

## ARTICLE III

### CONSTRUCTION OF LANGUAGE AND DEFINITIONS

#### SECTION 3.00 RULES OF CONSTRUCTION

The following rules of construction shall apply to the text of this Ordinance.

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of the Ordinance and any caption or illustration, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the Singular number shall include the plural; and the plural the singular unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for" or "intended for", "maintained for" or "occupied for".
7. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and", "or", "either...or", the conjunctions shall be interpreted as follows:
  - A. AND: Indicates that all connected items, conditions, provisions or events shall apply.
  - B. OR: Indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
9. Terms not herein defined shall have the meaning customarily assigned to them.

#### SECTION 3.01 DEFINITIONS

1. **ACCESSORY BUILDING OR ACCESSORY USE:** A subordinate building or part of the main building or use of such building which is clearly incidental to that of the main building or to the main use of the land. For the purpose of this Ordinance, an accessory building shall include any structure other than the main building.

2. **AGRICULTURE:** The use of the land for tilling of the soil, the raising of field or tree crops or animal husbandry, as a source of income. Ref. Article VIII, Article XXI, Section 21.04.
3. **ALLEY:** A public way not more than thirty (30) feet in width and which affords only a secondary means of access to abutting property and not intended for general traffic circulation. Ref. Article 4, Section 4.01.
4. **ALTERATIONS:** Any change in the location or use of a building, or any change or modification in the supporting members of a building such as bearing walls, columns, beams, hoists, girders and similar components, or any substantial change in the roof or exterior walls or any change in the type of occupancy, the consummated act of which may also be referred to herein as "altered" or "reconstructed".
5. **AMUSEMENT PARK:** A parcel of land used for swimming, boating, dancing, skating, merry-go-rounds, roller coasters, theaters, arcades, fun houses, carnivals and other similar uses and their facilities, but not shooting galleries, race tracks, zoos, stables and riding academies.
6. **APPEAL:** An entreaty or demand for a hearing or review of facts and/or actions in connection with the public enforcement of this Ordinance.
7. **ARCHITECTURAL FEATURES:** An architectural feature of a building may be any standard construction design, and may include, but not be limited to, cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornamentation.
8. **AUTOMOBILE REPAIR GARAGE:** See definition of "GARAGE, SERVICE".
9. **AUTOMOBILE SERVICE STATION:** A building or a structure designed or used for the retail sale of fuel, lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including the space for facilities for the storage, minor repair or servicing of such vehicles. Ref. Article IV, Section 4.15.
10. **AUTOMOBILE WASH ESTABLISHMENT:** A building or portion thereof, the primary use or purpose of which is that of washing vehicles.
11. **BARRIER:** A fence or wall or other structure built to bar passage. Ref. Article IV, Section 4.11.
12. **BASEMENT:** A story of a building having part but not less than one-half (1/2) of its height below grade. (See illustrations entitled "Basement & Story Definitions", Section 3.02.1, page III-15.) Ref. Article IV, Section 4.03.
13. **BEDROOM:** A room in a dwelling unit used for or intended to be used solely for sleeping purposes by human beings.

14. **BILLBOARD:** Any construction or portion thereof upon which a sign or Advertisement used as an outdoor display for the purpose of making anything known to the general public, but not including bulletin boards used to display official court or public office notices.
15. **BLOCK:** The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, crossing or terminating; or between the nearest such street and railroad right-of-way; unsubdivided acreage, lake, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.
16. **BOARD OF APPEALS:** The Rollin Township, Lenawee County, State of Michigan, Zoning Board of Appeals.
17. **BUILDING:** A structure erected on-site, a mobile home, a mobile structure, a pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals, chattels or property of any kind.
18. **BUILDING HEIGHT:** The vertical distance measured from the established grade to the highest point of the roof surface 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. (See illustration entitled "Building Height Requirements", Section 3.02.3, page III-17.)
19. **BUILDING INSPECTOR:** This term shall refer to the Building Inspector of Rollin Township or his authorized representatives.
20. **BUILDING LINE:** A line formed by the face of the building, and for the purposes of this Ordinance a minimum building line is the same as a front setback line.
21. **BUILDING PERMITS:** A building permit is the written authorization issued by the Building Inspector of the Township permitting the construction, removal, moving, alteration, or use of a building in conformity with the provisions of the Ordinance.
22. **CLINIC:** A building or group of buildings where human patients are admitted, but not lodged over night, for examination and treatment by more than (1) professional, such as a physician, dentist, or the like.
23. **CLUB:** An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.
24. **COMMERCIAL USE:** A commercial use relates to the use of property in connection with the purchase sale, barter, display, or exchange of goods, wares, merchandise or personal services or the maintenance of offices of recreational or amusement enterprises, or garage, basement sales conducted on residential premises for more than six (6) calendar days during a given yearly period.
25. **COMMISSION:** This term, and the term "Planning Commission", shall mean the Rollin Township Planning Commission.

