber, decorator, electrician, or similar trade; clothing and shoe repair; and laundry; motor vehicle sales showroom.	1	Eight hundred (800) square feet of usable floor area exclusive of usable floor area occupied in processing or manufacturing, for which requirements see industrial establishments below.
18. Beauty parlor or barber shop.	2	Barber or beauty shop chair.
19. Industrial establishments, including manufacturing, research, and testing laboratories; creameries;	1	Two (2) employees, computed on the basis of greatest number of persons employed at any one period during the day or night.

15.211 continued



- C. Where the parking lot abuts side lot lines of an area zoned R-1-A, R-1-B, or R-M 1, there shall be established a setback line twenty (20) feet from such street lot line, and  $1\frac{1}{2}$  spaces per unit be provided for parking in R-M 1 Zoned Areas. (ord. no. 167, eff. Jan. 8, 1968, amend. eff. Apr. 20, 1970)
- D. Where the parking lot is contiguous to an area zoned R-1-A, R-1-B, or R-M 1, which has common frontage in the same block with the parking lot, there shall be established a setback line twenty (20) feet from the street lot line, and  $1\frac{1}{2}$  spaces per unit be provided for parking in R-M 1 Zoned Areas. (ord. no. 167, eff. Jan. 8, 1968, amend. eff. Apr. 20, 1970)
- E. Where the parking lot lies across the street and opposite an area zoned R-1-A, R-1-B, or R-M 1, wherein the lots front on such street, there shall be established a setback line twenty (20) feet from the street lot line, and  $1\frac{1}{2}$  spaces per unit be provided for parking in R-M 1 Zoned Areas. (ord. no. 167, eff. Jan. 8, 1968, amend. eff. Apr. 20, 1970)
- F. Where the parking lot lies across the street and opposite or contiguous to and in the same block with an area zoned R-1-A, R-1-B, or R-M 1, which has only side lot lines on the street, there shall be established a setback line ten (10) feet from the street lot line, and  $1\frac{1}{2}$  spaces per unit be provided for parking in R-M 1 Zoned Areas. (ord. no. 167, eff. Jan. 8, 1968, amend. eff. Apr. 20, 1970)
- G. Where the parking lot abuts rear property lines of an area zoned R-1-A, R-1-B, or R-M 1, no setback

distance is required, and 1½ spaces per unit be provided for parking in R-M 1 Zoned Areas. (ord. no. 167, eff. Jan. 8, 1968, amend. eff. Apr. 20, 1970)

- H. The land between the setback line and the lot line in a parking lot is for the purposes of this Ordinance called a buffer strip.
- I. There shall be bumper stops or wheel chocks provided so as to prevent any vehicle from projecting over the buffer strip.
- J. The ground of the buffer strip shall be prepared so as (to) be fertile and there shall be planted, within six months of the date of the completion of the parking lot paving, plant material of such growth characteristics as will provide an obscuring screen planting. Such plant material shall be maintained so as to continue its effectiveness as an obscuring screen planting.
- K. Where buffer strips are not required, bumper stops or wheel chocks shall be provided, so located as to prevent any vehicle from projecting over the lot line.
- L. Where the parking lot boundary adjoins property zoned for residential use, a suitable chain link wire fence not less than three nor more than five feet in height shall be provided, but shall not extend into the required front yard of the abutting residential lot.
- M. The parking lot shall be drained to eliminate surface water.
- N. The surface of the parking lot, excepting the buffer strips, shall be constructed of a dustless

and durable portland cement, concrete or asphaltic concrete complying with Specifications established by the Building Inspector and maintained in a usable condition.

0. Plans for the layout of the parking lot must be approved by the Planning Commission unless the parking requirements can be met with parking layout following design standards approved by the Institute of Traffic Engineers. (ord. no. 167, eff. Jan. 8, 1968)

15.214

OFF-STREET LOADING AND UNLOADING.

On the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse goods, display, a department store, a wholesale store, a market, a hotel, a hospital, a mortuary, a laundry dry cleaning, or other uses similarly involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading, and unloading services adjacent to the opening used for loading and unloading in order to avoid undue interference with public use of the streets or alleys. Such loading and unloading space shall be an area ten (10) feet by forty (40) feet with a fourteen (14) foot height clearance and shall be provided according to the following table:

<u>GROSS FLOOR AREA IN SQUARE FEET</u>	<u>LOADING &amp; UNLOADING SPACES REQUIRED IN TERMS OF SQUARE FEET OF USABLE FLOOR AREA</u>
0 to 20,000	One space
20,000 to 100,000	One space plus one space for each 20,000 sq. ft. of excess over 20,000 sq. ft.
100,000 to 500,000	Five spaces plus one space for each 40,000 sq. ft. of excess over 100,000 sq. ft.
over 500,000	Fifteen spaces plus one space for each 80,000 sq. ft. of excess over 500,000 sq. ft. (ord. no. 167, eff. Jan. 8, 1968)

15.214

15.220

ARTICLE 12. TRAILER COACH PARK.

15.221

STATE ACTS.

