

## **ARTICLE 2 DEFINITIONS**

### **Section 2.01 Rules Applying to the Text**

For the purpose of this Ordinance, certain terms or words shall be interpreted as follows:

1. The word “person” includes a firm, association, organization, partnership, trust, corporation or company, as well as an individual.
2. The present tense includes the future tense; the singular number includes the plural and the plural number includes the singular.
3. The word "shall" is mandatory; the word "may" is permissive.
4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
5. Any word or term not defined herein shall have the meaning of common or standard use that is reasonable for the context in which used herein.
6. Questions of interpretation arising hereunder shall be decided by the Zoning Administrator whose decision may be appealed to the Board of Appeals.

### **Section 2.02 Definitions**

**Accessory Dwelling:** A secondary dwelling unit contained within a one-family detached dwelling (granny flat) or above a garage (coach house) on the same lot as a one-family detached dwelling for use as a complete, independent living quarters, with provision for living, sleeping, bathing and cooking. Also known as a mother-in-law apartment or accessory apartment.

**Accessory Structure:** A structure subordinate to a main building on the same lot that is occupied by, or devoted exclusively to, an accessory use.

**Accessory Use:** A use that is clearly incidental to, customarily found in connection with, and (except in the case of accessory off-road parking spaces or loading) located on the same zoning lot as the principal use to which it is related.

An accessory use includes, but is not limited to, the following:

1. Residential accommodations for servants and/or caretakers.
2. Swimming pools for the use of the occupants of a residence, or their guests.

3. Domestic or agricultural storage in a barn, shed, tool room, or similar accessory building or other structure.
4. A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays.
5. Storage of merchandise normally carried in stock in connection with a business or industrial use, or storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.
6. Accessory off-road parking spaces, open or enclosed, subject to the accessory off-road parking regulations for the district in which the zoning lot is located.
7. Uses clearly incidental to a main use such as, but not limited to: offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
8. Accessory off-road loading, subject to the off-road loading regulations for the district in which the zoning lot is located.
9. Accessory signs, subject to the sign regulations for the district in which the zoning lot is located.
10. Satellite dishes or television or radio antennae for the use of occupants of a residence, or place of business.

**Acreage:** Any tract or parcel of land that has not been subdivided or platted.

**Addition:** An extension or increase in floor area or height of a building or structure.

**Adult:** A person having arrived at the legal age of majority as defined by the laws of the state of Michigan.

**Alterations:** Any change, addition, or modification in construction or type of occupancy, or in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed."

**Apartments:** A suite of rooms or a room in a multiple-family building arranged and intended for a place or residence of a single-family, or a group of individuals living together as a single housekeeping unit.

**Anemometer Tower:** An instrument for measuring and recovering the speed of wind; a wind monitoring station.

**Animal Services:** personal services, for dogs, cats or other household pets, including grooming. This definition shall not include veterinary clinics.

**Arcade:** Arcade shall mean any place of business or establishment whose principal use is amusement devices and which contains six (6) or more mechanical amusement devices. Mechanical amusement devices include any machine, which, upon the insertion of any coin, slug, token, plate or disc, or which, for a fee paid to the operator or owner, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as marble machines, skill ball, mechanical grab machines, television display devices or machines and all games, operations or transactions similar thereto whether operated principally by mechanical means or electrical means or a combination thereof, under whatever name they may be indicated or called.

**Architectural Features:** Architectural features of a building or a structure shall include, but is not limited to, cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.

**Automatic Car Wash:** A structure containing facilities for washing vehicles and automatic or semi-automatic application of cleaner, brushes, rinse water, and heat for drying.

**Automobile Repair:** The general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of automobiles.

**Automobile Repair Garage:** An establishment primarily engaged in furnishing automobile repair services to the general public.

**Automobile Service Station:** Any building, land area, or other premises, or portion thereof, used for the retail sales of motor fuels, servicing and repair of automobiles, and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar automobile accessories.

**Automobile Wash:** Any building or premises or portions thereof used for washing vehicles.

**Basement and Cellar:**

1. A basement is that portion of a building partly below grade and so located that the vertical distance from the grade to the floor is greater than the vertical distance from the grade to the ceiling. A basement shall not be counted as a story.
2. A cellar is that portion of a building partly below the grade and so located that the vertical distance from the grade to the floor is greater than the vertical distance from the grade to the ceiling, with a ceiling height of less than 6.5 feet.

**Bed and Breakfast:** A use which is subordinate to the principal use of a dwelling unit as a single-family dwelling unit and a use in which transient guests are provided a sleeping room and breakfast in return for payment.

**Block:** The property abutting one (1) side of a road and lying between the two (2) nearest intersecting roads, (crossing or terminating) or between the nearest such road and railroad

right-of-way, undivided acreage, lake, river, or other drainage way; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the municipality.

**Bluff:** A bank of a river rising at a slope of 33% or greater from within ten (10) feet of the river's edge.

**Boarding House:** A dwelling where meals, or lodging and meals, are provided for compensation and where one (1) or more rooms are occupied by persons by pre-arrangement for definite periods of not less than one (1) month. A boarding house is to be distinguished from a hotel, motel, bed and breakfast establishment, or a convalescent, nursing, or group home.

**Building:** Any **structure** having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

**Building Height:** The vertical distance measured from the grade to the highest point of the roof surface for flat or dome roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, and gambrel roofs.

**Cabin:** Any structure or tent which is maintained offered or used for dwelling or sleeping quarters for transients or for temporary dwelling, but not including what are commonly designated as hotels, lodging houses, or tourist homes.