26. CONVALESCENT HOME: A structure or building with sleeping rooms where persons are housed or lodged and are furnished with meals, nursing and medical care. Ref. Article XI, Section 11.02.
27. DECK: An open physical extension of a building, whether attached or detached, featuring open slatted floors, open railing, but not including a roof, with the exception of a gazebo which is roofed, and above grade construction. An attached or unattached deck shall comply with the definition of a deck and for the purpose of this Ordinance, shall be considered an accessory building (except rat wall requirements).
28. DISTRICT: A portion of Rollin Township within which certain uniform regulations and requirements apply under the provisions of this Ordinance.
29. DOMESTIC PETS: Domesticated animals generally meant to be fondled such as dogs, cats, fish, etc., but excluding livestock and exotic or wild animals such as reptiles, large cats, wolves, foxes, raccoons, etc. Ref. Article IV, Section 4.13.
30. DRIVE-IN RESTAURANTS: A restaurant specifically developed so that its retail or service character is dependent on providing a driveway approach and/or parking spaces for motor vehicles and where the consumption of food and/or beverages may be acquired without leaving the motor vehicle.
31. DWELLING UNIT: One or more rooms with independent cooking facilities designed as a unit for residence by only one family:
  - A. Having a minimum living area of 720 square feet.
  - B. It has a minimum width across any front, side, or rear elevation of 12 feet and complies in all respects with the Township 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 Township building code, then and in that event such Federal or State standards or regulations shall apply.
  - C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Township 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. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup 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 and shall have a perimeter wall as required above.

- D. No exposed wheels, towing mechanisms, undercarriage or chassis shall be permitted and no storage shall be allowed in any crawl space or skirted area which is not a standard basement.
- E. The dwelling must be aesthetically compatible in design and appearance to conventionally on-site constructed homes, with a roof overhang, not less than two exterior doors with one being in the front of the home and the other being in either the rear or side of the home, with steps connected to said exterior door areas where a difference in elevation requires the same.
- F. The dwelling shall be connected to a public sewer and water supply or to such private facilities as are approved by the local health department.
- G. The dwelling must contain no additions or rooms or other areas which are not constructed with similar materials and with similar quality of workmanship as in the original structure, including an appropriate foundation and permanent attachment to the principal structure.
- H. The dwelling complies with all pertinent building, plumbing, electrical and fire codes, and the Rollin Township Sanitary Sewer Ordinance. In the case of mobile homes, 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.
- I. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park or a licensed mobile home subdivision except to the extent required by State law or otherwise specifically required in the Ordinances of Rollin Township.
- J. The question of compatibility of design and appearance shall be determined by the Planning Commission subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of fifteen (15) days from receipt of the Zoning Inspector's decision. Any determination of compatibility shall be based upon the standards set forth in this section, as well as the character of the residential development, outside of mobile home parks, within two thousand (2000) feet of the subject dwelling, where such area is developed with dwellings to the extent of not less than twenty (20) percent of said area; or where said area is not so developed, 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.

32. DWELLING, ONE-FAMILY: A detached building containing only one (1) dwelling unit. Ref. Article X.

33. DWELLING, TWO-FAMILY: A building containing only two (2) dwelling units. Ref. Article XI.
34. DWELLING, MULTI-FAMILY: A building containing more than two (2) dwelling units. Ref. Article XI.
35. ERECTED: Built, constructed, altered, reconstructed, moved upon, or any physical operation on the premises which are required for construction, excavation, fill, drainage, and the like, shall be considered part of the process.
36. ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance by public utilities or governmental departments of underground, surface or overhead gas, electrical, steam, fuel, or water transmission or distribution system, collection, communication, supply or disposal system including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar equipment in connection herewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or governmental departments for the general health, safety or welfare. Ref. Article IV, Section 4.10.
37. EXCAVATION: Any breakage of ground, except common household gardening, ground care and tillage. Ref. Article IV, Section 4.06.
38. FAMILY:
  - A. One or two persons or parents, with their direct lineal descendants and adopted or foster children (and including the domestic employees thereof ) living together in the whole or part of a dwelling comprising a single housekeeping unit, or;
  - B. A collective body or number of persons living together in one dwelling unit, under one head, cooking as a single housekeeping unit, and whose relationship is of a permanent and distinct domestic character based on birth, marriage, or other domestic bond, as distinguished from a group occupying a boarding house, lodging house, club, fraternity, organization, hotel or any other group of individuals whose association is temporary in nature.
39. FARM: The carrying on of any agricultural activity or the raising of livestock or small animals as a source of income. Ref. Article VIII.
40. FARM BUILDING: Any building or structure other than a dwelling moved upon, maintained, used or built on a farm which is essential and customarily used on farms of that type for the pursuit of their agricultural activities.
41. FAST FOOD CARRY-OUT: A business establishment where food and/or beverages are prepared on the premises to be sold at retail to patrons, provided the food and/or beverages are not intended to be consumed on the premises or within a motor vehicle parked on the site.