Trailer Coach Parks shall comply with Act 143 of the P.A. of 1939 and Act 255 of the P.A. 1941 and Act 52 of the P.A. of 1949 and Act 216 of the P.A. of 1955 being M.S.A. 5.278 etseq. or as amended. (ord. no. 167, eff. Jan. 8, 1968)

15.222

TRAILER COACH LOCATED OUTSIDE TRAILER COACH PARKS.

The use of any trailer coach not located within a Trailer Coach Park is prohibited as a dwelling or place of human habitation and any such trailer coach lawfully existing at the time of enactment of this Ordinance shall be a non-conforming use, which shall become an unlawful use five (5) years from the enactment date of this Ordinance. (ord. no. 167, eff. Jan. 8, 1968)

15.223

TRAILER COACH PARK.

The Zoning Board of Appeals may permit a Trailer Coach Park to be established or extended in an AG District, when it is found, after a review of the plans, the State Application, and any other pertinent information, that such Trailer Coach Park will meet all the district requirements and the laws of the State of Michigan and that such location, when fully developed and landscaped,



will be in harmony with other uses in the district, and provided that the necessary community facilities are available to furnish services for the Trailer Coach Park.

(ord. no. 167, eff. Jan. 8, 1968)

15.224 BUILDING HEIGHT.

No building or structure, hereafter erected or altered in a Trailer Coach Park, shall exceed one and one-half (1½) stories or twenty-five (25) feet.

(ord. no. 167, eff. Jan. 8, 1968)

15.225 SIZE OF TRAILER COACH PARK.

Any Trailer Coach Park, hereafter established after the effective date of this Ordinance, shall contain not less than twenty (20) trailer coach lots complying with the area requirements, as specified below under Section 12.6 (Section 12.6 is now numbered Section 15.226).

(ord. no. 167, eff. Jan. 8, 1968)

15.226 MINIMUM YARD SPACE.

So as to maintain yard space for the different sizes of trailer coaches or trailers, the following minimums shall be required:

- A. An open area shall be provided on each trailer coach lot, to insure privacy, adequate natural light and ventilation to each trailer and to

provided sufficient area for outdoor uses essential to the trailer coach. Eighty (80%) per cent of the lots in any one Trailer Coach Park shall be not less than two thousand (2,000) square feet in area and twenty (20%) per cent of the lots in any one Trailer Coach Park shall be not less than sixteen hundred (1,600) square feet in area.

- B. The sum of the side yards at the entry side and non-entry side of a trailer coach stand shall not be less than twenty-two (22) feet, except that for the twenty (20) per cent of the lots having not less than sixteen hundred (1,600) square feet of lot area, the minimum sum of side yards shall be not less than twelve (12) feet. Provided, however, there shall be a side yard of not less than ten (10) feet at the entry side of the trailer coach stand. There shall be a rear yard of not less than three (3) feet at the rear end of the stand and a front yard of not less than six (6) feet at the front end of the trailer coach stand. For irregularly shaped side yards, the sum is determined as the sum of the average width of each side yard, provided that the required minimums above are maintained at all points in the side yard.
- C. No trailer coach shall be located closer than twenty-five (25) feet to the right-of-way line of a main public highway, or five (5) feet to the Trailer Coach Park property line.
- D. Each trailer coach lot shall be provided with a stand consisting of a solid concrete apron eight

(8) feet wide by forty-five (45) feet long, or two (2) concrete ribbons each not less than twenty-four (24) inches wide and forty-five (45) feet long, and such apron or ribbons shall be five (5) inches in thickness and shall be of Grade A concrete. Where concrete ribbons are used, the area between the ribbons must be filled in with a six (6) inch layer of crushed rock or slag.

- E. Enclosed canopies or skirtings shall not be permitted on any trailer coach, provided, however, a uniform skirting may be permitted on approval of the Board of Appeals. Each trailer coach shall be jacked up on a uniform jack or block which shall be supplied by the Trailer Coach Park. No trailer coach shall have its wheels removed (except for repair), be placed on blocks, posts, walls or any other temporary or permanent foundations; and no other building or structure shall be attached to it other than one (1) metal utility cabinet. This shall not prevent the use of an awning of aluminum, canvas, or fiber glass (Fiberglas) which space may be screened in with mesh screen. Such screened area shall be not greater than nine (9) feet in width and not greater than fifteen (15) feet in length, nor shall said area be enclosed or glassed in.  
(ord. no. 167, eff. Jan. 8, 1968)

15.227

OTHER REGULATIONS.

In order that a Trailer Coach Park may be harmonious within itself and also with its surrounding neighbors,

15.227

the following regulations shall be required:

- A. Streets shall be provided on the site where necessary to furnish principal trafficways for convenient access to the trailer coach site and other important facilities on the property. The street system shall provide convenient circulation by means of minor streets and properly located collector and arterial streets. Closed ends of dead-end streets shall be provided with a turning circle of not less than forty (40) feet outside radius.

The rights-of-way shall be of adequate width to accommodate the contemplated widths of pavement sidewalk and planting strips, but shall be not less than forty (40) feet for main drives or entrance drives and not less than forty (40) feet for minor or secondary streets.

All streets and appurtenant structures shall comply with the standards as required for new subdivisions.