**Certificate of Zoning Compliance:** A document issued by Blair Township allowing the occupancy or use of a building and/or land and certifying that the structure or use has been constructed and will be used in compliance with all the applicable municipal codes and ordinances. For purposes of this Ordinance, a Certificate of Occupancy and Zoning Certificate shall be considered as one in the same.

**Child Care Center:** Refer to definition of day care center.

*Class I Disposal Wells: Any Hazardous Waste Well, Industrial Waste Disposal Well, or related facilities, including any Brine Disposal Facility. (Amendment 104-05-12-05, Effective March 25, 2013)*

**Clinic:** An establishment where human or animal patients are admitted for examinations and treatment by a physician(s), dentist(s), veterinarian(s), or similar professional(s).

**Club:** Any facility established to provide recreational or social activities for the exclusive use of its members, their families, and guests.

**Cluster Development:** A development design technique that concentrates buildings onto a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features. This design technique may be used with a conventional subdivision or with a condominium project.

**Commercial Laundromat:** An establishment providing washing, drying, or drying cleaning services to businesses. Commercial Laundromats do not provide rental machines for individuals for their own service and use.

**Common Open Space:** Unoccupied land within a development, not individually owned or publicly dedicated, that is designed and intended for the common use or enjoyment of the residents and their guests and may include such improvements as are necessary and appropriate.

**Communication Towers:** are transmitters, antenna structures, antennas, accessory equipment and shelters pertaining to the facility as well as other types of installations used for the provision of wireless services.

**Condominium:** A form of property ownership and land development as detailed in the State of Michigan Land Division Act, Public Act 59 of 1978, as amended.

1. **Condominium Project:** A plan or project consisting of not less than two (2) condominium units established in conformity with P.A. 59 of 1978, as amended.
2. **Condominium Unit:** That portion of a condominium project designed and intended for separate ownership and use, as described in the master deed, whether it is intended for residential, office, industrial, business, recreational, use of a time share unit, or other type of use, in accordance with P.A. 59 of 1978, as amended.
3. **Condominium, Standard:** A Standard Condominium is defined as any plan or project where two or more Condominium Units have a common boundary, abut against one another, or are within two (2) feet or less of separation between the legal descriptions of one another, and are not separated on all sides by co-owned or common lands from another Condominium Unit, whether it is intended for residential, office or other use as described above. Uses of Standard Condominiums are equivalent to multi-family dwellings, resort hotels, office complexes, and shopping malls.
4. **Condominium, Site: (Site Condominium).** A Site Condominium is defined as any plan or project where two or more Condominium Units do not have a common boundary, do not abut against one another, or are separated by more than two (2) feet between legal descriptions of one another, and are separated on all sides by co-owned or common lands from another Condominium Unit, whether it is intended for residential, office or other use as described above.

**Congregate Care Facility:** Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for the residents.

**Contractor's Yard- Major:** A lot or parcel upon which a contractor maintains an office and the storage of machinery, equipment, and materials customarily used in the trade performed by the contractor, such as activities related to excavation, concrete work, building construction, mining, and roads, etc. This definition also includes building materials sales yards, including but not limited to rock, sand, and gravel.

**Contractor's Yard-Minor:** A lot or parcel upon which a contractor maintains an office and the storage of machinery, equipment, and materials customarily used in the trade performed by the contractor, such as activities related to plumbing, electrical work, and drywalling, etc. Often these operations repair or retail items related to their operation.

**Convalescent Home:** A facility that provides, on a regular basis, personal care, including dressing and eating and health related care and services, to individuals who require such assistance but who do not require the degree of care and treatment that a hospital or skilled nursing center provides.

**Conventional Subdivision:** The division of a lot, tract, or parcel of land into lots, tracts, or parcels of land, in accordance with all standards, regulations, and permits as stipulated in the Land Division Act, P.A. 288 of 1967, as amended, for the purpose, whether immediate or future, of sale or of building development.

**Corral or Barnyard:** A pen or enclosure for confining animals or livestock, but not grazing area.

**Crest:** The first river-ward facing area at least one hundred (100) feet long (approximately parallel to the river) that breaks to a slope of at least 18% for a distance away from the river of at least twenty-five (25) feet.

**Cul-de-sac:** A road terminating at one end, with a turning radius.

**Day Care Center:** A facility, other than a private residence, receiving one or more preschool or school age children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. Childcare center or day care center includes a facility that provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a childcare center, day care center, day nursery, nursery school, and parent cooperative preschool, play-group, or drop-in center.

**Density:** The number of households, or housing structure per unit of land.

**Direct Access:** Access not requiring trespass over adjacent property or rights-of-way.

**District:** A portion of the unincorporated area of the municipality within which certain regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

**Drive-In/Drive-thru:** A business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle, rather than within a building or structure, or to provide self-service for patrons and food carry-out.

**Dwelling:** Is a **structure** or portion thereof used exclusively for human habitation.

**Dwelling, Attached:** A one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls.

**Dwelling, Detached:** A dwelling that is not attached to any other dwelling by any means.

**Dwelling, Multiple-Family:** A building containing three (3) or more dwelling units designed for residential use and conforming in all other respects to the standards set forth for multiple-family dwellings.

**Dwelling, Single-Family:** A building designed exclusively for one (1) family for residential use.

**Dwelling, Semi-Detached:** A single-family dwelling attached to one other single-family dwelling by a common vertical wall, and each dwelling located on a separate lot. The semi-detached dwelling is part of a two-family structure with the dwelling units side-by-side as opposed to one on top of the other.

