

Article: 2.0 DEFINITIONS**ARTICLE 2.0
DEFINITIONS****SECTION 2.01-PURPOSE**

For the purpose of this Ordinance certain terms are herewith defined. When not inconsistent with the context, the present tense includes the future, words used in the singular number include the plural number. The word “shall” is always mandatory and not merely permissive. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The words “used” or “occupied” include the words “intended,” “designed,” or “arranged” to be used or occupied.

SECTION 2.02-DEFINITIONS

ACCESSORY USE, BUILDING OR STRUCTURE: A use, building or structure on the same lot with, and of a nature customarily incidental and subordinate to the principle use, building or structure.

ADULT FOSTER CARE FACILITY: An establishment that provides supervision, personal care, and protection for up to 24 hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation for adults over 18 years of age. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care.

These facilities may be licensed and regulated by the state under Michigan Public Act 218 of 1979, as amended. An adult foster care facility does not include dependent housing facilities, hospitals, alcohol or substance abuse rehabilitation centers or residential center for persons released from or assigned to a correctional facility. Adult foster care facilities are classified as follows:

- A. **ADULT DAY CARE CENTER:** A facility which provides daytime care for any part of a day but less than 24 hours for functionally impaired elderly persons through a structured program of social and rehabilitative or maintenance services in a supportive group setting other than the client’s home.
- B. **ADULT FOSTER CARE FAMILY HOME:** A private residence with the approved capacity to receive six (6) or fewer adults to be provided with foster care for 24 hours a day for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee is a member of the household and occupant of the residence.
- C. **ADULT FOSTER CARE SMALL GROUP HOME:** An adult foster care facility with the approved capacity to receive twelve (12) or fewer adults to be provided with foster care.
- D. **ADULT FOSTER CARE LARGE GROUP HOME:** An adult foster care facility with approved capacity to receive at least 13 but not more than 20 adults to be provided with foster care.

AGRICULTURE: The use of land for the production of plants and animals useful to humans, including, but not limited to, forage and sod crops, grains, feed crops, field crops, dairy products, poultry and poultry products, livestock, herbs, flowers, seeds, grasses, nursery stock, fruits, vegetables, Christmas trees, and other similar uses and activities.

ALLEY: Any dedicated public way affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.

ALTERATION: Any change, addition or modification in construction, or type of accompanying change in the structural members of a building such as walls or partitions, columns, beams or girders.

ANIMALS – All animals except exotic animals, (see definition herein) cats and dogs.

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AUTOMOBILE SERVICE STATION: A place that is used or designed to be used for the retail supply of gasoline and other fuels used for the propulsion of motor vehicles; kerosene; motor oil, lubricants or grease; sale of accessories and services such as polishing, washing, cleaning, greasing, undercoating, and minor repairs; but not including bumping, painting, or refinishing thereof.

BASEMENT: That portion of a building which is partly and wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

BILLBOARD: See **OUTDOOR ADVERTISING SIGN.**

BLOCK: A “block” is comprised of a parcel of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way, bulkhead lines or shorelines, or the corporate boundary lines of any village, city or township.

BUILDABLE AREA: The buildable area of a lot is the space remaining after compliance with the minimum required setbacks of this ordinance.

BUILDING: An enclosed structure having a roof supported by columns, walls, arches or other devices and used for the housing, shelter or enclosure of persons, animals or chattels.

BUILDING AREA: The total area taken on a horizontal plane at the largest floor level of a building and of all accessory buildings on the same lot exclusive of unroofed porches, terraces, patios and steps, and of awnings and nonpermanent canopies.