- B. The Trailer Coach Park walk system shall include walks from each trailer coach entrance to road right-of-way and shall not be less than 30 inches wide and not less than four (4) inches thick. All walks shall be of Grade A concrete.
- C. All electric lines, from supply poles and leading to each trailer coach stand, shall be underground and shall be provided with a 3 wire balanced 115-230 volt supply. When separate meters are installed each meter shall be located on a uniform standard post on the lot line of each trailer coach stand. Wiring shall comply with Detroit

Edison Code for Trailer Coach Parks.

- D. There shall be provided an area of not less than one hundred (100) square feet for recreation for each trailer coach lot in the Trailer Coach Park, with a minimum area of not less than five thousand (5,000) square feet, which shall be no longer than two (2) times its width located not more than five hundred (500) feet from the furthest trailer coach lot served. Such area shall be developed and maintained (maintained) by the management so as to provide healthful recreation for the children of the Trailer Coach Park. The following playground equipment shall be required for each area of five thousand or more square feet.

2 benches about 6 feet long

1 bench for children

1 sand box at least 100 square feet in area

2 swings and 1 slide for pre-school children

1 slide for school children

- E. The front yard and the side yard adjacent to a street shall be landscaped and the entire Trailer Coach Park shall be maintained in a good, clean, presentable condition at all times.
- F. No business of any kind shall be conducted in any trailer coach, trailer or building or on the premises of the Trailer Coach Park.

- G. Street and yard lights, sufficient in number and intensity to permit the safe movement of vehicles and pedestrians at night, shall be provided and shall be effectively related to buildings, trees, walks, steps and ramps, but shall be so located as to direct the light away from adjacent properties.
- H. All fuel oil tanks and all gas tanks shall be located on each trailer coach lot in a uniform manner. All tanks shall be of an approved type to comply with the Building Code standards and shall be equipped with vent pipes. All tanks shall be elevated on non-combustible stands and placed in rear and ten (10) feet from doorway.
- I. Each trailer coach may be equipped with one (1) metal utility cabinet which shall not exceed four (4) feet in width, three (3) feet in depth and five (5) feet in height, which shall be uniform as to size and location throughout the Trailer Coach Park. All cabinets shall be kept clean and shall be maintained in a good condition.
- J. Each Trailer Coach shall have proper refuse and garbage receptacles so as to comply with the sanitary requirements of the Building Code or other City Ordinances.
- K. There shall be no storage underneath any trailer unless skirted and each trailer coach lot shall be maintained in a clean and presentable condition at all times.
- L. Trailer coach lot line fences shall be prohibited. (ord. no. 167, eff. Jan. 8, 1968)

15.228

BUILDINGS.

All buildings shall meet the requirements of the City of Croswell Building Code and the requirements of the State of Michigan or the Federal Housing Administration whichever is the most restrictive.

(ord. no. 167, eff. Jan. 8, 1968)

15.229

ENTRANCE AND EXIT.

Entrances and exits from County or State highways shall have the prior written approval of the Highway Authority having jurisdiction within the City.

(ord. no. 167, eff. Jan. 8, 1968)

15.230

OCCUPANCY.

No trailer coach shall be permitted to occupy space in a Trailer Coach Park until the concrete stands are in place, all streets have been properly drained, walks are in place, street and yard lights installed and electrical, water and sewer connections to each trailer coach stand provided for.

(ord. no. 167, eff. Jan. 8, 1968)

15.233

ARTICLE 13. NON-CONFORMING USES.

It is the intent of this Ordinance to recognize that the elimination, as expeditiously as is reasonable, of existing structures or uses that are not in conformity with the provisions of this Ordinance, is as much a subject of health, safety and welfare as is the prevention of the establishment of new uses that would violate the provisions of this Ordinance. It is also the intent of

15.228 - 15.233

Non-  
Conforming  
Planning

this Ordinance to so administer the elimination of non-conforming uses or structures as to avoid any unreasonable invasion of established private property rights.

(ord. no. 167, eff. Jan. 8, 1968)

15.234

TYPE "A" NON-CONFORMANCE.

Any type "A" Non-Conformance existing at the time of enactment or amendment of this Ordinance may be maintained in good condition and continued, but may not be:

- A. Changed to another non-conforming use,
- B. Re-established after discontinuance for ninety (90) days,
- C. Extended or enlarged,
- D. Rebuilt or repaired, after damage, if the expense of reconstruction of the building or structure exceeds seventy (70) per cent of the assessed valuation of the building or structure at the time such damage occurred.

(ord. no. 167, eff. Jan. 8, 1968)

15.235

TYPE "B" NON-CONFORMANCE.

Any type "B" Non-Conformance existing at the time of enactment or amendment of this Ordinance may be continued for a period not to exceed three years



from the date of enactment or amendment of this Ordinance.

(ord. no. 167, eff. Jan. 8, 1968)

15.236            TYPE "C" NON-CONFORMANCE.

Any type "C" Non-Conformance existing at the time of the enactment or amendment of this Ordinance may be continued, but may not be altered, extended or enlarged, unless such alteration, extension or enlargement conforms, in the opinion of the Board of Appeals, as nearly as is reasonable to the provision of this Ordinance.

(ord. no. 167, eff. Jan. 8, 1968)

15.240                            ARTICLE 14. ADMINISTRATION.

15.241            ESTABLISHMENT OF ADMINISTRATIVE OFFICER.

The provisions of this Ordinance shall be administered by the City Clerk. The term Building Official shall mean the City Clerk or any of his duly authorized assistants.