**Dwelling, Standard:** A dwelling unit that meets the following requirements:

1. The dwelling complies with the minimum square footage and performance requirements for the district within which located;
2. The dwelling complies in all respects with the Michigan State Construction Code as promulgated by the State Construction Commission in accordance with Act 230 of the Public Acts of 1972, as amended;
3. The dwelling is firmly attached to a permanent foundation constructed on the site in accordance with the Township/County/State building code;
4. The dwelling is compatible in design and appearance with other residences in the vicinity including either a roof overhang of not less than six inches on all sides or alternatively with window sills or roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling; and has not less than two exterior doors with the second one located in either the rear or side of the dwelling;
5. The dwelling has no additions or rooms or other areas which are not constructed with similar or better quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein;
6. The dwelling complies with all pertinent building and fire codes. The forgoing standards do 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 by the Township pertaining to such parks.

**Dwelling, Townhouse:** A single-family dwelling in a row of two (2) but no more than four (4)

such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

**Dwelling, Two-Family (Duplex):** A structure on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an un-pierced wall extending from ground to roof or an un-pierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units, which is also referred to as a duplex.

**Dwelling Unit:** A building or portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.

**Dwelling Unit, Efficiency:** A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

**Dwelling Unit, Manufactured:** A factory built single-family structure that meets the National Manufactured Home Construction and Safety Standards Act (commonly known as the HUD Code); also referred to as a modular home.

**Dwelling Unit, Site Built:** A dwelling unit which is substantially built, constructed, assembled, and finished on the premises which are intended to serve as its final location. Site-built dwelling units shall include dwelling units constructed of precut materials and panelized wall, roof and floor sections when such sections require substantial assembly and finishing on the premises intended to serve as its final location.

**Earth Berm:** A mound of earth of a minimum eighteen (18) inches in height, planted with ground cover, grass, trees, or other landscaping material intended to minimize the view of parking areas and reduce noise and dust from adjacent uses and passersby.

**Easement:** A granting of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation, or another person or entity.

**Essential Services:** The erection, construction, alteration, or maintenance by public utilities or any governmental department or commission of underground or overhead gas, electrical, steam, or water transmission or communication, supply or disposal system, including poles, wires, drains, sewers, pipes, conduits, cables, towers, fire alarm boxes, police call boxes, traffic signals and hydrants and other similar equipment and accessories in connection with, but not including, buildings. For purposes of this Ordinance, essential services shall also be defined to include cable television facilities. This definition shall not include Wind Energy Systems or anemometer towers. This definition shall not include Communication Towers.

**Extractive Operation:** Premises from which any rock, gravel, sand, topsoil, or earth in excess of fifty (50) cubic yards on 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.



**Façade:** *The front of a building or any face of a building given special architectural treatment which may consist of false, superficial, or artificial appearance or effect. (Amendment 104-05-08-08, Effective February 20, 2009)*

**Family:** A single individual doing his or her own cooking, and living upon the premises as a separate housekeeping unit, or a collective body of unrelated persons doing their own cooking, and living together upon the premises or a separate housekeeping unit in a domestic relationship based upon birth, marriage, or other domestic bonds distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.

**Family Daycare:** A private home in which one (1) but fewer than seven (7) minor children receive care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family Daycare includes a home that gives care to an unrelated minor child for more than four weeks during the calendar year.

**Farm:** The land, buildings, and machinery used in the commercial production of farm products as the principle use of the property. For purposes of this Ordinance, gardens and other agricultural accessory uses do not constitute a farm.

**Farm Animal:** Is described as any horse, swine, cattle, sheep, goat, llama, chicken, goose, duck, turkey, or more than one rabbit. Farm animal also means any other animal, other than dogs and cats, raised for commercial profit or slaughter.

**Farm Buildings:** Any structure or building other than a dwelling used or built on a farm.

**Farm Market:** *A “farm market” is a place or an area where transactions between a farm market operator and customers take place. This includes roadside stands. It does not necessarily mean a physical structure such as a building and is considered part of a farm operation. At least 50 percent of the products marketed and offered for sale at a farm market (measured as an average over the farm market’s marketing season or up to a five year timeframe) must be produced on and by the affiliated farm. Farm products may be processed more extensively into a form that adds value and makes them more marketable for direct customer sales in accordance with Michigan laws, and then sold at the affiliated farm market, as long as allowed by local, state and federal regulations. A farm market may operate seasonally or year-round. Farm markets may include marketing activities and services to attract and entertain customers and facilitate retail trade business transactions, when allowed by applicable local, state, and federal regulations. (Amendment 104-05-11-03, Effective March 25, 2013)*

**Farm Operation:** A condition or activity which occurs on a farm in connection with the commercial production of farm products, and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.

**Farm Product:** Those plants and animals useful to human beings and including, but not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees and tree saps, fish, apiaries, equine, and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur.

**Feedlot:** Any facility or enclosed area where farm animals are fed and maintained for more than four (4) hours out of twenty-four (24) hours at a density greater than four (4) heads per acre for cattle and horses, ten (10) heads per acre for smaller animals, or more than thirty (30) fowls per acre.

**Fence:** A wall composed of posts, carrying boards, rails, pickets, or wire, or of iron structures consisting of vertical and/or horizontal bars.

**Fence, Decorative:** An open or semi-open fence, ornamental in nature, not intended to provide a permanent barrier to passage or for screening. Decorative fencing does not include chain link fencing.