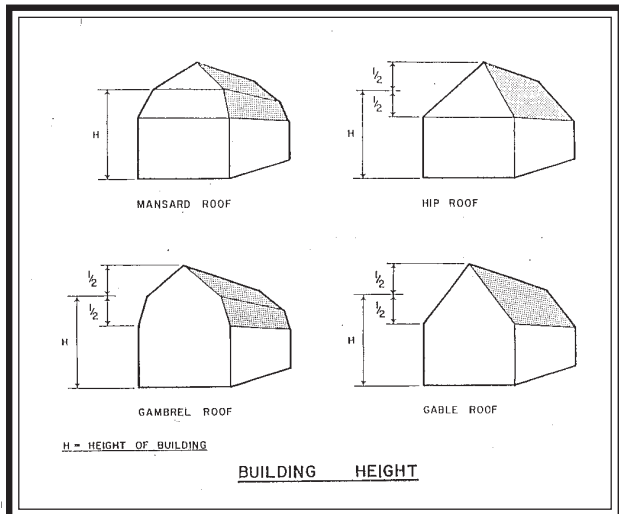
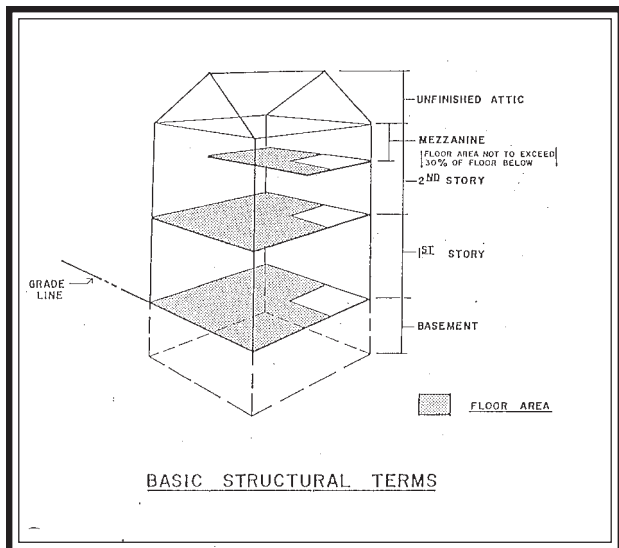
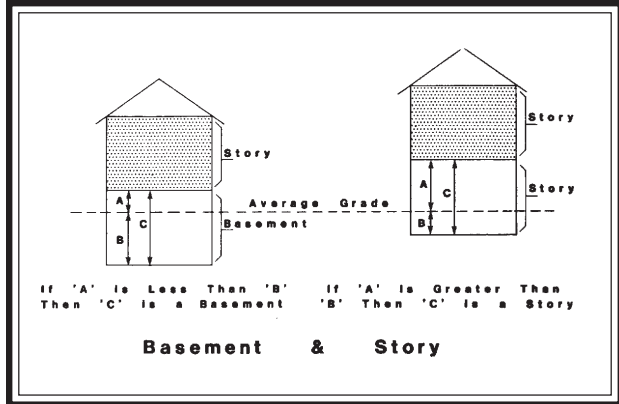
BUILDING HEIGHT: The vertical distance measured from the established grade to:

- A. the highest point of the coping of a flat roof;
- B. to the deck line of mansard roofs; or
- C. to the average height between the eaves and the ridge for gable, hip, and gambrel roofs.

Where a building is located on sloping terrain, the height shall be measured from the front of the building at grade level.

BULK: “Bulk” is the term used to indicate the size and setback of a building or structure and the location of same with respect to another building or structure or to a lot line and includes the following:

- A. the size and height of a building or structure;
- B. the location of the exterior wall of a building in relation to a lot line, street or other building;

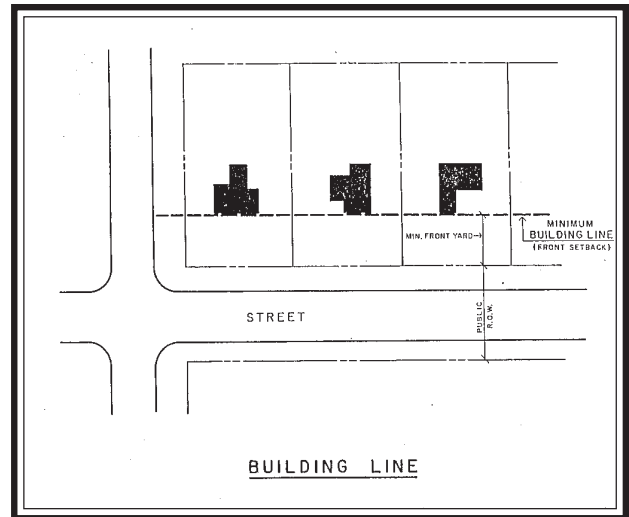


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- C. the floor area of a building in relation to the area of the lot on which it is located;
- D. the open spaces allocated to and surrounding a building; and
- E. the amount of lot area per dwelling unit.

BUILDING LINE: The minimum distance which any building must be located from a street centerline.

CHILD FOSTER CARE FACILITIES: A private home in which one (1) or more minor children not related to an adult member of the household by blood, marriage or adoption are given care and supervision for 24 hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.



- A. **CHILD FOSTER FAMILY HOME:** A private home in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood, marriage or adoption, are given care and supervision for 24 hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
- B. **CHILD FOSTER FAMILY GROUP HOME:** A private home in which more than four (4) but less than seven (7) children, who are not related to an adult member of the household by blood, marriage or adoption, are provided care for 24 hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

CONDITIONAL USE: See **SPECIAL USE**.

CONDOMINIUM DEVELOPMENT: A development with individual ownership of dwelling units and the space enclosed by the description thereof as contained in the master deed in a multiple-unit structure, together with ownership of an interest in common elements. See also **Site Condominium**.

CONVALESCENT (NURSING) HOME: A structure with sleeping rooms where persons are housed or lodged and are furnished with meals, nursing and medical care, and which are duly licensed by the State of Michigan.

COURT (OPEN SPACE): An open space on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings. A court shall be unoccupied.

DAY CARE CENTER: A non-residential facility, as licensed by the State of Michigan, receiving one (1) or more preschool or school age children for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian.

- A. This includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day.
- B. This shall not include a facility or program operated by a religious organization where children are cared for while their parents or guardians attend associated religious services.
- C. This facility is also described as a childcare center, day nursery, nursery school, parent cooperative preschool or drop in center.