(ord. no. 167, eff. Jan. 8, 1968)

15.242            DUTIES AND LIMITATIONS OF THE BUILDING OFFICIAL.

The Building Official shall have the power to grant Zoning Compliance Permits and Certificates of Occupancy, to make inspections of buildings or premises

necessary to carry out his duties in the enforcement of this Ordinance.

The Building Official shall require that every application for a Zoning Compliance Permit for excavation, construction, moving, alteration, or change in type of use or type of occupancy, shall be accompanied by a written statement and plans or plats drawn to scale showing the following in sufficient detail to enable the Building Official to ascertain whether the proposed work or use is in conformance with this Ordinance:

- A. The actual shape, location and dimensions of the lot. If the lot is not a lot of record, sufficient survey data to locate the lot on the ground.
- B. The shape, size and location of all buildings or other structures to be erected, altered or moved, and of any other buildings or other structures already on the lot.
- C. The existing and intended use of the lot and of all structures upon it.
- D. Such other information concerning the lot or adjoining lots, or other matters, as may be essential for determining whether the provisions of this Ordinance are being observed.

If the proposed excavation, construction, moving or alteration, or use of land as set forth in the application is in conformity with the provisions of this

Ordinance, the Building Official shall issue a Zoning Compliance Permit. If any application for such Permit is not approved, the Building Official shall state in writing the cause for such disapproval.

The Building Official may accept a preliminary application and a lesser number of submitted documents than those listed above in situations where a basic clarification is desired ahead of proceeding with further technical work; and the Building Official may, on such preliminary submittal, take the formal action of denial and referral to the Board of Appeals.

However, issuance of a Zoning Compliance Permit shall in no case be construed as waiving any provision of this Ordinance.

However, the Building Official is under no circumstances permitted to grant exceptions to the actual meaning of any clause, order or regulation contained in this Ordinance to any person making application to excavate, construct, move, alter or use buildings or structures or land.

However, the Building Official is under no circumstances permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out his duties as Building Official. However, when the conditions imposed by this Ordinance are met, the Building Official shall not refuse to issue a permit because such permit might result in violations of contracts, such as covenants or private agreements.

(ord. no. 167, eff. Jan. 8, 1968)

15.242 continued

15.243

ZONING COMPLIANCE PERMIT REQUIRED.

It shall be unlawful to commence the excavation for or the construction of any building or other structure, including an accessory structure, or to commence the moving, alteration or repair of any structure, except ordinary repairs, costing more than One Hundred Dollars (\$100.00) or exceeding one hundred (100) square feet in area, until the Building Official has issued for such work a Zoning Compliance Permit including the certification of his opinion that plans, specifications, and intended use of such structure do in all respects conform to the provisions of this Ordinance. Also, it shall be unlawful to change the type of use of land, or to change the type of use or type of occupancy of any building, or to extend any use on any lot on which there is a non-conforming use, until the Building Official has issued for such intended use a Zoning Compliance Permit including a certification of his opinion that the proposed use does in all respects conform to the provisions of this Ordinance. In all cases where a Building Permit is required, application for a Zoning Compliance Permit shall be made coincident with the application for a Building Permit, and in all other cases shall be made not less than 10 days prior to the time when a new or enlarged use of a building or premises or part thereof is intended to begin. All Zoning Compliance Permit applications shall be made in writing to the Building Official on forms provided for that purpose. A record of all such applications shall be kept on file by the Building Official. Any Zoning Compliance Permit issued under the provisions of this Ordinance shall be valid only for a period of six (6)

15.243

months following the date of issuance thereof. When the Building Official receives an application for a Zoning Compliance Permit which requires Board of Appeals Permit, such application shall be conveyed by the Building Official to the Board of Appeals. (ord. no. 167, eff. Jan. 8, 1968)

15.244

FEES.

Before any permit shall be issued covering building or other operations regulated by this Ordinance, an inspection fee shall be paid in an amount fixed by a schedule established by resolution of the City Council of the City of Croswell, Michigan. (ord. no. 167, eff. Jan. 8, 1968)

15.245

CERTIFICATE OF OCCUPANCY.

No building or structure or use for which a Zoning Compliance Permit has been issued shall be used or occupied until the Building Official has, after final inspection, issued a Certificate of Occupancy indicating his opinion that all the provisions of this Ordinance are being complied with. However, the issuance of a Certificate of Occupancy shall in no case be construed as waiving any provisions of this Ordinance. (ord. no. 167, eff. Jan. 8, 1968)

15.250

ARTICLE 15. ZONING BOARD OF APPEALS.

15.251

CREATION OF ZONING BOARD OF APPEALS.

The Zoning Board of Appeals shall consist of 5 members who shall be appointed by the City Council and have the duties, responsibilities and powers that are provided for them by Act 207 of the Public Acts of the State of Michigan of 1921, as amended. One member shall be a City Councilman and one member shall be a Planning Commissioner.

(ord. no. 167, eff. Jan. 8, 1968)

15.252

PROCEDURE.

Rules and regulations prescribing Board procedures for the performance of its authorized powers shall be published by the Zoning Board of Appeals, and shall have approval as to form by the City Attorney.