**Floor Area, Gross:** The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area of a building shall not include the basement floor area except when more than one-half (1/2) of the basement height is above grade. Floor area shall include elevator shafts and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof), attic space having headroom of seven (7) feet, ten (10) inches or more, interior balconies, and mezzanines. Any space devoted to off-road parking or loading shall not be included in floor area.

**Floor Area, Residential:** For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) dwellings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches.

**Floor Area, Usable:** That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area that is used or intended to be used principally for the storage or processing of merchandise, hallways, or for utilities or sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

**Foster Care Group Home:** A facility with the approved capacity to receive seven (7) but no more than twelve (12) persons who are provided supervision, personal care, and protection, in addition to room and board for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks for compensation.

**Front Building Face Area:** The facade of the building facing the front line calculated as its width multiplied by the building height.

**Frontage:** All property fronting on one (1) side of a road between intersecting or intercepting roads, or between a road and right-of-way, water-way, end of a dead-end road, or township boundary measured along the road line.

**Frontage, Single Property:** That side of a lot abutting a road.

**Garage, Private and Public:** Any building for the storage of self-propelled vehicles or trailer coaches where no storage or servicing for hire is conducted, is a private garage. A public garage is one that is not a private garage.

**Garbage:** Rejected food wastes including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetable not in a properly maintained composting operation.

**Gasoline Filling Station:** A place for the dispensing, sale, or offering for sale of motor fuels directly to users of motor vehicles, together with the sale of minor accessories, but not including any automobile repair.

**General Development Plan:** A plan showing land use, circulation, open space, utilities, storm water management, environmental features, community facilities, housing, impacts, and phases of parcels.

**Governmental Agency:** Any department, commission, independent agency, or instrumentality of the United States, of a state, county, incorporated or unincorporated municipality, township, authority, district, or governmental unit.

**Grade:** The ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building, measured at a distance of four (4) feet from the building.

**Greenbelt:** A strip of land of definite width and location reserved for the planting and/or maintenance of shrubs and/or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

**Greenway:** A linear open space established along either a natural corridor, such as a riverfront, stream valley, or ridgeline, or over land along a railroad right-of-way converted to recreational uses, a scenic road, or other route. Any natural or landscaped course for pedestrian or bicycle passage. An open space connector linking parks, natural reserves, cultural features, or historic sites. Linear parks designed as a parkway or greenbelt.

**Health Care Facility:** A facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis and treatment of disease, pain, injury,

deformity or physical condition allowing overnight stay, including, but not limited to, a general hospital, special hospital, mental hospital, public health center, diagnostic center, treatment center, rehabilitation center, extended care facility, tuberculosis hospital, or chronic disease hospital.

**Home Occupation:** Any activity carried out for profit by a resident of the dwelling and conducted as a customary, incidental, and accessory use within the resident's dwelling unit.

**Hotel:** A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and in which one (1) or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service, and bellboy service. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms, or meeting rooms.

**Household:** A household includes all persons who occupy a house, an apartment, a group of rooms, or a single room occupied as separate living quarters.

**Housing for the Elderly:** A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons sixty-two (62) years of age or older, or couples where either spouse is sixty-two (62) years of age or older. This does not include a foster care home, home for the aged, nursing home, or convalescent home.

**Impervious:** Any material that prevents the absorption of storm water into the ground, including buildings, parking areas, and driveways (gravel driveways are considered to be impervious); this excludes drain-fields and playground equipment.

**Industrial Park:** A planned industrial development on a tract of land containing an internal road network suitable for trucks and employee traffic and adequate utilities, including a sufficient water supply, sanitary and storm sewers, and electric and natural gas lines.

**Junk:** Any manufactured goods, appliance, fixture, furniture, machinery, boat or personal property or any part of the preceding items or anything, whether of value or valueless, that is demolished, discarded, completely or partially dismantled, dilapidated, wrecked, scrapped, ruined, junked or so worn, deteriorated, or in such a condition as to be generally unusable or inoperable in its existing state.

**Junkyard:** The storage or keeping of junk, including scrap metals or other scrap materials or items commonly known as junk, or the dismantling, demolition, or abandonment of more than one automobile or other vehicle, or machinery or parts thereof, excluding tires.

**Kennel:** A building or structure used for the sale, boarding, or breeding of dogs, cats, or other household pets. Kennels shall also mean the keeping of four (4) or more dogs over the age of six (6) months. Kennels may have indoor, outdoor or indoor/outdoor runs and may provide animal services.

**Landing Area:** An area of an airport or landing field used or intended for use in landing, taking-off or taxiing aircraft, excluding area and facilities for shelter, servicing or repair of

aircraft, or for receiving or discharging passengers or cargo.

**Landing Field:** Any location which shall be used for the landing or take-off of aircraft with safety, but which is not equipped with facilities for the shelter, supply and repair of aircraft.

**Livestock:** Domestic animals, such as cattle, horses, sheep, hogs, poultry, or goats raised and/or boarded for home use or for profit.

**Loading Space:** Is an off-road space on the same lot with a building or group of buildings and used for the temporary parking of a commercial vehicles while these vehicles are loading or unloading merchandise and materials.

**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 this Ordinance; a lot may or may not be specifically designated as such on public records.

