

**CHAPTER 17.04
GENERAL PROVISIONS**

17.04.005 DESIGN COMPATIBILITY

The following natural colors shall be used for the main portions of building facades and roof forms: neutral earth tones (sand to brown); shades of gray; traditional colors (e.g. brick red, forest green, navy blue); light subdued hues (e.g. salmon); or white. Contrasting, accent colors, which are compatible with the primary colors listed above, are encouraged for trim, accent, and other decorative architectural features. The use of bright or fluorescent colors (e.g. purple, orange, pink, lime, yellow) is prohibited for the main portions of building facades and roof forms. Colors must be natural to the material or pigmented, and not painted on the material whenever possible. Colors must be noted in the site plan or building application for approval and for future reference.

17.04.010 ARCHITECTURAL FEATURES

Architectural features, such as eaves, overhangs, awnings, chimneys and window bays, may extend or project into a required side yard not more than 2 feet for each required side yard, and may extend or project into a required front yard or rear yard not more than 3 feet. Architectural features shall not include those details that are nominally demountable.

17.04.020 BUILDING GRADES

- A. Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of water to run away from the walls of the structures thereon. The balance of yard spaces shall be graded and adequate drainage provided where necessary to deflect proper drainage of surface waters from the premises.
- B. When a new building is constructed on a vacant lot between 2 existing buildings or adjacent to an existing building, the existing established grade shall be used in determining the grade around the new building and the yard around the new building shall be graded in such a manner as to meet existing grades.

17.04.030 BUILDINGS TO BE MOVED

Any building or structure which has been wholly or partially erected on any premises within or outside the city shall not be moved to and/or placed upon any premises in the city unless a building permit for such building or structure shall have been secured. Any such building or structure shall fully conform to all the provisions of this title in the same manner as a new building or structure. (See Chapter 15.28, Moving Buildings, of the Hazel Park Municipal Code for additional requirements.)

17.04.040 CONSTRUCTION BEGUN PRIOR TO ADOPTION OF TITLE

Nothing in this title shall be deemed to require any change in the plans, construction or design use of any building upon which actual construction was lawfully begun prior to the adoption of this title.

17.04.050 ESSENTIAL SERVICES

Essential services shall be permitted as authorized and regulated by law and other ordinances of the city in any use district, it being the intention hereof to exempt such erection, construction, alteration and maintenance from the application of this title.

If a public service corporation or a public utility proposes to construct a building or an addition, the Planning Commission shall have the power to approve such development.

17.04.060 HEIGHT EXCEPTION

No building shall be erected, converted, enlarged, or reconstructed to exceed the height limit established in this title for the district in which the building is located, roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials and wireless masts, water tanks or similar structures may be erected above the height limits prescribed in this title. No such structure may be erected to exceed by more than 20 feet the height limits of the district in which is located; nor shall such structure have a total area greater than 25 percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial purpose other than a use incidental to the main use of the building.

17.04.070 HOME OCCUPATIONS

Home occupations may be permitted provided that the occupation is clearly accessory to the principal permitted use. See Chapter 15.44 for sign regulations. The following standards shall also apply:

- A. No employees who do not reside at the home.
- B. No outdoor storage or occupancy of any accessory buildings.
- C. Home occupation shall not result in the exterior of the house having other than a residential appearance.
- D. No storage of potentially hazardous or flammable materials having the characteristics of ignitability, corrosivity, reactivity, or toxicity.
- E. Building contractors, retail trade, hair salons, animal hospitals or commercial kennels are not permitted as home occupations.

17.04.080 LOT AREA, YARDS AND OPEN SPACE REQUIREMENTS

Space which has been counted or calculated as part of a side yard, rear yard, front yard, court, lot area or other open space to meet the requirements of this title for a building, shall not be counted or calculated to satisfy or comply with a yard, court, lot area or other open space requirement for any other building.