Procedures before the Zoning Board of Appeals, shall be in accordance with the procedure established by Board rules and regulations and the provision of this Ordinance.

(ord. no. 167, eff. Jan. 8, 1968)

15.253

APPEALS, HOW TAKEN.

1. Appeals shall be commenced by the appellant's filing with the City Clerk and with the Zoning Board of Appeals a notice of appeal, in which are specified with particularity the grounds upon which the appeal is based; such appeal shall be accompanied by the appeal fee of Ten (10) Dollars.

2. The Zoning Board of Appeals shall fix a reasonable time for the hearing of appeals and give due notice thereof to all owners of record of property within three hundred (300) feet of the premises in question; such notice to be delivered personally or by mail addressed to the respective owners at the address given in the last assessment roll.
3. Parties to an appeal shall be accorded the right to appear in person, or by or with a duly authorized agent.
4. Parties to an appeal shall have the right to present their case by oral or documentary evidence, to submit rebuttal evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts.
5. The Zoning Board of Appeals shall prepare an official record for each appeal and shall base its decision on this record along. The official record shall include:
  - A. The relevant administrative records and the administrative orders issued, respecting the matters as to which an appeal has been taken, that are offered in evidence in the hearing or appeal;
  - B. Such testimony and additional documents or exhibits as may be offered in evidence in the hearing on the appeal;

C. The requisite written findings of fact and orders disposing of the appeal that may be made by the Zoning Board of Appeals.

6. Upon the payment of a required fee, a copy of the official record of an appeal shall be made available to the parties. The official record of an appeal shall be open to examination by persons properly concerned.  
(ord. no. 167, eff. Jan. 8, 1968)

15.254

JURISDICTION AND POWERS.

The Zoning Board of Appeals shall hear and decide all matters concerning which they have original and appellate jurisdiction by virtue of the provisions of this Ordinance.

The Zoning Board of Appeals shall have the following powers:

- A. ADMINISTRATIVE REVIEW: To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, or refusal, made by the Building Official.
- B. SPECIAL EXCEPTIONS: To hear and decide in accordance with the provisions of this Ordinance, requests for special exceptions, uses requiring Board of Appeals Permit (See Schedule of Regulations), for interpretation of the Zoning Map, and for decisions on other

15.254



special questions on which this Ordinance specifically authorizes the Board of Appeals to pass. Any special exception permit shall be subject to such conditions as the Board may require to preserve and promote the character of the district in which the use is located and to otherwise promote the purpose of this Ordinance. Except in connection with the uses requiring Board of Appeals Permit where specific criteria therefor are set forth in this Ordinance, such a special exception to the terms of these Zoning Regulations may be made where the granting of such exceptions follows the fundamental purpose and intent of this Ordinance as set forth in Article I (Article I is now numbered Section 15.010), and where the Board finds as a fact that such special exception serves the interest of the general public and also serves to further this overall zoning plan.

- C. VARIANCE: To authorize, upon an appeal, a variance from the strict application of the provisions of this Ordinance where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this Ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situations or conditions of such piece of property, the strict application of a regulation enacted under this Ordinance would result in peculiar or exceptional practical difficulties to, or exceptional or undue hardship upon, the owner of such property, provided such relief may be granted without substantial detriment to the public good and without

substantially impairing the intent and purpose of this Ordinance(.) In granting a variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use, as it may deem reasonable in furtherance of the purpose of this Ordinance.

A variance may be allowed by the Zoning Board of Appeals in cases involving practical difficulties or unnecessary hardships when the evidence in the official record on appeal from a decision, or order of the City Clerk supports, in the opinion of the Board, the following affirmative findings:

1. That the variance is in harmony with and serves the general intent and purpose of the applicable Article and/or Section of this Ordinance.(;)
2. That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the applicable Article and/or Section of this Ordinance and the individual hardships that will be suffered by a failure of the Board to grant the variance;
3. That the variance, if allowed, will not interfere with or injure the rights of others in the use district whose property would be affected by allowance of the variance;

4. That the alleged hardships or practical difficulties are unique and singular to the property of the party requesting the variance, and are not those suffered in common with other property similarly located;

5. That the alleged hardships or practical difficulties that will result from failure to grant the variance include more than personal inconvenience and financial hardship.

D. The Zoning Board of Appeals shall not have the power to change the classification of any property on the Zoning Map, nor to make any change in the terms of this Ordinance, but only to act on those matters specified in a, b, and c above. (ord. no. 167, eff. Jan. 8, 1968)

E - *Time Period* <sup>See</sup> Ord #167-9 9/2/03

15.260

ARTICLE 16. ENFORCEMENT AND PENALTIES.

It shall be unlawful to erect, construct, alter, repair, or maintain any building or structure or use any land in violation of any regulation of this Ordinance. Any person, firm, or corporation who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, be punished by a fine not to exceed One Hundred (\$100.00) Dollars and the costs of prosecution, or, in default of the payment thereof, by imprisonment not to exceed ninety (90) days, or both such fine or imprisonment at the discretion of the Court. Each day that a violation is

*Amended  
#167-20  
9/21/2015*

15.260

permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

(ord. no. 167, eff. Jan. 8, 1968)

15.270

ARTICLE 17. AMENDMENT PROCEDURE.