1. **Corner Lot:** A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) roads is less than 135 degrees. A lot abutting upon a curved road or roads shall be considered a corner lot for the purposes of this Ordinance, if the arc is of less radius than 150 feet and the tangents to the curve at the two (2) points where the lot lines meet the curve or the straight road line extended, form an interior angle of less than one hundred thirty-five (135) degrees.
2. **Double Frontage Lot:** Any lot, excluding a corner lot, which fronts on two (2) roads that do not intersect.
3. **Flag Lot:** A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.
4. **Interior Lot:** Any lot other than a corner lot.
5. **Through Lot:** Any interior lot having frontage on two (2) more or less parallel roads as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to roads shall be considered frontage, and front yard setbacks shall be provided as required.

**Lot Area:** The total horizontal area within the lot lines of the lot.

**Lot Coverage:** The part or percent of the lot occupied by impervious area (see Impervious definition).

**Lot Depth:** The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

**Lot Frontage:** The length of the front lot line measured at the road right-of-way line.

**Lot Lines:** The lines bounding a lot as defined herein:

1. **Front Lot Line:** In the case of an interior lot, is that line separating the lot from the road. In the case of a corner lot or double frontage lot, it is those lines separating said lot from either road.
2. **Rear Lot Line:** That lot line opposite the front lot line, except in the case of double frontage lot. 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.
3. **Side Lot Line:** Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

**Lot of Record:** A lot which actually exists in a subdivision plat as shown on the records of the County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded. Whenever an owner has combined two (2) or more lots as contained on any recorded plat into a single building site, or combined two (2) or more metes and bounds parcels as contained in the records of the Township Assessor or Treasurer, said combination of lots shall be deemed to be a single lot of record for the purposes of this Ordinance.

**Lot Width:** The horizontal straight-line distance between the side lot lines, measured between the two (2) points where the front setback line intersects the side lot lines. For a lot that has a curved front setback line, the straight-line distance between the side lot lines shall be measured at the tangent of the curve.

**Main Building:** A building in which is conducted the principal use of the lot upon which it is situated.

**Main Use (Principal Use):** The principal use to which the premises are devoted and the principal purpose for which the premises exist.

**Manufactured Home:** Factory-built, single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S. C. Sec. 5401), commonly known as the HUD (U.S. Department of Housing and Urban Development) code. A structure, transportable in one (1) or more sections, which is built on a chasis and designed to be used as a year-round dwelling unit, with or without a permanent foundation, connected to required public utilities. No home constructed prior to 20 years from the current year to date shall be permitted and shall not meet any of the dangerous building standards as stated in Blair Township Dangerous Building Ordinance # 136-09 section 3. A-I. (amend 104-05-18-01)

**Manufactured Home Park:** A parcel of land that has been planned and improved for the

placement of manufactured and/or mobile homes for residential use.

**Marginal Access Drive:** A road that is parallel to and adjacent to an arterial road and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial road and so that the flow of traffic on the arterial road is not impeded by direct driveway access from a large number of abutting properties.

**Master Plan:** The master plan includes graphic and written proposals indicating the general location for roads, parks, schools, public buildings, and all physical development of the municipality, and includes any unit or part of such plan, and any amendment to such plan or parts thereof.

**Mega-Church:** A large, specialized type of house of worship that includes such nontraditional accessory uses as retail sales, residential uses, amusement parks, sports and entertainment, as an integrated part of the development.

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

**Mini-Warehouse (Self-Storage Facility):** A facility consisting of a building or a group of buildings in a controlled-access compound, where individual stalls or lockers are rented out or sold to different tenants for the dead storage of customers' goods and wares. The use of the premises shall be limited to storage only, and shall not be used for any auction, or sales, or storage and transfer business; for the servicing, repair, or fabrication of any vehicle, boat, trailer, appliance, or similar item; or for the operation of power tools, compressors, kilns, or similar equipment; except, that limited sales to tenants of products and supplies incidental to the principal use, such as packing materials, identification labels, rope, locks, tape, etc., shall be permitted on the site devoted to this use. The storage of combustible or flammable liquids, combustible fibers or explosive materials, as defined in the fire protection code, or toxic materials, is expressly prohibited.

**Mobile Home:** (*see manufactured home*) (amend 104-05-18-01)

**Modular (Pre-Manufactured) Housing Unit:** A dwelling unit constructed solely within a factory, as a single unit, or in various sized modules or components, which are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-family dwelling unit, and meeting all codes and regulations applicable to standard dwellings. Home shall not meet any of the dangerous building standards as stated in Blair Township Dangerous Building Ordinance # 136-09 section 3. A-I. (amend 104-05-18-01)

**Motel:** A series of attached, semi-detached, or detached rental units containing a bedroom, bathroom and closet space that provide for overnight lodging and are offered to the public for compensation and cater primarily to the public traveling by motor vehicle.

**Municipality:** Blair Township, Grand Traverse County, Michigan.

**Multi-Family Residential Development:** A classification of housing where multiple separate units for residential inhabitants are contained within one building or several buildings within one development. (Amendment 104-05-16-02; Effective 6/23/2016)

**Narrow Parcel Width:** A parcel containing a width measurement that is less than the minimum frontage requirement prescribed for it by the Schedule of Regulations of the Zoning Ordinance.

**Nonconforming Lot:** Any lot, out-lot, or other parcel of land existing at the effective date of this Ordinance, or amendments thereto, which does not meet the land area or dimension requirements of this Ordinance.

**Nonconforming Structure:** A structure or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and that structure does not conform to the provisions of the Ordinance in the district in which it is located.

**Nonconforming 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.

**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 of an activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to: 1) sound, 2) dust, 3) smoke, 4) odor, 5) light and glare, 6) fumes, 7) flashes, 8) vibration, 9) shock waves, 10) heat, 11) electronic or atomic radiation, 12) objectionable effluent, 13) sound of congregation of people, particularly at night, 14) passenger traffic, 15) invasion of non-abutting road frontage by traffic, 16) junk.