DAY CARE HOME: An occupied dwelling unit in which a person(s) provides day-time care for children or adults other than his/her own family and the family of close relatives. Such care shall be limited to maximums as established by State law.

- A. **FAMILY DAY CARE HOME:** A private residential dwelling, as licensed by the State of Michigan, in which up to six

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(6) minor children are received for care and supervision for periods of less than twenty four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the resident family by blood, marriage or adoption.

- B. **GROUP DAY CARE HOME:** A private residential dwelling, as licensed by the State of Michigan, in which up to twelve (12) children are given care and supervision for periods of less than twenty four (24) hours a day unattended by a parent or legal guardian except children related to an adult member of the resident family by blood, marriage or adoption.

DEVELOPMENT AGREEMENT: An agreement entered into between the Township and the owner(s)/developer(s) of any property upon which a residential, commercial, industrial, or other land use is to take place. The Development Agreement must be entered into following site plan approval and prior to the commencement of any site work or construction, and may address such issues as the dedication of easements, escrow accounts or letters of credit, provision of utilities infrastructure, maintenance of open space areas, as-built drawings, and such other issues as the Township deems appropriate. The proposed Development Agreement shall be reviewed by the Township Supervisor, Township Clerk, Utility Department Manager (if applicable), Township attorney, Township engineer, and such other consultants as the Township may deem necessary. The proposed Agreement, if approved by majority vote of the Township Board, shall be signed by the Supervisor and Clerk on behalf of the Township and recorded with the Washtenaw County Register of Deeds.

DOG KENNEL: See **KENNEL**.

DRIVE-IN: A business establishment so developed that its retail or service character is primarily dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicles as well as within the building or structure.

DRIVEWAYS: A means of access to a parcel which shall not be less than an unobstructed width of 15'.

DWELLING AREA: The dwelling area of a dwelling unit is composed of sleeping rooms, kitchen, dining room, den, studio, bathrooms, and family and living rooms.

DWELLING, MOBILE HOMES: See **MOBILE HOME** or **TRAILER COACH**.

DWELLING UNIT: One or more rooms with principal kitchen facilities designed as a unit for residence by only one family for living and sleeping purposes.

DWELLING, SINGLE FAMILY: A building containing not more than one dwelling unit designed for residential use, complying with the following standards:

- A. It complies with the minimum square footage requirements of 1,000 square feet for a residence.
- B. It has a minimum width across any front, side or rear elevation of 26 feet, has a minimum 4:12 roof pitch for a dwelling unit with a width across any front, side or rear elevation of 31 feet or less, and complies in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission,, under the provisions of 1972 PA 230, as amended, 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 that are different than those imposed by the Michigan State Construction Code, then and in that event such federal or state standard or regulation shall apply.
- C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under the provisions of 1972 PA 230, as amended, and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required. If the dwelling is a mobile home, as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer's set instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.

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- D. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, undercarriage or chassis.
- E. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- F. The dwelling contains a storage capability area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure or standard construction similar to, or of better quality than the principal dwelling of 100 square feet.
- G. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six inches on all sides, or alternatively, with window sills and roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling; has not less than two exterior doors with the second one being in either the rear or side of the dwelling; and contains permanently attached steps connected to said exterior door areas or to porches connected to said door areas where a difference in elevation requires the same.

The compatibility of design and appearance shall be determined in the first instance by the township Zoning Inspector upon review of the plans submitted for a particular dwelling, subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of fifteen (15) days from the receipt of notice of said Zoning Inspector's decision. Any determination of compatibility shall be based upon the standards set forth in this definition of "dwelling," as well as the character, design and appearance of one or more residential dwellings located outside of mobile home parks throughout the township. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

- H. 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.
- I. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- J. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in the ordinance of the township pertaining to such parks.
- K. All construction required herein shall be commenced only after a building permit has been obtained in accordance with applicable provisions and requirements.

DWELLING, TWO-FAMILY or Duplex: A building or structure designed exclusively for or occupied by two (2) families or persons living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each. Also known as a duplex dwelling.

DWELLING, MULTIPLE-FAMILY: A building or structure designed for or occupied by three (3) or more families with separate housekeeping and cooking facilities for each.

EASEMENT: Any private or dedicated public way other than a street, providing a secondary means of access to a property having a rightofway not less than sixty-six (66) feet. Easement may also include drainage ways as established by the Washtenaw County Drain Commission and lands containing essential services as defined herein.

EASEMENT – CONSERVATION: A voluntary and legally binding agreement between a property owner and a governmental

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body or a land trust that restricts the type and amount of development and use that may take place on the property.

ENTRANCE RAMP: A roadway connecting a feeder road with a limited access highway and used for access onto such limited access highway.