15.271

AMENDMENTS.

The City Council may, by Ordinance, amend, supplement or change this Ordinance; provided, however, that a public hearing shall be held before any such amendment, supplement or change shall be passed; and provided further that not less than fifteen (15) days' notice of the time and place of such public hearing shall be given by publication in the official paper of the City, or a paper of general circulation in the City, and a hearing be granted to any person interested, at the time and place specified.

In case a protest against a proposed amendment, supplement or change be presented, duly signed by the owners of twenty (20) per cent or more of the frontage proposed to be altered, or by the owners of twenty (20) per cent or more of the frontage immediately in the rear thereof, or by the owners of twenty (20) per cent or more of the frontage directly opposite the frontage proposed to be altered, such amendment shall not be passed except by the four-fifths vote of the City Council.

(ord. no. 167, eff. Jan. 8, 1968)

15.280

ARTICLE 18. LEGAL STATUS PROVISIONS  
AND EFFECTIVE DATE.

15.281

SEVERANCE CLAUSE.

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

(ord. no. 167, eff. Jan. 8, 1968)

15.282

EFFECTIVE DATE.

This Ordinance shall become effective on January 8, 1968.

ORDINANCE NO. 210

15.820

FENCES - REGULATIONS & REQUIREMENTS  
CITY OF CROSWELL, MICHIGAN  
effective August 2, 1978

15.821 Sec. 1. STIPULATIONS AND REQUIREMENTS.

*amended 210C 12/16/02*

*amended 210A 4/7/1997*

*amended 210 B 5/15/2000*

*amended 210 D 8/20/07  
4' to 6'*

- A. Fences in all Residential Districts which enclose property and/or are within a required side or rear yard, shall not exceed six (6) feet in height, measured from the surface of the ground, and shall not extend to the front of the lot (nearer than the front of a dwelling unit). Those side yards that have a common street line with front yards on the same block shall be treated as front yards and shall not have a fence constructed within the minimum setback.
- B. Fences in all Residential Districts which serve as architectural or decorative landscaping and are not used to enclose property, may be erected in any rear yard and in those areas of a front or side yard, subject to approval of the Board of Appeals.
  - 1. Architectural fences shall be attached to the principal use structure and shall, when placed in the side or front yard be of the same material which makes up the major portion of the facade to which attached.
  - 2. Decorative landscaping fences may be freestanding and may be used to obscure a private area from view from beyond the lot line. If used in this manner they shall not be continuous so as to enclose more than fifty (50) percent of the lineal length of any yard.
  - 3. The height of said fence shall not exceed six (6) feet, measured from the surface of the ground.
- C. Fences in all Residential Districts shall not contain barbed wire, electric current charge of electricity.
- D. Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed as residential shall not exceed eight (8) feet in height, measured from the surface of the ground, and shall not obstruct vision to an extent greater than twenty-five (25) percent of their total area.

E. In those instances wherein a one-family residential lot has front, side or rear yard relationship with a major thorofare, the Board of Appeals shall permit the construction of a fence along the major thorofare when the following conditions are met:

1. The fence shall be located along the common line formed by the lot line and the major thorofare right-of-way as
2. The fence height shall be established by the Board of Appeals and in no instance shall it be greater than six (6) feet in height, measured from the adjacent centerline elevation of the road.
3. The fence shall be constructed of a permanent material similar to that used on the exterior wall of the house it obscures from the road, and shall be compatible with adjacent houses, in both material used and color.
4. The fence shall be designed so as to enable convenient extension and continuity along the road right-of-way and lot lines of adjacent residences.
5. The fences shall not penetrate a front or side yard setback line created by a street intersecting said major thorofare. This line shall be determined by extending it parallel to the street to the point of intersection with the major thorofare right-of-way.
6. Complete working drawings of the proposed fence as to location, height, material and color shall be submitted to the Board of Appeals for final approval prior to the seeking of a building permit.
7. The Board of Appeals shall further make the determination that a fence will not create any hazards with reference to the obscuring of vision between residential driveways and the intersecting thorofare.

F. The Board of Appeals may, upon application by the property owner, modify the yard requirements, subject to the following conditions:

1. The height shall in no instance exceed three (3) feet, measured from the surface of the ground.
2. The modification shall not obstruct the light and air of any neighboring residence.  
(ord. no. 210 eff. Aug. 2, 1978)

15.830

**GREENBELTS AND WALLS**

**15.831 Sec. 1. USE; DIMENSIONS.**

For those Use Districts and uses listed below there shall be provided and maintained on those sides abutting or adjacent to a residential district an obscuring wall or greenbelt equal to the dimensions specified below:

USE	DIMENSIONS
a. P Parking District	4' - 6" high wall
b. Off-street parking area (other than P Districts)	4' - 6" high wall
c. MB, CBD, and GB Districts	4' - 6" high wall
d. I District	4' - 6" high wall or a 4' - 6' high chain link type fence and a 2' wide greenbelt planted in accord with the minimum requirements.
e. Utility Buildings, Stations and or Substations	6' - 0" high chain link type fence and a 20" wide greenbelt planted in accord with the minimum requirements.
f. Hospital ambulance and delivery areas (ord. no. 210 eff. Aug. 2, 1978)	6' - 0" high wall