**Nursery, Plant Materials:** A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

**Nursing Home:** A nursing care facility, including a county medical care facility, but excluding a hospital or a facility created by Act No. 152 of the Public Acts of 1985, as amended, being Sections 36.1 to 36.12 of the Michigan Compiled Laws, which provides organized nursing care and medical treatment to seven (7) or more unrelated individuals suffering or recovering from illness, injury, or infirmity.

**Occupied:** The word occupied includes arranged, designed, built, altered, converted to, rented or leased, or intended to be occupied.

**Office:** A place, such as a building, room, or suite, in which services, clerical work, professional duties or the like are carried out.



**Off-Road 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.

**Off-Road Vehicle (ORV):** Vehicles designed for use on a variety of unimproved surfaces, including all-terrain vehicles, snowmobiles, trail bikes, motorcycles, and the like.

**Open Air Business Use:** An open-air business use, as used herein, shall be deemed to include any of the following businesses when said business is not conducted from a wholly enclosed building:

1. Bicycle, trailer, motor vehicle, boats, or home equipment sale or rental services.
2. Outdoor display and sale of garages, swimming pools, and similar uses.
3. Sale of trees, fruits, vegetables, shrubbery, plants, seed, topsoil, humus, fertilizer, trellis, lawn furniture, playground equipment, and other home garden supplies and equipment.
4. Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park, or similar recreation uses.

**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. The term "Open Front Store" shall not include automobile repair or gasoline service stations.

**Open Space:** Any unoccupied area of land or water and set aside, dedicated, designated, or reserved for public or private use. Pervious facilities such as playgrounds, trails, pathways, ball fields, drain fields, and farm fields are considered open space.

**Park:** A tract of land designated and used by the public for active and passive recreation.

**Parking Space:** An area of definite length and width, said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

**Pasture:** A grazing area not including land areas within fifty (50) feet of any property line.

**Pathway:** A cleared, improved area for pedestrians and/or bicyclists that may or may not be paved; only for non-motorized use.

**Patio (Deck):** An uncovered courtyard or platform extending horizontally out from the main building or structure.

**Pen:** A fenced enclosure for animals.

**Person:** An individual, sole proprietorship, partnership, association, corporation, public or private.

**Place of Worship:** A special purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis by a religious congregation.

**Planned Unit Development:** An area of a minimum contiguous size, as specified by this Ordinance, to be planned, developed, operated, and maintained as a single entity and containing one or more residential neighborhoods, appropriate commercial, public or private recreational uses, and common open space areas in such combination as provided in this Ordinance.

**Planned Unit Development Agreement:** Is a written agreement prepared by the developer specifying the details of the planned unit development submittal and the conditions under which the submittal received final approval.

**Pond:** A natural or manmade body of water used to provide water for livestock, fish and wildlife, recreation, fire control, crop and orchard spraying and irrigation, and other related uses for the personal use of the property owner and/or tenants.

**Porch:** A covered projection on a building or **structure** containing a floor, which may be either totally enclosed or open except for columns supporting the porch roof, and projects out from the main wall of said building or **structure**, and has a separate roof or an integral roof with the principal building or **structure** to which it is attached.

**Portable Sign:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day to day operations of the business.

**Premises:** Any lot or parcel of land owned or occupied by any person, vacant or improved with any dwelling, building or other structure or public lands or public right-of-way or easement.

**Public Building:** Buildings that are financed largely by public funding and are available for public use, as distinguished from buildings that are government financed, but are intended for private use; e.g., public housing.

**Public Utility:** A person, firm, or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

**Recreation Area:** A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

**Recreation Facility:** A place designed and equipped for the conduct of sports and leisure time activities.

**Recreational Vehicle:** A vehicle which moves one (1) or more persons over the ground, water, ice, or snow, and which is either self-propelled or connects to a vehicle which is self-propelled. This definition of "recreational vehicle" includes, but is not limited to, snowmobiles, camping vehicles, motorcycles, mini-bikes, go-carts, boats, and ice-boats.

**Recreational Vehicle Park:** A licensed park designed specifically to accommodate recreational vehicles and recreational activities.

## **Restaurant:**

### **1. Standard Restaurant**

A standard restaurant is any establishment whose principal business is the sale of foods, desserts, or beverages to the customer in a ready-to-consume state, and whose design or principal method of operation includes one (1) or both of the following characteristics:

- a. Customers, normally provided with an individual menu, are served their foods, desserts, or beverages by a restaurant employee at the same table or counter at which said items are consumed.
- b. A cafeteria type of operation where foods, desserts, or beverages generally are consumed within the restaurant building.

### **2. Carry-Out Restaurant**

A carry-out restaurant is any establishment whose principal business is the sale of foods, desserts, or beverages to the customer in a ready-to-consume state, and whose design or method of operation includes both of the following characteristics:

- a. Foods, desserts, or beverages are usually served in edible containers, or in paper, plastic, or other disposable containers.
- b. The consumption of foods, desserts, or beverages within the restaurant building or within a motor vehicle parked upon the premises is prohibited. Food is primarily intended to be consumed off the premises.

### **3. Fast-Food Restaurant**

A fast-food restaurant is any establishment whose principal business is the sale of foods, desserts, or beverages to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises (including service through a drive-through window), and whose design or principal method of operation includes both of the following characteristics:

- a. Foods, desserts, or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.
- b. The consumption of foods, desserts, or beverages within a motor vehicle parked upon the premises is posted as being prohibited, and such prohibition is strictly enforced by the restaurateur.