42. **FENCE:** An enclosure, barrier, or boundary made of posts, boards, wire, stakes or rails. Ref. Article IV, Section 4.11, Section 4.28 #6.
- A. **ORNAMENTAL:** Shall be no more than 48" in height and shall be of such materials that are compatible with the zoning district in which they are erected. Hereafter all fences in residential districts shall be ornamental in design and no more than 48" high.
  - B. **PRIVACY:** Shall be no more than 72" in height and shall be of such materials that are compatible with the zoning district in which they are erected. Privacy fences shall only be erected in industrial or commercial districts.
  - C. **SECURITY:** Shall be no more than 120" in height and be of such materials that are compatible with the zoning district in which they are erected. Security fences shall only be erected in industrial or commercial zoning districts.
43. **FLOOR AREA:**
- A. **GROSS:** The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the external wall or from the center line of walls separating two (2) buildings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, enclosed and unenclosed porches, or any space devoted to off street parking or loading.
  - B. **USABLE:** That portion of floor areas, measured from the interior face of the exterior walls, used for or intended to be used for services to the public or customers, patrons, clients, or patients, including areas occupied by fixtures or equipment used for display or sale of goods or merchandise, utility or areas used or intended to be used for storage of merchandise, utility or mechanical equipment rooms, or sanitary facilities. (See illustration entitled "Floor Area Terminology", Section 3.02.5, page III-19.)
44. **FUNNELING:** Funneling shall mean use of waterfront property for the purpose of providing access on any lake or channel adjacent thereto for nonriparian property owners or lessees, licensees, or any other occupants of property not contiguous to such waterfront. Ref. Article IV, Section 4.27.
45. **GARAGE, PRIVATE:** An accessory building or portion of a main building designed or used solely for the storage of motor vehicles, boats, and similar vehicles owned and used by the occupants of the building to which it is accessory.
46. **GARAGE, SERVICE:** Any premises used for the storage or care of motor vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale. Ref. Article IV, Section 4.15.
47. **GASOLINE SERVICE STATION:** See definition of Automobile Service Station.

48. **GAZEBO:** either an attached or detached raised deck structure or one that may be integrated into a deck or patio. It is roofed and has open sides or perimeter railings, and may or may not have screens or removable panels. The gazebo structure is not to exceed 110 square feet. For the purpose of this ordinance, a gazebo shall be considered a deck.
49. **GRADE:** The building grade shall, in the case of fairly level ground conditions, be the level of the ground adjacent to the walls. For substantially uneven level ground conditions, the grade shall be the average elevation of the ground adjacent to the walls. Ref. Article IV, Section 4.04.
50. **GREENBELT:** A strip of land not less than fifteen (15) feet in width which is planted with trees or shrubs acceptable in species and caliber to the Planning Commission and Building Inspector.
51. **HIGHWAY:** A public thoroughfare or street, excepting alleys, but including Federal, State, County and Township roads and those appearing upon plats recorded in the Office of the Register of Deeds for Lenawee County, Michigan.
52. **HOME OCCUPATION:** For the purpose of this Ordinance, a home occupation shall be defined as a gainful occupation or profession customarily carried on by an occupant of a dwelling unit as a use which is clearly incidental to the use of the dwelling unit for residential purposes, and therefore not involving the conduct of a retail business, manufacturing business or a repair shop of any kind on the premises. Home occupations shall not include the employment of any additional persons in the performance of such services nor shall there be any mechanical or electrical equipment used, other than is usual for purely domestic or hobby purposes. Home occupation shall include: personal services such as or similar to those provided by the professions of a doctor, & dentist, osteopath, chiropractor, chiropodist, optometrist, architect, artist, engineer, lawyer, accountant, music teacher and dressmaker. Home occupation shall not include: conducting of a clinic, hospital, barber shop, tea room, tourist home, animal hospital or any similar use on the premise shall not be deemed to be a home occupation. Ref. Article IV, Section 4.20.
53. **HOSPITAL:** A building, structure, or institution in which sick or injured persons, primarily in-patients, are given medical or surgical treatment and operating under license by the Health Department of the State of Michigan. Ref. Article XI, Section 11.02.
54. **HOTEL:** A building containing apartments, each composed of a bedroom, bathroom and closet space but without cooking facilities. The apartment units, with the exception of the units occupied by the management staff, shall be used only for the accommodations of transients with no cooking being permitted therein.
55. **JUNK YARD:** An open area where waste, used or secondhand materials, are bought and sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to: scrap iron and other metals, papers, rags, rubber tires, and bottles, also automobile wrecking yards and open areas of more than two hundred (200) square feet for storage, keeping or abandonment of junk.

56. **KENNEL, COMMERCIAL:** Any lot or premise on which three (3) or more dogs, cats, or other household pets are either permanently or temporarily boarded.
57. **LIVESTOCK:** Domesticated animals normally raised on a farm, including goats, chickens, ducks, turkeys, horses, ponies, cattle, hogs, and sheep. Ref. Article IV, Section 4.13.
58. **LOADING SPACE:** An off-street space on the same lot with the building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials. Ref. Article VI, Section 6.09.
59. **LOT:** A parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of the Ordinance. A lot may or may not be specifically designated as such on public records. (See illustration entitled "Corner, Interior & Double Frontage Lots", Section 3.02.4, page III-18.)
- A. **CORNER:** A lot where the interior angle of two adjacent sides at the intersection of two streets is less than one hundred and thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Ordinance if the arc is of less radius than one hundred and fifty (150) feet and the tangents to the curve, at the two points where the lot lines meet the curve of the straight street line extended, form an interior angle of less than one hundred and thirty-five (135) degrees.
- B. **INTERIOR:** Any lot other than a corner lot.
- C. **THROUGH:** Any interior lot having a frontage on two more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard set backs shall be provided as required.
60. **LOT AREA:** The total horizontal area within the lot lines of the lot.
61. **LOT COVERAGE:** The part or percent of a lot occupied by a building including any accessory buildings.
62. **LOT DEPTH:** The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.
63. **LOT LINES:** The lines bounding a lot as defined herein:
- A. **FRONT LOT LINE:** In the case of an interior lot, that line separating said lot from the street. In the case of a corner lot, that line separating said lot from either street. water frontage shall not be considered the front lot line.

