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Zoning matters

How to check before you buy

By Jennie Miller
 C & G Staff Writer

Preventing a nightmare no homeowner wants to experience is just a small detail many forget to check. Zoning is a crucial element to choosing a home.

"It's rather important, and we definitely look into it," said Roger Elliott of Remax First, adding that a problem usually won't be found in newer subdivisions.

"For most folks who are buying property in an older community, the zoning ordinance is really important," said Scott Galloway, a Ferndale City Councilman, member of the Ferndale Plan Commission, and an attorney specializing in real estate. "(The ordinance) controls what you can do on the property, tells you the dimensions of the buildings, how far the lot lines go in all directions, how high you can build, and sometimes there's limitations on what you can make the property look like, called appearance review standards."

Elliott said that most Realtors conduct this research for their clients, although how much detail they actually go into depends on the Realtor.

"We do look into it, but for liability purposes, we do suggest they make the contact themselves as well, so they have the inside knowledge," he said.

Zoning maps are available for analysis at city halls, and sometimes, like Ferndale, they are available on a city's Web site.

"Neighborhoods are classified in all different categories, and there are different names for different areas," Galloway explained.

Residential districts are typically labeled R-1, R-2, and so forth, depending on the density of that neighborhood. In Ferndale, R-1 is a single-family dwelling, whereas R-3 is apartment buildings. There are also commercial districts, mixed-use districts, and industrial zones.

Sometimes a home is found to be what is called nonconforming. That means it could be a single-family dwelling set in a district that has been zoned commercial, or something else entirely, such as the garage is too large or the house isn't set back enough.

"If you are buying a house, you can pretty much be assured that as long as you keep it the way it is, you're going to be fine," Galloway said. "But if there's a fire or something happens to damage the property, you may be limited in what you can build back out. That can be a real hardship for people. To be absolutely safe, if the home looks like it stands out in some way from the rest of the buildings in the neighborhood, check out the zoning maps.

"If you're being really careful, get a copy of the zoning ordinance and take a look at the permitted uses, if, for instance, you wanted to run a business out of the house, or say, put an apartment in above the garage. If you have something that is the least bit unusual of what you want to do with the house, it's best to check the zoning ordinance.

"Going through all the research is probably overkill, and my guess is that 95 percent of the people don't do it. But if you're planning on an addition or something, you should go in there and check it out."

When looking at a city's zoning map, a potential home buyer can also check a house's proximity to other zoning areas, and perhaps take a look at the city's Master Plan as well.

"The Master Plan is a document used as sort of a guide when we're doing the zoning," Galloway said. "It shows what the city council views as the future of the neighborhood. If you're worried that maybe a neighborhood is in transition, you can take a look at the Master Plan and get a sense of what the future might hold for that neighborhood, and whether it might eventually get rezoned in the future."

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