#### 4. **Drive-in Restaurant**

A drive-in restaurant is any establishment whose principal business is the sale of foods, desserts, or beverages to the customer in a ready-to-consume state, and whose design, method of operation, includes one (1) or both of the following characteristics:

- a. Foods, desserts, or beverages are served directly to the customer in a motor vehicle either by a carhop, or by other means that eliminate the need for the customer to exit the motor vehicle.
- b. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building, is permitted.

**Retail Warehouse Outlet:** An establishment that offers the wholesale of goods, such as, but not limited to, pharmaceuticals, bakery and dairy products, clothing, dry goods, hardware, household appliances, clothing, office and business materials, and machinery.

**Ringelmann Chart:** A device used to measure the opacity of smoke emitted from stacks and other sources.

**Roads:** A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. For purposes of this Ordinance, road shall be defined to also include the term “street.” Roads are further classified by the functions they perform.

1. **Local (minor) roads:** Roads primarily designed to provide access to immediately adjacent properties. Through movement may be possible, but is not encouraged by operational controls; it may be impossible in the case of cul-de-sacs. Part of the road width is usually allocated to vehicle parking without restrictions, although special snow emergency parking prohibitions may be necessary. Each abutting property may have a driveway connection to the road.
2. **Collector (secondary) roads:** Roads primarily designed to provide access to abutting land parcels and enable moderate quantities of traffic to move expeditiously between local roads and the major road network.
3. **Major (primary) roads:** Roads primarily designed for the efficient movement of through traffic at speeds that are as high as can be reasonably allowed in view of safety considerations and the amount of access provided. Capacity is obtained by provision of

wide road cross-sections and high capacity controls at intersections, or by elimination of intersections by grade separation. Speed results from provision of good horizontal and vertical alignments and removal of potential safety hazards, especially access friction.

**Room:** For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom equal to at least seventy (70) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, stairways, hallways, and storage. Plans presented showing one (1), two (2) or three (3) bedroom units and including a "den," "library," or other extra room shall count such extra room as a bedroom for the purpose of computing density.

**Sawmill:** A building or area where timber is cut, sawed or planed, either to finish lumber or as an intermediary step and may include facilities for kiln drying of lumber and may include the distribution of such products on a wholesale or retail basis.

**Scrap Tire Collection Site:** Any facility licensed under Part 169 of Public Act 451 of 1994.

**Service Area:** An outdoor area used in connection with a nonresidential use for the loading and unloading operations; for the receipt and temporary storage of goods, materials and equipment.

**Setback:** The minimum required distance between a lot line and structure.

1. **Setback, Front:** The minimum required distance, extending the full lot width, between the front lot line and structures located on that parcel. No buildings are permitted in the setback area.
2. **Setback, Rear:** The minimum required distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line. No buildings are permitted in the setback area.
3. **Setback, Side:** The minimum required distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line. No buildings are permitted in the setback area.

**Shallow Parcel Depth:** A parcel containing a depth measurement that is less than or equal to its actual width.

**Shopping Center:** A group or groups of three (3) or more commercial establishments developed in accordance to an overall plan and design and built as an interrelated project.

**Shoreline:** A line marking where the land meets the water's edge.

**Sidewalk:** A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

**Sign:** A sign is any announcement, declaration, display, billboard, illustration, and insignia

when designed and placed so as to attract general public attention and shall include the use of any words, numerals, figures, devices, designs, or trademarks by which anything is made known and visible to the general public such as are used to show an individual firm, profession, business, or business location, and also any banner, bulbs, or other lighting devices, streamer, pennant, balloon, propeller, flag (other than the official flag of any nation or state) and any similar device of any type or kind whether bearing lettering or not.

1. **Billboard Sign:** A manufactured structure advertising an establishment, merchandise, service, entertainment, and other messages which are not sold, produced, manufactured, or furnished at the property on which the billboard is located. A billboard is a large flat surface manufactured to carry outdoor advertising, mounted on a frame that is either freestanding or attached to a building.
2. **Canopy Sign:** A sign that is mounted or painted on, or attached to, an awning or canopy that is otherwise permitted by Ordinance.
3. **Construction Sign:** A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of architects, engineers, landscape architects, contractors, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.
4. **Directional Sign:** Signs limited to directional messages, principally for pedestrian or vehicular traffic such as "one-way," "entrance," and "exit."
5. **Directory Sign:** An off-premises ground sign listing only the name(s) of tenants or occupants of a building, group of buildings, and/or business district, their professions or business activities, and their direction or location.
6. **Pole Sign:** A sign attached to a permanent foundation supported from the ground by one or more poles, posts, or similar uprights, with or without braces, upon which announcements, declarations, displays, etc., may be placed. (Amendment 104-05-06-12; Effective February 27, 2007)
7. **Home Occupation Sign:** A sign containing only the name and occupation of a permitted home occupation.
8. **Memorial Sign:** A sign tablet or plaque memorializing a person, event, structure, or site.
9. **Monument Sign:** A sign attached to a permanent foundation and not attached or dependent for support from any building, pole, posts, or similar uprights.
10. **Political Sign:** A temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.
11. **Real Estate Sign:** A sign pertaining to the sale or lease of the premises, or a portion of

the premises, on which the sign is located.