ESSENTIAL SERVICES: The term "essential services" shall mean the erection, construction, alteration, or maintenance by Public Utilities or Municipal Departments, Commissions or Boards of underground or overhead gas, electric, steam or water transmissions or distribution systems, collection, communication, supply or disposal systems, dams, weirs, culverts, bridges, canals, locks, including poles, wires, mains, drains, sewers, towers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals or signs, fire hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by Public Utilities or Municipal Departments, Agencies, Commissions or Boards, or for the public health or safety or general welfare.

EXCAVATION OF GRAVEL, SAND, TOPSOIL OR EARTH: Premises from which any rock, gravel, sand, topsoil or earth in excess of fifty (50) cubic yards in any calendar year is excavated or removed for the purpose of disposition away from the premises except excavation in connection with the construction of a building or within public highway rights-of-way.

EXOTIC/NON-DOMESTIC ANIMALS: A specific animal or breed of animal that has been introduced within an area that is not common or communal to existing species in an area and can be considered alien to animals normally adapted to an area. Animals of this nature that can or may be hazardous to human health are prohibited.

EXTRACTION OPERATION: The terms shall mean any pit, excavation or mining operation for the purpose of searching for, or removing for commercial use any earth, sand, gravel, clay or stone or other nonmetallic material in excess of fifty (50) cubic yards in any calendar year. The terms shall not include an oil well or excavation preparatory to the construction of a building, structure, roadway or pipeline.

FAMILY: One or more persons living together in a room or rooms comprising a single housekeeping unit and related by blood, marriage, or adoption and including the domestic employees thereof. A family is distinguished from a group occupying a rooming house, boarding house, lodging house, club, fraternity house, hotel, motel or tourist home.

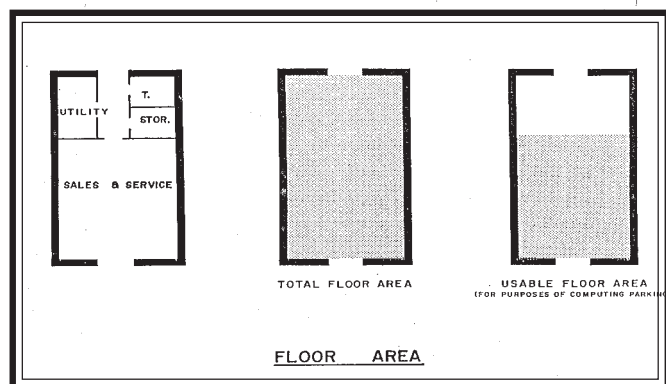
FARM: A parcel or combination of parcels of land operated as a single unit on which bona fide raising of crops, livestock and/or poultry is carried on directly by the owners-operators, manager, or tenant-farmer by his own labor or with assistance of members of his household or hired employees. Land to be considered as a farm shall include a contiguous unplatted parcel of not less than thirty (30) acres in area.

FLOOD PLAIN: The area adjoining a river, stream, water course or lake which is inundated by a flood discharge which results from a One-Hundred-Year storm of twenty-four (24) hour duration.

FLOOR AREA: The sum of the gross horizontal floor areas of the several stories of a building, as measured to the exterior face of the exterior walls, plus that area, similarly measured, of all other stories that are accessible by a fixed stairway, ramp, escalator, or elevator; including all enclosed porches and balconies, and all stairways, breezeways, storage area, recreational rooms, boiler rooms, and other areas within or contiguous to the structure; and the measurement shall include the floor space of all accessory buildings measured similarly.

FLOOR AREA RATIO: The ratio of the floor area of a building to the area of the lot on which it is located calculated by dividing the floor area by the lot area and expressing it as a percentage. For example, a floor area ratio of 80 percent is specified and the lot area is 10,000 square feet, the maximum permitted floor area on that lot is 8,000 square feet. The number of stories being optional, the building area may be 4,000 square feet for two (2) stories, or 8,000 square feet for a single story.

FREE-STANDING IDENTIFICATION SIGN: A sign designed to identify, to persons not on the premises on



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which a free-standing identification sign is located, only the title of the business or profession conducted on the premises, and such information shall be supported by a structural frame independent of any other structure.

GARAGE, COMMERCIAL: Any building available to the public operated for gain and which is used for storage, rental, greasing, washing, servicing, repairing, or adjusting of automobiles or other motor vehicles.

GARAGE, PRIVATE: An accessory building or structure used principally for storage of automobiles and for other incidental storage purposes only.

GENERAL DEVELOPMENT PLAN: The adopted master land use and growth management plan for Lodi Township, including any portions, supplements or amendments to such plan, and consisting of graphic and written text indicating the Township's development goals and objectives, planned future uses of all lands in the Township, general location for roads and other transportation infrastructure, public and community facilities, parks and recreation facilities, agriculture and open space preservation areas, and all physical development.

HOME OCCUPATION: An occupation that is traditionally and customarily carried on in the home being primarily incidental to the principal residential use. No operation shall be allowed when the nature of the use would require commercial or industrial zoning.