17.04.090 ONE SINGLE-FAMILY HOUSE PER LOT

No single-family residential house shall be erected upon a lot with another single-family residential house.

17.04.100 PERFORMANCE GUARANTEE

To ensure compliance with a zoning ordinance and any conditions the City Council, Zoning Board of Appeals, or Planning Commission may require as a condition of their respective approvals, the furnishing of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond to be deposited with the City Clerk. The respective body shall take into account the size and scope of the proposed improvement project, prevailing costs, and estimated expenses. The minimum performance guarantee to be required shall be deposited at the time of the issuance of the permit. The City shall not require the deposit before the date on which the City is prepared to issue the permit. The City shall not require the deposit before the date on which the City is prepared to issue the permit. This Section shall not be applicable to the improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to M.C.L. 560. 101 to 560.293, Land Division Act. The Planning Department Administrator shall rebate to the Applicant a percentage of the cash deposit in proportion to the ratio of work completed not less than quarterly after certification of the work has been performed by the building inspector.

17.04.110 PORCHES AND DECKS

Structures, such as open porches, terraces, decks, and light control fixtures, may project into a front or rear yard up to a distance of 10 feet, but shall in no case project nearer than 12 feet to any front or rear lot line. The space below the surface of the porch shall be concealed from view in accordance with prescribed standards.

17.04.120 REPAIRS TO VEHICLES IN RESIDENTIAL DISTRICTS

- A. No person as owner or tenant shall perform mechanical or body work on any truck, automobile, camper, travel trailer, boat or other motor vehicle outside in a residential district, except under the following conditions:
 - 1. Work may be done only on a vehicle owned by the property owner or tenant, or his immediate family, as family transportation.

2. The property owner or tenant shall have proof of ownership available for inspection.
 3. The vehicle being repaired shall be currently licensed by the state.
 4. No work shall be done between the hours of 9 p.m. and 9 a.m.
 5. Work performed outdoors shall be limited to minor auto repairs, as defined in Chapter 17.02.
- B.** No person shall store, place or permit to be stored or placed, or allowed to remain on any lot for a period of more than 48 hours a dismantled, partially dismantled or inoperable motor vehicle.
- C.** No person shall park or store upon any lot within the city an unlicensed motor vehicle in operating condition.

17.04.130 RESTORING UNSAFE BUILDINGS

Nothing in this title shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by the Building Official or required compliance with his lawful order, except as specified in Section 17.24.060, *Reconstruction of Damaged Nonconforming Buildings and Structures*.

17.04.140 SIDEWALKS AND PEDESTRIAN FACILITIES

Pedestrian facilities shall also be provided within the site to connect public sidewalks with building entrances, to protect pedestrians in parking lots and to connect developments with adjacent developments where pedestrian travel is reasonably expected.

17.04.150 STREET ACCESS

No building permit shall be issued for any construction located on any lot or parcel of land in the city that does not abut on a public street or highway; provided, that this title shall not be the basis for preventing the issuance of a building permit for ordinary repair or maintenance of any building that is already erected before the date of the adoption of this title.

17.04.160 VOTING PLACE

The provisions of this title shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with municipal or other public elections.

17.04.170 ORDINANCE APPLICABILITY

No building or structure, or part thereof, shall hereafter be erected, constructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this title.

17.04.180 AMPLIFIED SOUND

Devices for outdoor broadcasting of voice, telephone monitoring, music, or other amplified sound shall be prohibited in all zoning districts.

17.04.190 WINDOWS

Any windows required under the design standards set forth in Title 17, Sections 17.44.070(B), 17.45.070(B), 17.48.070(B), 17.50.060(B), and 17.52.080(B) for commercial and industrial buildings shall not be opaque.

17.04.200 CHARITY BINS

A charity bin, box, or similar structure shall not be placed in a designated and/or required parking space of a commercial or industrial building without its inclusion in a site plan or amended site plan approved by the Planning Commission in accordance with the requirements set forth in 17.60 of the Zoning Ordinance.