12. **Temporary Sign:** A sign, banner, or other advertising device constructed of cloth, canvas, fabric, plastic, or other light temporary material, with or without a structural frame, or any other sign, intended for a limited period of display.
13. **Wall Sign:** A sign that is attached directly to a building wall with the horizontal sign surface parallel to the building wall, including signs painted on any building wall.
14. **Portable Sign:** *Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day to day operations of the business*  
(Amendment 104-05-09-03; Effective October 6, 2009)

**Sign Height:** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of 1) existing grade prior to construction; or, 2) the newly established grade after construction, exclusive of any filling, berm, mounding, or excavating solely for the purpose of locating the sign. In cases of severe topography in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public road.

**Single Ownership:** One or more parcels of land which are held entirely in the same ownership name; may include one or more persons and may take any legal form.

**Slaughterhouse:** A place where cattle, sheep, hogs, poultry, or other animals are killed or butchered for market or for sale.

**Small Retail Operation:** A retail operation within an enclosed building having a gross-floor area of less than 2,500 square feet.

**Solar Panels:** A panel designed to absorb the sun's rays as a source of energy for generating electricity or heating. ***Amendment #104-05-14-01***

**Special Land Use:** Any use of land listed as a Principal Use Permitted Subject to Special Conditions, which, due to its potential effect on adjacent lands, in particular, and the overall community in general, requires approval by the Planning Commission according to the standards as provided in this Ordinance.

**State Licensed Residential Facility:** A state licensed residential facility as defined by MCLA 125.583.b; MSA 5.2933 (2) that is used for the care and supervision of six (6) or fewer persons under 24 hour supervision but excluding persons related for or assigned to adult correction

institutions.

**Story:** That part of a building, except a mezzanine as defined herein, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. A basement shall not be counted as a story.

**Structure:** A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

**Structurally Attached:** The joining by means of major architectural elements or features including, but not limited to, roofs, walls, and/or truss.

**Subdivision Park:** An area in a development designated for recreational activities that are normally associated with living in a neighborhood, such as playground and ball fields.

**Surface Display Area:** The entire area of any sign within a single continuous perimeter enclosing the extreme limits of lettering, representations, emblems or other figures, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Structural members bearing no sign copy shall not be included. **(Amendment 104-05-08-08, Effective February 20, 2009)**

**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.

**Truck Terminal:** A building or area in which freight brought by truck is temporarily stored and/or assembled for routing or reshipment. A terminal facility may include storage areas for trucks.

**Variance:** Permission to depart from the literal requirements of the Zoning Ordinance.

**Vested Right:** A right that has accrued and become fixed to a point where it is not subject to loss by subsequent events and may not be denied by governmental authority without compensating the owner of the right.

**Wall:** An artificially constructed upright barrier of any material or combination of materials erected to enclose, divide, screen, or protect areas of land.

**Wall, Obscuring:** A structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this Ordinance.

**Warehouse:** A building or area used for the storage of goods and materials and which may include facilities for a wholesale or retail outlet.

**Waste Materials/Recyclable Materials Transfer Station:** A facility where waste materials and recyclable materials, including scrap tires, are off-loaded from one vehicle and re-loaded



onto another, or temporarily stored prior to disposal at another site.

**Wetland:** Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life and which is commonly referred to as a bog, swamp, fen, marsh, or wet meadow.

**Wholesale Trade:** Establishments or places of businesses primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

**Wild Animal:** Any living member of the animal kingdom, including those born or raised in captivity, except the following: human beings, domestic dogs (excluding hybrids with wolves, coyotes, or jackals), domestic cats (excluding hybrids with ocelots or margays), farm animals, rodents, and captive-bred species of common cage birds.

**Wind Energy System:** Commonly known as wind turbines or windmills, and anemometer towers.) A tower, pylon, or other structure, including all accessory facilities and all associated pertinences, upon which any, all, or some combination of the following are mounted:

1. A wind vane, blade, or series of wind vanes or blades, or other devices mounted on a rotor for the purposes of converting wind into electrical or mechanical energy.
2. A shaft, gear, belt, or coupling device used to connect the rotor to a generator, alternator, or other electrical or mechanical energy producing device.
3. A generator, alternator, or other device used to convert the energy created by the rotation of the rotor into electrical or mechanical energy.
4. See also wind energy system-small and wind energy system-large.

**Wind Energy System – Height:** The distance between the ground and the highest point of the tower, excluding blades.

**Wind Energy System – Large:** Wind energy system used as defined herein, used to generate electricity or produce mechanical energy for use on or off the property and generates more than 25 kilowatts (kW) of electricity.

**Wind Energy System – Separation:** The distance between the bases of two or more towers that is determined by the height of the tower plus the length of the blade when fully extended vertically.

**Wind Energy System – Small:** Wind energy system used as defined herein, used primarily to generate electricity or produce mechanical energy for use on the property and generates 25 kilowatts (kW) or less of electricity. Sale of electric power via Net Metering is allowed.

**Wrecked:** The outward appearance of the specific item or vehicle is deformed, damaged or defaced.

**Yards:** The open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance, and as defined herein:

1. **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. In the case of corner lots, front yard shall be deemed to exist along each road frontage.
2. **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 shall be opposite the front lot line used as the road address.
3. **Side Yard:** An open space between a 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.

**Zoning Administrator:** The administrative official who is appointed by the Township Board; entrusted with the duties and responsibilities of administering and enforcing this Ordinance as provided for in this Ordinance.

**Zoning District:** A zoning district is a portion of the Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which are contained yards, open spaces, lot area, and other requirements established by this Ordinance.