- A. that such home occupation shall be carried on within the dwelling or within a building accessory thereto;
- B. that no article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building;
- C. The dwelling has no exterior evidence other than a permitted sign and including no exterior storage of materials or equipment to indicate that the same is being utilized for any purpose other than that of a dwelling.
- D. That no nuisance shall be generated by any heat, glare, noise, smoke, vibration, noxious fumes, odors, vapors, gases or matter at any time;
- E. That no hazard of fire, explosion or radioactivity shall exist at any time; and
- F. Are only conducted by the person or persons occupying the premises as their principal residence a major portion of each month; provided, however, the Planning Commission shall have the authority to permit additional subordinate assistants who do not so reside within said dwelling where the same would not materially impair the residential character of the neighborhood or cause traffic congestion or parking problems. In no event, however, shall such additional assistants exceed two (2) in number.
- G. The Planning Commission shall have the authority to determine whether or not a proposed use complies with the zoning ordinance and is within the spirit of the same to insure the comparability of any use with the character of the zoning classification in which the same is located and that the health, safety, and general welfare of the neighborhood will not thereby be impaired.

HOME OCCUPATION - PERMITTED USE: An occupation or profession carried on in the home by resident members of the family, where such use is clearly incidental and secondary to the principal use of the dwelling as a residence. The Planning Commission shall have the authority to determine whether or not a proposed use complies with the Zoning Ordinance and is within the spirit of the same to insure the compatibility of any use with the character of the zoning classification in which the same is located and that the health, safety, and general welfare of the neighborhood will not thereby be impaired. The following regulations apply to home occupations as permitted uses:

- A. That such home occupation shall be carried on within the dwelling or within a building accessory thereto.
- B. The total floor area used by the home occupation shall not exceed twenty (20) percent of the total floor area of the dwelling unit. The floor area of all accessory buildings used in the home occupation shall be included in the maximum floor area permitted for the home occupation.

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- C. That the character or appearance of the residence shall not change and that the home occupation shall not generate traffic in excess of that normally associated with a residential dwelling.
- D. The home occupation shall not display or create outside the building any external evidence of the operation of the home occupation, except an identification sign per Article 53.0 (Sign Regulations).
- E. No separate entrance from the outside of the building shall be added to the residence for the sole use of the home occupation.
- F. That no article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
- G. That there shall be no exterior storage of materials or equipment.
- H. That no nuisance shall be generated by any heat, glare, noise, smoke, vibration, noxious fumes, odors, vapors, gases, chemicals or matter at any time; and that no mechanical, electrical, or similar machinery or equipment, other than that used for normal domestic purpose, will be utilized in the home occupation.
- I. That no hazard of fire, explosion or radioactivity shall exist at any time.
- J. That no additional parking for the home occupation shall be provided.
- K. Instruction in a craft or fine art shall be considered a home occupation-permitted use for purposes of this Ordinance.

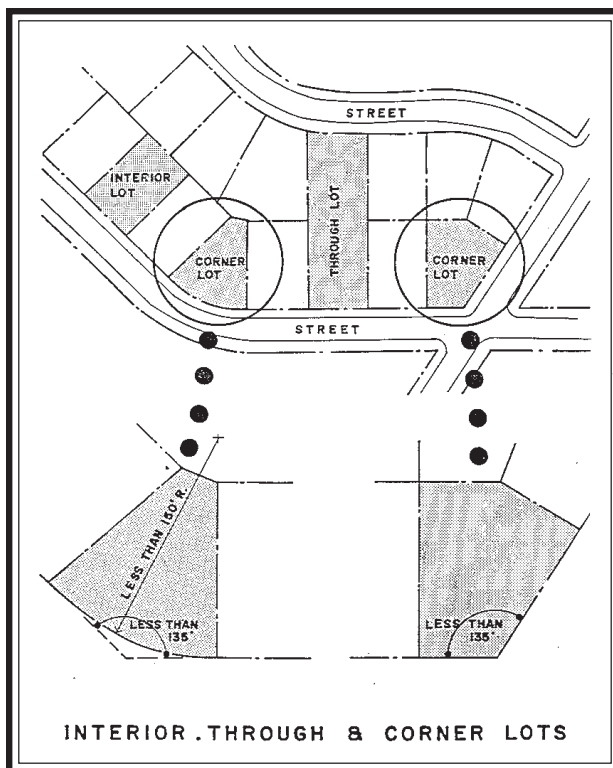
HOME OFFICE: A designation and use of a portion of a single family residence where activities are designed to take place which are part of a defined office activity. Such home office is intended as a secondary occupation or support extension of a primary occupation conducted outside of the principal residence. Such home office shall be a permitted use and shall be used only by resident family members residing within the residential dwelling. No representation of any non residential activities shall be visible from outside the residential dwelling.

HOTEL: A building, structure or part thereof occupied as the more or less temporary abiding place of individuals, in which the rooms are usually occupied singly for hire and in which rooms no provisions for cooking are made, and in which building there may be general kitchen and/or public dining room(s) for the accommodation of the occupants. The word ‘hotels’ shall not include a ‘motel’ or ‘motor court’.