- B. **REAR LOT LINE:** That line of that lot opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line and wholly within the lot.
- C. **SIDE LOT LINE:** Any lot line other than the front lot or rear lot line. A lot line separating a lot from another lot or lots is an interior side lot line.
64. **LOT OF RECORD:** A parcel of land the dimensions of which are shown on a document or map on file with the County Register of Deeds or in common use by Township or County officials and which is actually existing as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof. Ref. Article V, Section 5.01.
65. **LOT WIDTH:** The horizontal straight line distance between the side lot lines, measured between the two points where the front setback line intersects the side lot lines.
66. **LOT ZONING:** A single tract of land, located within a single block, which at the time of filing for a building permit, is designated by its owner or single developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. A zoning lot shall satisfy this Ordinance with respect to area, size, dimensions, and frontage, as required in the district in which the zoning lot, is located. A zoning lot, therefore, may not coincide with a lot of record as filed with the County Register of Deeds, but may include one or more lots of record.
67. **MAIN BUILDING:** A building in which is conducted the principal use of the lot upon which it is situated.
68. **MINI-WAREHOUSES:** A building or group of buildings in a controlled access and fenced compound that contain varying sizes of individual, compartmentalized and controlled access stalls or lockers for storage of customers good or wares. For the purpose of this ordinance to be known as Self-service storage facilities.
69. **MOBILE HOME:** A portable vehicular unit designed for year round dwelling purposes, built upon a chassis, equals or exceeds twelve (12) feet in width, contains not less than 720 square feet of living area, and is not motorized or self-propelled. Also known as a trailer coach or house trailer. A unit which requires being transported to the site separately in two (2) or more sections, and to which major elements, such as the heating system or a substantial portion of the siding, are installed after transport, shall not be considered a mobile home. A unit which rests on a permanent foundation with all apparatus utilized for transport (including but not necessarily limited to the wheels, axles, and tongue) removed from the unit shall not be considered a mobile home. Ref. Article IV, Section 4.25.
70. **MOBILE HOME PARK:** A specifically designated parcel of land designed and developed to accommodate two (2) or more mobile homes or mobile home sites for residential use. Also known as mobile home court, trailer court, or trailer court park Ref. Article XII.

71. **MOTEL:** A series of attached, semi-attached, or detached apartments containing a bedroom, bathroom, and closet space, but without cooking facilities, with each apartment having an individual entrance leading directly from the outside of the building. The apartment units, with the exception of the unit occupied by the management staff, shall be used only for the accommodation of transients, and no cooking shall be permitted therein.
72. **MOTOR HOME:** A motorized vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for overnight lodging. This term does not apply to mobile homes.
73. **NON-CONFORMING BUILDING:** A building or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and that does not conform to the provisions of the Ordinance or the amendments thereto in the district in which it is located. Ref. Article V, Section 5.02.
74. **NON-CONFORMING USE:** A use which lawfully occupied a building or land at the effective date of this Ordinance, or amendments thereto, and that does not conform to the use regulations of the district in which it is located as provided by the Ordinance or amendments thereto. Ref. Article V, Section 5.03.
75. **NURSERY, PLANT MATERIALS:** A space, building, structure or a combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products for gardening or landscaping, but not including any space, building or structure used for the sale of fruits, vegetables, or Christmas trees.
76. **NURSING HOME:** A structure with sleeping rooms where persons are housed and provided meals for the purpose of providing custodial care, but not including medical care. May also be called an Adult Foster Care Facility. Ref. Article XI, Section 11.02.
77. **NUISANCE FACTORS:** An offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics or activity or use across a property line which can be perceived by or effects a human being or the generation of an excessive or concentrated movement of people or things, including but not limited to: noise, dust, smoke, odor, glare, fumes, flashes, vibration, shock waves, heat, electronic or atomic radiation, objectionable affluent, noise of congregation of people, particularly at night, passenger traffic, invasion of nonabutting street frontage by traffic and storm water run off.
78. **OFF STREET PARKING LOT:** A 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 three (3) vehicles. Ref. Article VI.
79. **OPEN FRONT STORE:** A business establishment so developed that service to the patron may be extended beyond the walls of the structure, not requiring the patron to enter the structure but not including automobile repair stations or automobile service stations.