**15.832 Sec. 2. LOCATION.**

Required walls shall be located on the lot line except where underground utilities interfere and except in instances where this Ordinance requires conformance with front yard setback lines in abutting residential districts. Required walls may, upon approval of the Board of Appeals, be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone when



mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration of the Board of Appeals in reviewing such request.  
(ord. no. 210 eff. Aug. 2, 1978)

**15.833 Sec. 3. CONSTRUCTION.**

Such walls and screening barrier shall have no openings for vehicular traffic or other purposes, except as otherwise provided in their Ordinance and except such openings as may be approved by the Chief of Police and the Building Inspector. All walls herein required shall be constructed of materials approved by the Building Inspector to be durable, weather resistant, rust proof and easily maintained; and wood or wood products shall be specifically excluded.

- A. Masonry walls shall be erected on a concrete foundation which shall have a minimum depth of forty-two (42) inches below a grade approved by the Building Inspector and shall be not less than four (4) inches wider than the wall to be erected.
- B. Masonry walls may be constructed with openings above thirty two (32) inches above grade provided such openings are not larger than sixty four (64) square inches and do not comprise more than one-third (1/3) of the total area of the part of the wall located more than thirty two (32) inches above grade.  
(ord. no. 210 eff. Aug. 2, 1978)

**15.834 Sec. 4. MODIFICATIONS.**

The Board of Appeals may waive or modify the foregoing requirements where cause can be shown that no good purpose would be served, provided that in no instance shall a required wall be permitted to be less than four feet six inches (4' -6") in height.

- A. In consideration of requests to waive wall requirements between non-residential and residential district, the Board of Appeals shall refer the request to the Planning Commission for a determination as to whether or not the residential district is considered to be an area in transition and will become non-residential in the future.

- B. In such cases as the Planning Commission determines the residential district to be a future non-residential area, the Board of Appeals may temporarily waive wall requirements for an initial period not to exceed twelve (12) months. Granting of subsequent waivers shall be permitted, provided that the Planning Commission shall make a determination as hereinbefore described, for such subsequent waiver prior to the granting of such waiver by the Board.

(ord. no. 210 eff. Aug. 2, 1978)

**15.840 SITE PLAN REVIEW (ALL DISTRICTS)**

**15.841 Sec. 1. SITE PLAN REQUIRED.**

Site plan shall be submitted to the Planning Commission for approval of:

- A. Any use or development for which the submission of a site plan is required by any provision of this Ordinance.
- B. Any development, except single-family and two-family residential, for which off-street parking areas are provided.
- C. Any use in an RM-1, RIB, AG, C, M, GB, I or WP District lying contiguous to, or across a street from, a single-family residential district.
- D. Any use except single- or two-family residential which lies contiguous to a major thorofare or collector street.
- E. All residentially related uses permitted in single-family district such as, but not limited to churches, schools and public facilities.
- F. Building additions or accessory buildings shall not require Planning Commission review unless off-street parking in addition to that already provided on the site is required.  
(ord. no. 210 eff. Aug. 2, 1978)

**15.842 Sec. 2. PLAN MUST BE REVIEWED BY DEPARTMENTS.**

Every site plan submitted to the Planning Commission shall be in accordance with the requirements of this Ordinance. No site plan shall be approved until same has been reviewed by the Building Department, in coordination with the Fire Department and the Police Department, for compliance with the standards of the respective departments.

(ord. no. 210 eff. Aug. 2, 1978)

**15.843 Sec. 3. INFORMATION REQUIRED.**

The following information shall be included on the site plan.

- A. A scale of not less than 1" = 50' of the subject property is less than three (3) acres and 1" = 100' if three (3) acres or more.
- B. Date, northpoint and scale.
- C. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
- D. The location of all existing and proposed structures on the subject property and all existing structures within 100' of the subject property.
- E. The location of all existing and proposed drives and parking areas.
- F. The location and right-of-way widths of all abutting streets and alleys.
- G. The names and addresses of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.  
(ord. no. 210 eff. Aug. 2, 1978)

**15.844 Sec. 4. REVIEW; CONSIDERATIONS.**

In the process of reviewing the site plan, the Planning Commission shall consider:

- A. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic.
- B. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure
  - 1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets.
  - 2. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.

C. The Planning Commission may further require landscaping, fences and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.

D. In those instances wherein the Planning Commission finds that an excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfare, the Planning Commission may recommend marginal access drives. For a narrow frontage, which will require a single outlet, the Planning Commission may recommend the money in escrow be placed with the municipality so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided, or monies have been deposited with the City Clerk.

(ord. no. 210 eff. Aug. 2, 1978)

**15.850 Sec. 1. PENALTIES.**

Any person, firm or corporation who shall violate, or assist in the violation of any provision of this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than One Hundred (\$100.00) Dollars or by imprisonment in the County Jail for a period of not to exceed ninety (90) days, or both such fine and imprisonment. Every day that such violation shall continue shall constitute a separate and distinct violation under the provisions of this ordinance.

(ord. no. 210 eff. Aug. 2, 1978)

**15.851 Sec. 2. SEVERABILITY.**

The provisions of this ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section or subsection is declared void and inoperable for any reason, it shall not affect any other part or portion hereof.