JUNK YARD: A place, structure, parcel or use of land where junk, waste, discard, salvage, or similar materials such as old iron or other metal, wood, lumber, glass, paper, rags, cloth, leather, rubber, bagging, cordage, bar. barrels, containers, etc., are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including auto wrecking yards, and inoperative machines, used lumber yards, house wrecking, and structural steel materials and equipment and including establishments for the sale, purchase, or storage of salvaged machinery and the processing of used, discarded, or salvaged materials, for any thirty (30) consecutive days.

KENNELS: any lot or premise which contains more than four (4) dogs and/or cats either permanently or temporarily

LANDFILL: Means any disposal area tract of land, building,



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unit or appurtenance or combination thereof that is used to collect, store, handle, dispose of, bury, cover over, or otherwise accept or retain any soil, waste, or refuse of any type.

LANDSCAPE CONTRACTOR: The landscape contractor is a business person who contracts with clients to install or maintain at a profit all or any part of the exterior or interior landscape environment.

LIVESTOCK: Animals, normally kept or raised on a farm for commercial purposes, or intended for sale or processing.

LOADING SPACE, OFF-STREET: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off street loading space is not to be included as off-street parking space in computation of required off street parking space.

LOT: A lot is all or part of a parcel of land excluding that portion in a road or street right-of-way within one (1) block.

LOT AREA: The area within the lot lines, but excluding that portion in a road or street right-of-way.

LOT COVERAGE: The percentage of the lot area covered by the building area.

LOT MEASUREMENTS:

- A. **Depth:** The distance between the road right-of-way and rear lot line, measured along the median between the side lot lines.
- B. **Width:** The straight line distance between the side lot lines, measured at the two points where the minimum front yard setback line intersects the side lot lines.

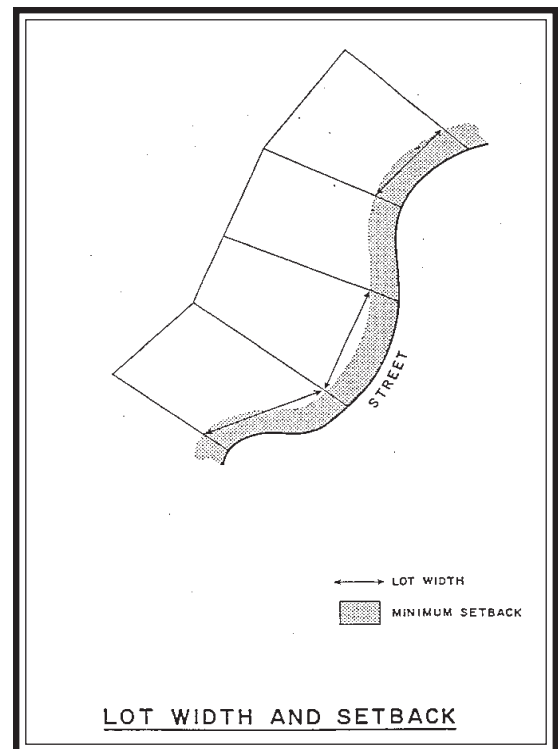
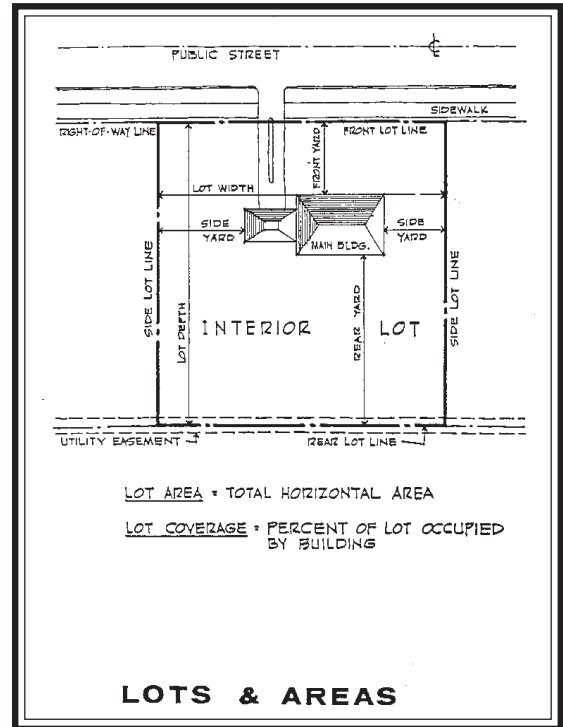
The width of lots fronting on a cul-de-sac shall not be less than fifty (50) feet at the road right-of-way line. The number of parcels and/or access points established for single family parcels fronting on the circumference of a cul-de-sac shall not exceed five (5).

LOT OF RECORD: A lot which is part of a subdivision and is shown on a map thereof which has been recorded in the Office of the Register of Deeds of Washtenaw County, or a lot described by metes and bounds, the deed to which has been recorded in said office.

LOT, THROUGH OR DOUBLE FRONTAGE: An interior lot having frontage on two parallel or approximately parallel streets.