80. **PARKING SPACE:** An area of definite length and width, said area shall be exclusive of drive, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.
81. **PATIO:** An open living area adjacent to a residential building consisting of a wooden, stone, cement, or brick area level with the ground. A patio may or may not be furnished with a railing but it may not be enclosed or have a roof.
82. **PORCH:** An open or enclosed elevated physical extension of a residential building featuring a solid floor, railing and roof.
83. **PRINCIPAL USE:** The main use to which the premises are devoted and the principal purposes for which the premises exist.
84. **PUBLIC UTILITY:** A person, firm or corporation, Township department, board or commission duly authorized to furnish and furnishing to the public, under Federal, State, or Township regulations services such as but not limited to the following: gas, steam, electricity, sewage disposal, communication, telegraph transportation, water or cable television.
85. **SALES LOTS:** Any lot that is used for the sales of new or used cars, boats, trucks, motorcycles, ATV's, ATC's, aircraft, snowmobiles or travel trailers. They shall be governed by the zoning district in which they are located.
86. **SCREEN:** A structure that serves to divide, conceal, or protect. Also an insert of framed mesh to keep out insects. A screen may also be a fence or barrier.
87. **SEAWALL:** Materials used along a waterfront area to protect the shoreline from erosion. Seawall construction and materials shall be governed by the Department of Natural Resources of the State of Michigan.
88. **SETBACK:** The distance required to obtain minimum front, side or rear yard open spaces as provided by this Ordinance.
89. **SIGN:** A name, identification, description, display or illustration which is affixed to, or painted or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business. Ref. Article IV, Section 4.26.
90. **STORY:** That portion of a building, other than a mezzanine included between the surface of any floor and the floor next above it, or if there is no floor above it, the space between the floor and ceiling next above it. (See illustration entitled "Basic Structural Terms", Section 3.02.5, page III-16.)
  - A. **MEZZANINE:** A floor that covers less than fifty (50) percent of the area of the story underneath and where the vertical distance from the floor next below it to the floor next above it is less than twenty-four (24) feet.

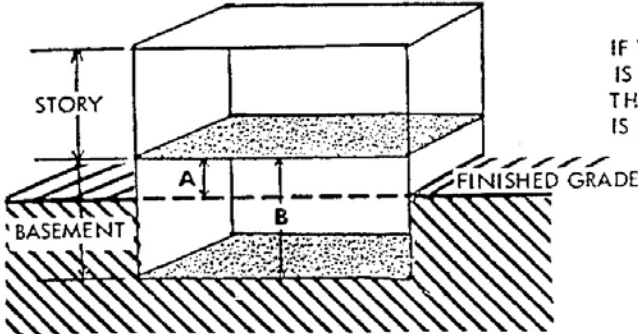
- B. **BASEMENT:** A basement shall be counted as a story if over fifty (50) percent of its height is above the level from which the height of the building is measured, or, if it is used for business purposes, or if it is used for dwelling purposes by a person other than a janitor or domestic servant employed in the same building, including the family of the same.
- C. **HALF STORY:** That portion of a building between a pitched roof and the uppermost full story, said part having a floor area which does not exceed one half (1/2) the floor area of said full story, provided the area contains at least two hundred (200) square feet with a clear height of at least seven (7) feet and six (6) inches.  
(See illustration entitled Floor Area Terminology, Section 3.02.5, page III-19.)
91. **STREET:** A dedicated public right-of-way, other than an alley, which affords the principal means of access to abutting property. Ref. Article IV, Section 4.01.
92. **STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.
93. **SUBDIVISION:** A plot or parcel of land that is divided into lots for the purpose of single or multi-family dwellings, as designated by the zoning district in which it is located.
94. **SWIMMING POOL:** Any structure or container located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches, intended for swimming or bathing. A swimming pool shall be considered an accessory building for the purpose of determining required yard spaces and maximum lot coverage. Ref. Article IV, Section 4.19.
95. **TRAVEL TRAILER:** A portable vehicular unit primarily designed for travel and/or recreational use, which may also contain facilities for overnight lodging. They may be towed by a noncommercial vehicle or be self propelled. This also includes, folding campers, and truck-mounted campers but not mobile homes.
96. **TRAVEL TRAILER PARK:** A family recreation-oriented facility for the overnight or short-term (not to exceed fifteen (15) days consecutively) parking of travel trailers or tents. May also be known as a campground.
97. **TEMPORARY USE OF BUILDING:** A use or building permitted by the Board of Appeals to exist during periods of construction of the main building or use, or for special events. Ref. Article IV, Section 4.21.
98. **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.
99. **VARIANCE:** A variance is a modification of the literal provisions of the Zoning Ordinance which is granted when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. Hardships based solely on economic considerations are not grounds for a variance.

100. WALL, OBSCURING: A structure of definite height and location to serve as an obscuring screen in carrying out the requirements of the Ordinance.
101. YARDS: The open spaces on the same lot with the main building unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance (see illustration entitled "Lot Terms", Section 3.02.6, page III-20.) and as defined herein:
- A. FRONT YARD: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building.
  - B. REAR YARD: An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage.
  - C. SIDE YARD: An open space between the main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building.

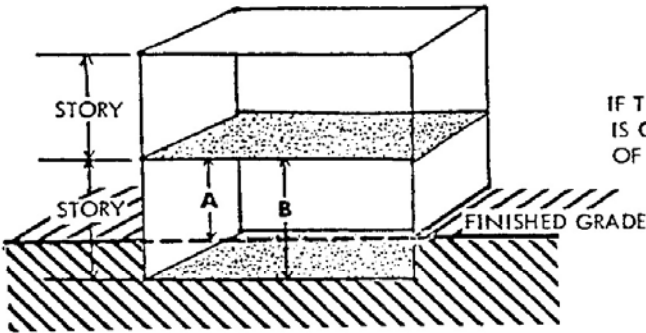
## SECTION 3.02 ILLUSTRATIONS

- Section 3.02.1 (Basement & Story Definition)
- Section 3.02.2 (Basic Structural Terms)
- Section 3.02.3 (Building Height Requirements)
- Section 3.02.4 (Corner, Interior & Double Frontage Lots)
- Section 3.02.5 (Floor Area Terminology)
- Section 3.02.6 (Lot Terms)
- Section 3.02.7 (Yard Requirements)

