

CHARTER TOWNSHIP OF BREITUNG

<i>Minimum Set Backs (Feet)</i>							
<i>Zoning Districts</i>	<i>Min. Lot Size (Sq. Ft.)</i>	<i>Min. Lot Width (Feet)</i>	<i>Front</i>	<i>Side</i>	<i>Rear</i>	<i>Max. Height (Feet)</i>	<i>Min. Building Width (Feet)</i>
R-1	20,000 ^A	100	30	10 ^B	10 ^C	30 ^D	20
<p>A. Minimum lot size is 10,800 square feet where either municipal water or sewer service is provided to the lot. No more than 30% of the lot area may be covered by buildings. On lots less than 20,000 square feet the setbacks shall be reduced to 25-foot minimum front, 6-foot minimum side and 6-foot minimum rear. The minimum lot width shall remain 100 feet.</p>							
<p>B. An accessory building or structure may be located 6 feet from a side lot line.</p>							
<p>C. An accessory building or structure may be located 6 feet from a rear lot line.</p>							
<p>D. An accessory building or structure shall not exceed 18 feet in height.</p>							

§ 150.022 DISTRICT R-1: RESIDENTIAL ONE.

(A) *Intent.* The R-1, Residential One District is intended for the establishment and preservation of quiet single-family home neighborhoods free from other uses, except those which are both compatible with and convenient to the residents of this District. The R-1 District is designed to accommodate residential opportunities where spacious lots are reasonable to insure a safe, potable water supply and treatment of wastewater on the same lot.

(B) *Principal permitted uses.*

- (1) Single-family dwellings.
- (2) State licensed residential care facilities for six or fewer persons. (See definition.)
- (3) Foster family homes (one to four children) and foster group homes (five to six children). (See definitions.)
- (4) Family day care homes (one to six children). (See definition.)
- (5) Open space preservation (option-see § [150.060](#)).

(C) *Permitted accessory uses.* The following are permitted accessory uses:

- (1) Accessory structures normally associated with single-family dwellings, such as private garage, shed for yard tools, playhouse, woodshed, sauna and the like, except in the front yard.
- (2) Pens for household pets.
- (3) Swimming pools and accessory bath/changing house.

(D) *Conditional uses permitted.* The following uses of land and structures may be permitted in this District by application for and the issuance of a conditional use permit as provided for in

§§ [150.125](#) through [150.140.16](#). The following will also need to meet Site Plan requirements in §§ [150.105](#) through [150.113](#).

- (1) Two-family dwellings.
- (2) Multiple family dwellings.
- (3) Home occupations, subject to the conditions of § [150.049](#).
- (4) Cemeteries, subject to the conditions of § [150.130](#).
- (5) Religious organizations, including Churches subject to the conditions of § [150.131](#).
- (6) Schools.
- (7) Private and public parks and similar recreational facilities.
- (8) Child care centers subject to the conditions of § [150.140.2](#) (see definition).
- (9) Community centers, libraries and public buildings.
- (10) Utility and public service facilities, subject to the conditions of § [150.140.8](#).
- (11) Bed and breakfast establishments, subject to the conditions of § [150.140.9](#).
- (12) Group (child) day care home (seven to 12 children), subject to the conditions of § [150.140.10](#) (see definition).

(E) *Special district regulations.*

(1) The following regulations shall be applied to all dwellings located in the R-1 District. A building containing not more than one dwelling unit designed for residential use, complying with the following standards:

(2) Dwellings shall:

(a) Have a minimum width across any front, side or rear elevation of 20 continuous feet of exterior wall and complies in all respects with the County Building Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the County Building Code, then and in that event such federal or state standard or regulation shall apply.

(b) Be firmly attached to a permanent foundation constructed on the site in accordance with the County Building Code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings.

(c) Contain a storage capability area in a basement located under the dwelling, in an attic area, crawl space, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to 10% of the square footage of the dwelling or 100 square feet, whichever shall be less.

(d) The dwelling contains no additions or rooms or other areas, which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.

(e) The dwelling complies with all pertinent building and fire codes. The dwelling shall meet or exceed all applicable roof snow load and strength requirements.

(Ord. § 308, passed 9-14-2009; Ord. 1-2012, passed 12-26-2012; Ord. § 308, passed 11-9-2015)

§ 150.047 MINIMUM BUILDING FLOOR AREA.

Every single/two-family dwelling, excluding recreational structures, shall have a floor area of not less than 840 square feet, exclusive of basements, garages, porches and breezeways. Every unit in a multiple family dwelling shall have a minimum floor area of at least 500 square feet.

(Ord. § 403, passed 9-14-2009; Ord. § 403, passed 11-9-2015)

§ 150.048 ACCESSORY BUILDINGS AND USES.

Where a lot is devoted to a permitted principal use, customary accessory uses and buildings are authorized except as prohibited specifically or by necessary implication in this or any other ordinance. The following special rules are applicable:

(A) An accessory building, including carports, attached to the principal building shall be made structurally a part thereof, and shall comply in all respects with the requirements of this chapter applicable to the principal building. Breezeways, as an attachment between the garage or carport and the main building, shall be considered a part of the main building, but shall not be considered livable floor space.

(B) An accessory building, unless attached and made structurally a part of the principal building, shall not be closer than ten feet to any other structure on the lot.

(C) The floor area of accessory buildings located within Districts R-1, RR-1, RR-2 and SP, shall not exceed the ground floor area of the main building, except that in the case of lots or parcels of five acres or more in size, the total floor area of accessory buildings shall not exceed twice the ground floor area of the main building. Zoning certificates are required for sheds and accessory structures above 192 square feet.

(D) In the R-1, RR-1, RR-2, RR-3 and SP Districts a detached accessory building shall meet the front setback line of the principal building. Accessory buildings are permitted to be located in the front yard within Districts RP, C-1, C-2, and I.

(E) A semi-trailer, mobile home, travel trailer or other recreational vehicle shall not be used as a storage facility in R-1, RR-1, RR-2, RR-3, SP and RP Districts, except on a temporary basis during a construction period.

(F) Uncovered porches, an open unenclosed and uncovered porch or deck, may project into a front yard for a distance not exceeding ten feet, but in no case shall it be closer than 20 feet to the front property line.

(Ord. passed 5-28-2002; Ord. § 404, passed 9-14-2009; Ord. § 404, passed 11-9-2015)

§ 150.020 CONFLICTING REGULATIONS.

Wherever any provision of this chapter imposes more stringent requirements, regulations, restrictions or limitations than those imposed or required by the provisions of any other law or

ordinance, then the provisions of this chapter shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this chapter, then the provisions of such law or ordinance shall govern. No vested right shall arise to the property owner for any parcel or use created in violation of any preceding Breitung Township Zoning Ordinance.

(Ord. § 306, passed 9-14-2009; Ord. § 306, passed 11-9-2015)

UPDATED 03/13/2017