MAJOR RECREATION EQUIPMENT: Boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers and the like, and cases and boxes used for transporting recreational equipment, whether occupied by such equipment or not.

MANUFACTURING: The process of making products by hand, machinery, or other agency, often with the provision. of labor and



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the use of machinery.

MARGINAL ACCESS ROAD: A service roadway parallel to a feeder road, which provides access to abutting properties and protection from through traffic.

MEZZANINE: An intermediate floor in any story occupying not to exceed one third (1/3) of the floor area of such story.

MICHIGAN ZONING ENABLING ACT: Act 110 of the Michigan Public Acts of 2006, as amended. This statute is the successor to the former Township Zoning Act, Act 184 of the Michigan Public Acts of 1943, as amended.

MOBILE HOME OR TRAILER COACH: A detached portable single-family dwelling, prefabricated on its own chassis and intended for long-term occupancy. The unit contains sleeping accommodations, flush toilet, tub or shower, eating and living quarters. It is designed to be transported on its own wheels or flatbed arriving at the site where it is to be occupied as a complete dwelling without permanent foundation and connected to existing utilities.

MOBILE HOME PARK: Also referred to as "park" in this Ordinance. Any parcel of land intended and designed to accommodate more than one mobile home for living use which is offered to the public for that purpose; and any structure, facility, area or equipment used or intended for use incidental to the living use.

MOBILE HOME SITE: A plot of ground within a mobile home park designed for accommodation of a mobile home.

MOBILE HOME STAND: That part of a mobile home site designed for the placement of a mobile home, appurtenant structures, or additions including expandable rooms, enclosed patios, garages or structural additions.

MOTEL: Any establishment in which individual cabins, courts, or similar structures or units, are let or rented to transients for periods of less than thirty (30) days. The term "motel" shall include tourist cabins and homes and motor courts. A motor court or motel shall not be considered or construed to be either a multiple dwelling, a hotel, or a mobile home park.

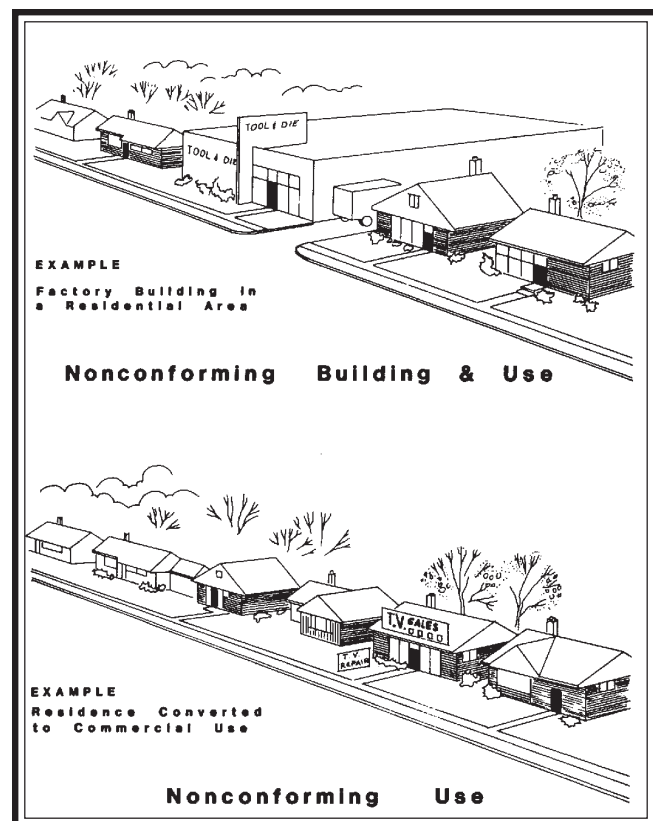
NONCONFORMING BUILDING, STRUCTURE: A structure or building lawfully constructed that does not conform to the requirements of the District in which it is situated.

NONCONFORMING USE: A structure, building, plot, premise or land lawfully occupied by a use that does not conform to the regulations of the District in which it is situated.

NURSERY-LANDSCAPE CONTRACTORS: A lot or structure or combination thereof, for the storage, wholesale, or retail sale of live trees, shrubs, and plants and including as incidental sales, the sale of products used for gardening or landscaping. Landscape contracting includes the design and placement of the foregoing materials and storage of the equipment required to do the work.

NURSERY-PLANT MATERIALS: A lot or structure or combination thereof, for the storage, wholesale, sale or retail sale of live trees, shrubs, and plants and including as incidental sales, the sale or products used for gardening or landscaping. This definition of nursery does not include a roadside stand or a temporary sales facility for Christmas trees.

OFF-STREET PARKING AREA: A land surface or facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of more than two (2) automobiles.



Article: 2.0 DEFINITIONS

OUTDOOR ADVERTISING SIGN: Any sign situated on private premises on which the written or pictorial information is not directly related to the principal use of the land on which such sign is located.

PARCEL: A “parcel” is a piece or tract of land in single ownership.