# BASEMENT & STORY DEFINITION

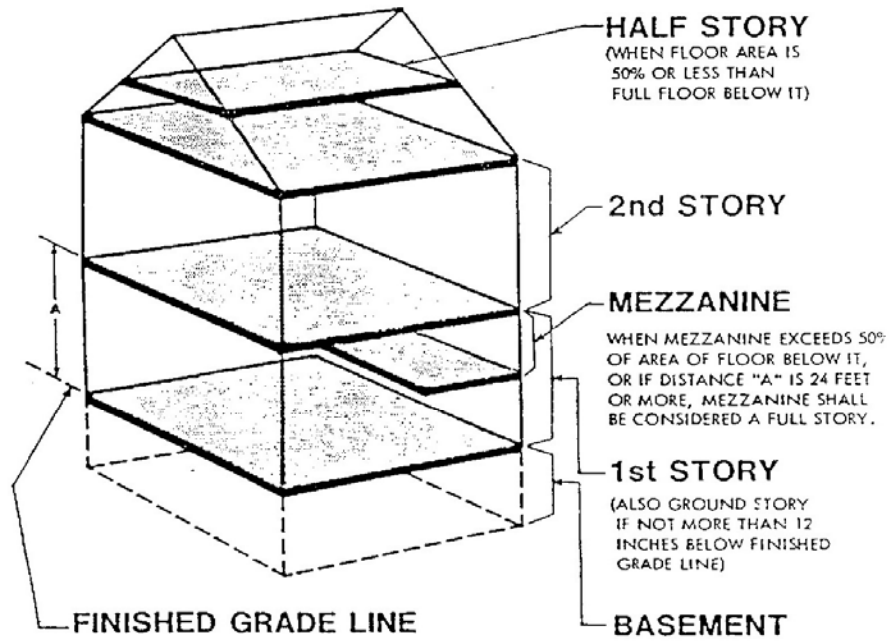


IF THE AVERAGE OF "A" IS EQUAL TO OR LESS THAN 1/2 OF "B", THIS IS A BASEMENT.

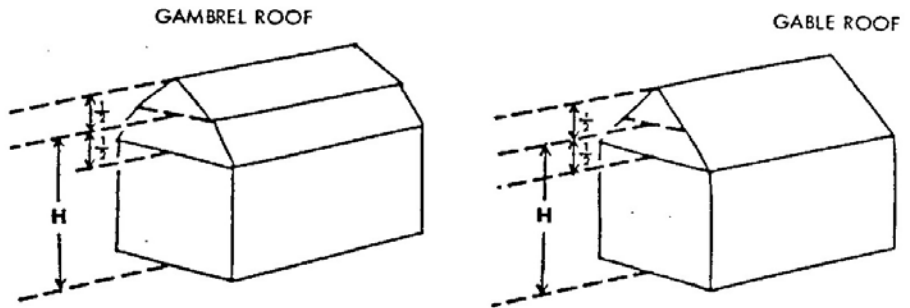
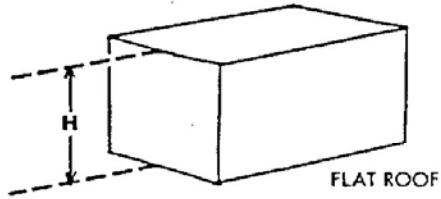
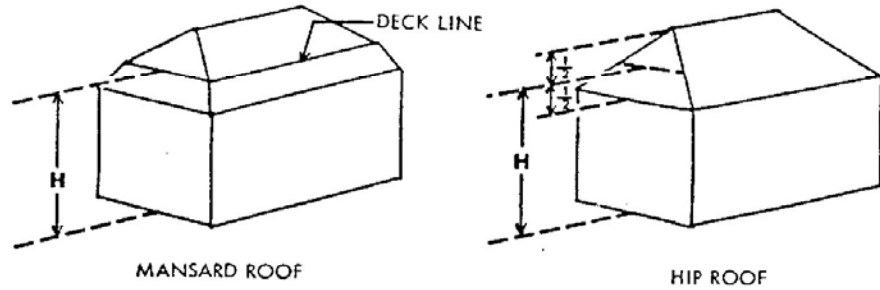


IF THE AVERAGE OF "A" IS GREATER THAN 1/2 OF "B", THIS IS A STORY.