(ord. no. 210 eff. Aug. 2, 1978)

**15.852**      **Sec. 3. ENFORCEMENT.**

It shall be the duty of the Building Inspector to enforce this Ordinance provided, however, that the Croswell Police Department shall assist and cooperate in such enforcement.

(ord. no. 210 eff. Aug. 2, 1978)

**15.853**      **Sec. 4. EFFECTIVE DATE.**

This Ordinance shall take effect thirty (30) days from the date of its adoption.

Made and passed by the Council of the City of Croswell, Michigan at a regular meeting held on the 3rd day of July, 1978.

Effective August 2, 1978.

Ordinance 210  
Fences - Regulations & Requirements

An Ordinance to amend Section 1. Stipulations and Requirements, of Ordinance No. 210, Fences - Regulations & Requirements of the City of Croswell.

The City of Croswell Ordains:

**Section 1:** A. Fences in all Residential Districts which enclose property and/or are within a required side or rear yard, shall not exceed six (6) feet in height, measured from the surface of the ground. Fences shall be located along the lot line and shall not extend to the front of the lot beyond the front of a dwelling or twenty-five (25) feet from the front property markers which ever is farther from the street. Those side yards that have a common street line with front yards on the same block shall be treated as front yards and shall not have a fence constructed within the minimum setback. (amended 8/20/07, Ord 210-D)

1. All decorative/stockade fences shall have the finish/good side facing out. (amended 5/15/00, Ord. 210-B)
2. The Zoning Board of Appeals may give a special exception to permit the following directives in Section A: (amended 12/16/02, Ord. 210-C; amended 8/20/07, Ord 210-D)
  - a. Allow setback changes on side yards that face a common street line with front yards on the same block.
  - b. Allow setback changes on lot lines where fences may interfere with public safety or utilities.
  - c. Allow finish/good side facing inward except on a Street side. (amended 5/15/00, Ord. 210-B)

B. Fences in all Residential Districts which serve as architectural or decorative landscaping may not be used to enclose property. The height of said fences shall not exceed six (6) feet, measured from the surface of the ground. (amended 8/20/07, Ord 210-D)

1. Architectural fences shall be attached to the principal use structure and shall, when placed in a front or side yard be of the same material which makes up the major portion of the facade to which attached. All architectural fences are subject to approval by the Zoning Board of Appeals.

2. Decorative fences may be freestanding and may be used to obscure a private area from view from beyond the lot line. If used in this matter, they shall not be continuous so as to enclose more than fifty (50) percent of the lineal length of any yard.
3. The Zoning Board of Appeals may give a special exception to permit the following directives in section B: (amended 12/16/02, Ord. 210-C; amended 8/20/07, Ord 210-D)

- a. Allow architectural fences in front or side yards.

C. Fences in all Residential Districts shall not contain barbed wire or any electric current charge of electricity.

D. Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed as residential shall not exceed eight (8) feet in height, measured from the surface of the ground, and shall not obstruct vision to an extent greater than twenty-five (25) percent of their total area.

E. In those instances wherein a one-family residential lot has front, side or rear yard relationship with a major thorofare, the Board of Appeals shall permit the construction of a fence along the major thorofare when the following conditions are met:

1. The fence shall be located along the common line formed by the lot line and where the major thorofare right of way is located.
2. The fence height shall be established by the Board of Appeals and in no instance shall it be greater than six (6) feet in height, measured from the adjacent centerline elevation of the road.
3. The fence shall be constructed of a permanent material similar to that used on the exterior wall of the house it obscures from the road, and shall be compatible with adjacent houses in both material used and color.
4. The fence shall be designed so as to enable convenient extension and continuity along the road right-of-way and lot lines of adjacent residences.
5. The fences shall not penetrate a front or side yard setback line created by a street intersecting said major thorofare. This line shall be determined by extending it parallel to the street to the point of intersection with the major thorofare right-of-way.



6. Complete work drawings of the proposed fence as to location, height, material and color shall be submitted to the Board of Appeals for final approval prior to the seeking of a building permit.
7. The Board of Appeals shall further make the determination that a fence will not create any hazards with reference to the obscuring of vision between residential driveways and the intersecting thoroughfare.

**Section 2: PENALTIES.** Any person, firm or corporation who shall violate, or assist in the violation of any provision of this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than One Hundred (\$100.00) Dollars or by imprisonment in the County Jail for a period of not to exceed ninety (90) days, or both such fine and imprisonment. Every day that such violation shall continue shall constitute a separate and distinct violation under the provisions of this ordinance.

**Section 3: SEVERABILITY.**

The provisions of this ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section or subsection is declared void and inoperable for any reason, it shall not affect any other part or portion hereof.

**Section 4: ENFORCEMENT.**

It shall be the duty of the Zoning Administrator to enforce this Ordinance provided, however, that the Croswell Police Department shall assist and cooperate in such enforcement.

**Section 5: EFFECTIVE DATE.**

This Ordinance shall take effect fifteen (15) days from the date of its adoption.

Amended April 7, 1997 - Ord 210-A  
Amended May 15, 2000 - Ord. 210-B  
Amended December 16, 2002 - Ord 210-C  
Amended August 20, 2007 - Ord 210-D