PARKING SPACE: One unit of a parking area provided for the parking of one automobile. This space shall have an area of not less than two hundred (200) square feet, and shall be exclusive of curves, driveways, aisles or entrances giving access thereto and shall be fully accessible for the storage or parking of permitted vehicles.

PUBLIC UTILITY: Any person, firm, corporation, municipal department or board duly authorized to furnish, under federal, state, or municipal regulations, electricity, gas, steam, communications, telegraph, transportation, water, or sanitary or storm water sewerage facilities to the public.

QUARRY: The term “quarry” shall mean any pit, excavation, or mining operation for the purpose of searching for or removing any earth, sand, gravel, clay, stone, slate, marble, or other non-metallic mineral in excess of fifty (50) cubic yards in any calendar year for commercial use, but shall not include an oil well or excavation preparatory to the construction of a building or structure.

RECREATION VEHICLE: A vehicle designed and intended for temporary occupancy during leisure time/recreation activities, either self-propelled or designed to be carried on the chassis of another vehicle or pulled by additional vehicle. Such a unit shall not exceed eight (8) feet in width and shall not be designed or intended for full time residential occupancy. The term “Recreation Vehicle” shall include, among others, such commonly named vehicles as travel trailer, travel camper, pick-up camper, tent camper and motor home.

RIDING ACADEMY: Any establishment where horses are kept for riding, driving or stabling for compensation or incidental to the operation of any club, association, ranch or similar establishment.

ROADSIDE STAND: A temporary building or structure operated for the purpose of selling only produce raised or produced on the premises where situated, and its use shall not make a commercial district nor shall its use be deemed a commercial activity.

SIGN: Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be included in the application of the regulations herein:

- A. Signs not exceeding one square foot in area bearing only property numbers, post box numbers, names of occupants or premises, or other identification of premises not having commercial connotations;
- B. Flags and insignias of any government except when displayed in connection with commercial connotations;
- C. Legal notices, identification, information, or directional signs erected or required by governmental bodies;
- D. Integral decorative or architectural features of buildings except letters, trademarks, moving parts or moving lights;
- E. Signs directing and guiding traffic and parking to private property, but bearing no advertising matter.

Also see **OUTDOOR ADVERTISING SIGN** and **FREE STANDING IDENTIFICATION SIGN**.

SITE CONDOMINIUM: A condominium development containing residential, commercial, office, industrial, or other structures or improvements for uses permitted in the zoning district in which located, in which each co-owner owns exclusive rights to a volume of space within which a structure or structures may be constructed, herein defined as a condominium unit, as described in the master deed.

SITE CONDOMINIUM STRUCTURE or BUILDING ENVELOPE: The principal building or structure intended for or constructed upon a lot or building site, together with any attached accessory structures. For example, in a residential development, the condominium structure or building envelope would refer to the house and any attached garage.

Article: 2.0 DEFINITIONS

SITE CONDOMINIUM UNIT: That portion of the condominium project designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, or recreational use as a time-share unit, or any other type of use.

SPECIAL USE: A use that would be detrimental to other uses permitted in the same zoning district unless carefully controlled as to number, area, size, exterior design, location or relation to the adjacent properties and to the neighborhood or township as a whole and may be permitted if proper safeguards are taken. Such uses may be permitted in a zoning district as a special use if specific provision is made in this Zoning Ordinance.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it then the space between any floor and the ceiling next above it.

STORY, ONE-HALF: A story under the gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story and the floor area shall not exceed two-thirds (2/3) of the area of the floor below.

STREET: A public or private thoroughfare which affords the principal means of access to abutting property having right-of-way not less than sixty six (66) feet in width.

STREET LINE: The dividing line between the street right-of-way and the lot. When such right-of-way is not definable, a line shall be defined as thirty-three (33) feet on either side of the center of the street.

STRUCTURE: Anything constructed, erected or placed with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground. Fences, utility poles, conduits, pipelines, and cables shall not be deemed structures.

TOURIST HOMES/BED AND BREAKFAST: A dwelling in which overnight accommodations are provided or offered to transient guests for compensation. A tourist home shall not be considered or construed to be a multiple dwelling, motel, hotel, boarding or rooming house.

TRAILER COACH: See **MOBILE HOME**.

USE: The principal purpose for which land or a building is arranged, designed or intended, or for which land or a building is, or may be, occupied.

VARIANCE: A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning division or district or adjoining zoning division or districts.

YARD, FRONT: An open, unoccupied space extending the full width of the lot and situated between the street line and the front line of the building.

YARD, REAR: An open, unoccupied space extending the full width of the lot and situated between the rear line of the lot and the rear line of the building.

YARD, SIDE: An open, unoccupied space of the same lot with the main budding, situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard; and, if no front yard is required, the front boundary of the side yard shall be the front line of the lot; and, if no rear yard is required, the rear boundary of the side yard shall be the rear line of the lot.

SECTION 2.03-UNDEFINED TERMS

Any term not defined herein shall have the meaning of common or standard use.