## BASIC STRUCTURAL TERMS

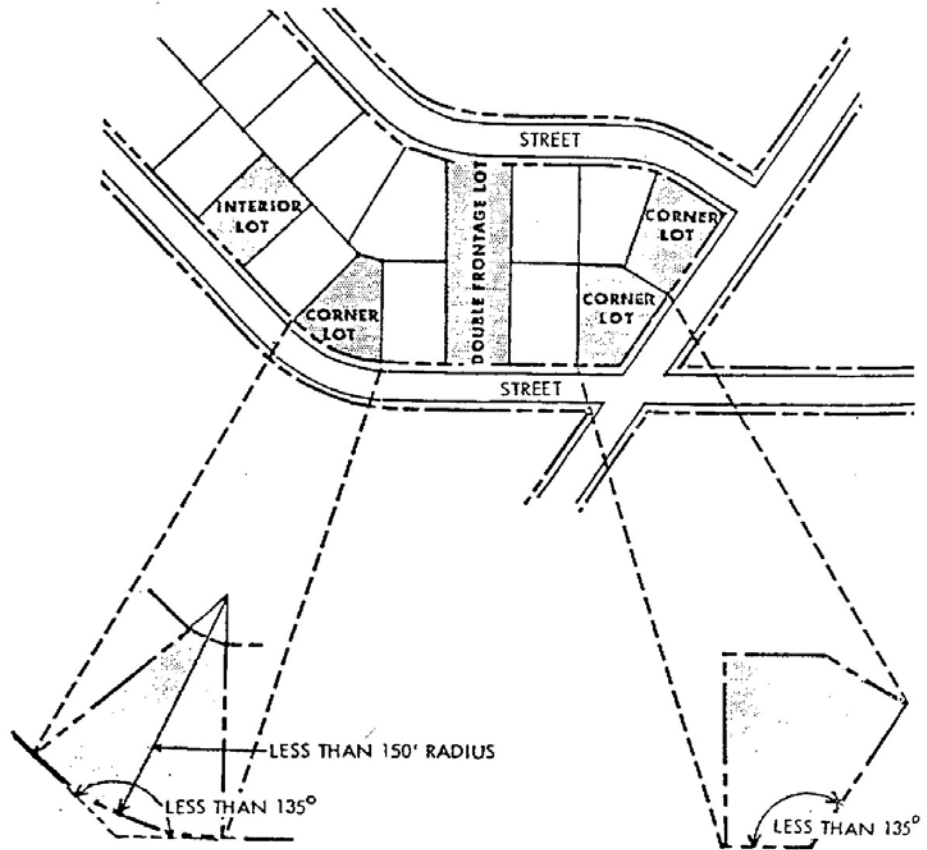


## BUILDING HEIGHT REQUIREMENTS

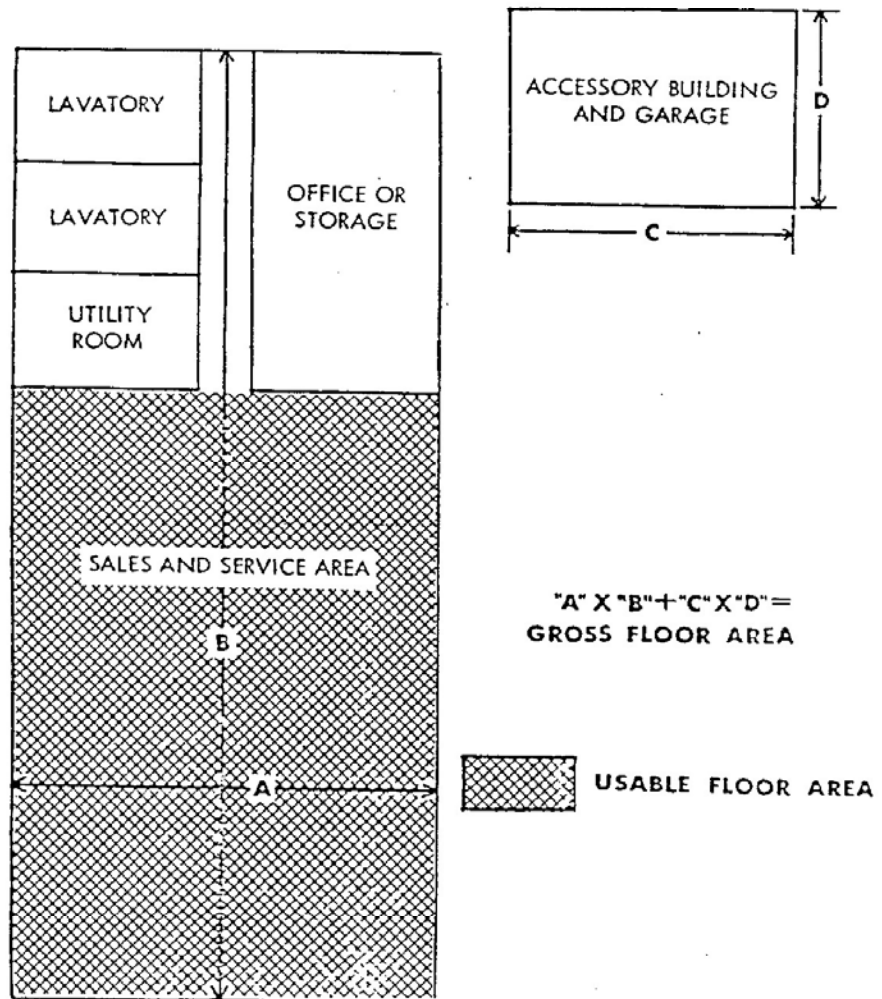


NOTE: GARAGE HEIGHT NOT TO EXCEED 16 FT. AS MEASURED FROM THE FOUNDATION FLOOR LEVEL TO THE HIGHEST POINT OF THE ROOF SURFACE.

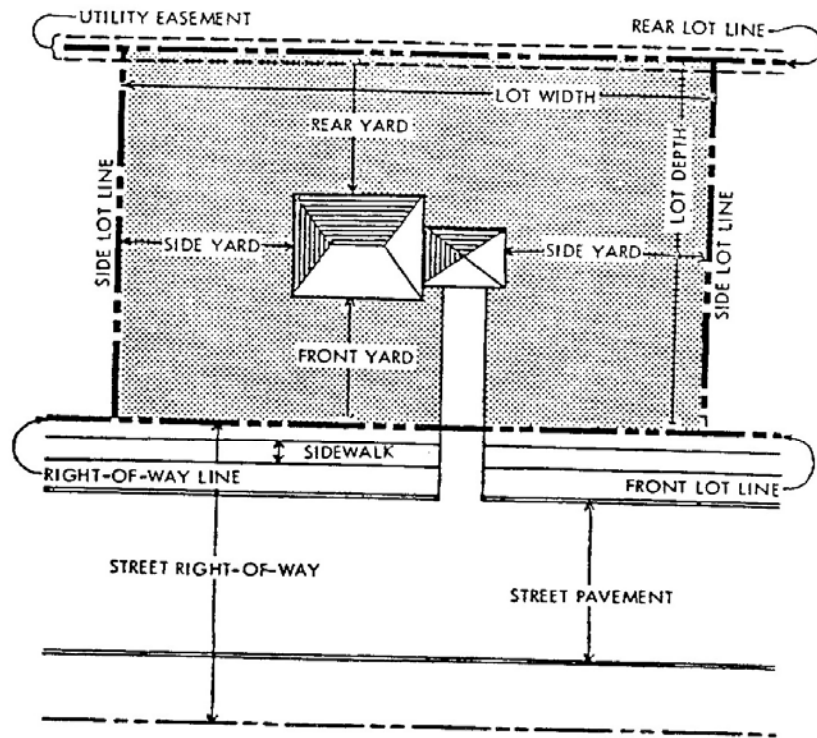
## CORNER, INTERIOR AND DOUBLE FRONTAGE LOTS



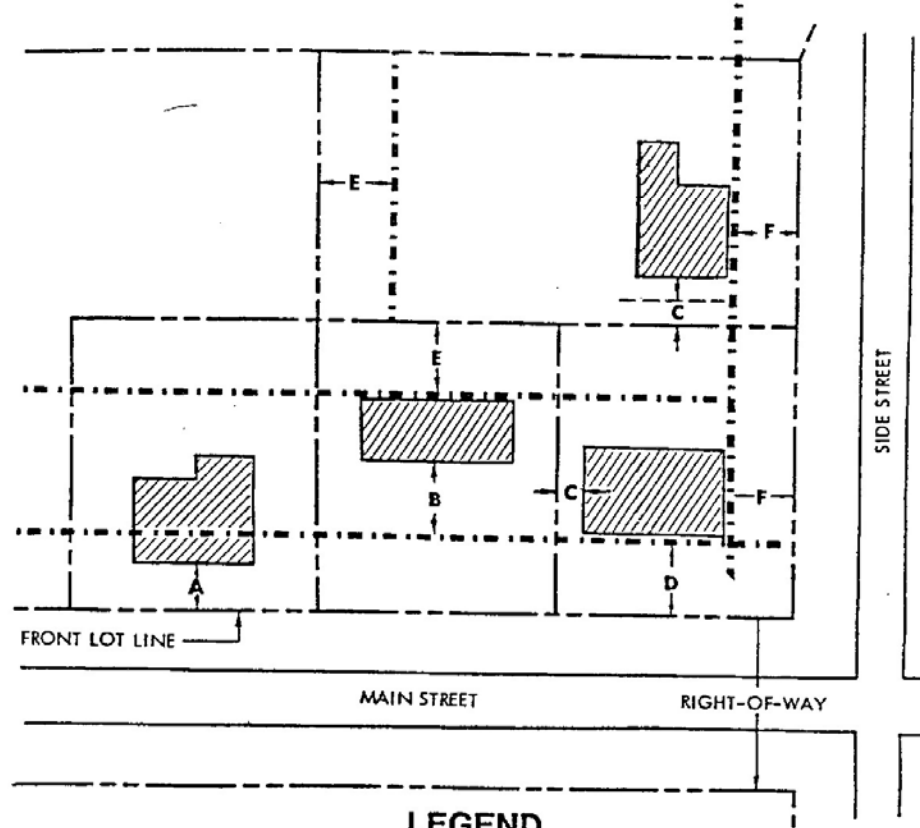
# FLOOR AREA TERMINOLOGY



# LOT TERMS



# YARD REQUIREMENTS



## LEGEND

- |  |   |
|--|---|
| <b>A</b> — DEFICIENT FRONT YARD                                | <b>D</b> — MINIMUM FRONT YARD REQUIRED ALSO BUILDING SETBACK LINE   |
| <b>B</b> — FRONT YARD IN EXCESS OF MINIMUM FRONT YARD REQUIRED | <b>E</b> — MINIMUM REAR YARD REQUIRED                               |
| <b>C</b> — MINIMUM SIDE YARD REQUIRED                          | <b>F</b> — MINIMUM YARD REQUIRED ON SIDE STREET WHEREON HOMES FRONT |