

ARTICLE 18

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

SECTION 18.01 RULES APPLYING TO TEXT

The following rules of construction apply to the text of this ordinance:

- A. The word “shall” is always mandatory and not discretionary. The word may is permissive.
- B. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the singular, unless the context clearly indicates the contrary.
- C. The word “building” includes the word “structure.”
- D. A “building” or “structure” includes any part thereof.
- E. The word “person” includes a corporation as well as an individual.
- F. The word “used” or “occupied” as applied to any land or building shall be construed to include the words, “intended, arranged or designed to be used or occupied.”
- G. Any word or term not defined herein shall be used with a meaning of common or standard utilization.

SECTION 18.02 DEFINITIONS

- 1. **Accessory Building:** A subordinate building the use of which is clearly incidental to the use of the principal building on a lot. A “small accessory building” is an accessory building of two hundred (200) square feet or less.
- 2. **Accessory Use:** A use subordinate to the principle use on a lot and used for the purpose clearly incidental to those of the main use.
- 3. **Adult Foster Care Family Home:** A private state licensed residence with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home is an accessory use to the dwelling and the licensee must be a member of the household and an occupant of the dwelling. Adult foster care family homes are not regulated by this ordinance.

- 4. Adult Foster Care Facility:** A state licensed governmental or non-governmental establishment that provides foster care to adults. It includes adult foster care small group homes for twelve (12) or fewer adults, adult foster care large group homes for thirteen (13) to twenty (20) adults, and adult day care which provides care for twelve (12) or more adults for less than twenty-four (24) hours. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation centers, or a residential center for persons released from or assigned to a correctional facility.
- 5. Agriculture:** Includes purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture and animal and poultry husbandry.
- 5A. Agri-tainment:** Events and activities such as corn mazes, hay rides and petting zoos, that allow for education, recreation, entertainment and tourism in conjunction with agriculture and associated activities on site.
- 6. Alley:** A public or legally established private thoroughfare, other than a street, which affords a secondary means of access to abutting property, and not more than twenty (20) feet in width.
- 7. Alterations:** Any change, addition or modification in construction, any change in 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.”
- 8. Animal Units:** A unit of measurement used by EPA and USDA to measure the size of animal feeding operations. An animal unit is equal to approximately one beef cow. Therefore, 500 beef cows equal 500 Animal Units (AU). There are multipliers for other types of animal feeding operations. For example, 500 AU's equal 350 mature dairy cows, 1250 swine, 5000 sheep, 27,500 turkeys and between 15,000 and 50,000 laying hens or broilers depending on the animal waste management system.
- 9. Apartment:** (See dwelling, multiple-family).
- 10. Area, Net Site:** The total area within the property lines of a project excluding external streets.
- 11. Automobile or Trailer Sales Area:** Any space used for display, sale, or rental of motor vehicles or trailers, in new or used and operable conditions.
- 12. Automotive Repair:** 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 when carried on in a completely enclosed room or building.

- 13. Basement:** That portion of a building that is below the first story, the ceiling of which is less than five (5) feet above the surrounding ground elevation at all points.
- 14. Billboard:** Any construction or portion thereof upon which a sign or advertisement used as an outdoor display for the purpose of making any thing known to the general public is affixed. This definition does not include any bulletin boards used to display official court or public office notices.
- 15. Building:** Any temporary or permanent structure erected on site, a mobile home or portable structure having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.
- 16. Building Coverage:** That percentage of the plot or lot area covered by the building area.
- 17. Building Height:** The vertical distance measured from the established sidewalk 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 roof. Where a building is set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building, provided such average elevation shall not exceed the established sidewalk grade at the center of the front of the building by more than one (1) inch for each front foot that the building sets back from the front line.
- 18. Building Permit:** A permit for commencing construction issued in accordance with a plan for construction that complies with all the provisions of this zoning ordinance.
- 19. Child Care Facility:** A state-licensed governmental or nongovernmental establishment that provides for the care of children less than eighteen (18) years of age. It includes child care centers for six (6) or more children, foster family group homes for five (5) to seven (7) children, group day care homes for seven (7) to twelve (12) children, nursery schools, and child care institutions.
- 20. Church:** A building wherein people regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such principal purpose.

- 21. Club or Lodge, Private:** A non-profit association of persons who are members paying annual dues, which owns, hires or leases a building or portion therein, the use of such premises being restricted to members and their guests. The affairs and management of such “private club or lodge” are conducted by a board of directors, executive committee or similar body chosen by the members at a meeting. It shall be permissible to serve food and meals on such premises provided adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed provided it is secondary and incidental to the promotion of some other common objective by the organization and further provided that such sale of alcoholic beverage is in compliance with the applicable federal, state and municipal laws.
- 22. Conditional Use:** A *special land* use that is subject to conditional approval by the Township Board after review by the Planning Commission. A conditional use may be granted when specified by this ordinance. A conditional use is not considered to be a nonconforming use.
- 23. Court:** An unoccupied open space, other than a yard, on a lot with a building, which is bounded on two or more sides by the walls of such building.
- 24. Court, Outer:** A court enclosed on not more than three sides by the exterior walls of a building or by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley or yard.
- 25. District:** A portion of the incorporated part of the township within which certain regulations and requirements or various combinations thereof apply under the provisions of this ordinance.
- 26. Drive-in:** An establishment of the “drive-in” type is one that accommodates the patrons’ automobiles in the off-street parking area accessory to the business from which the occupants may receive a service or obtain a product that may be used or consumed in the vehicle on the same premises.
- 27. Dwelling Unit:** A building or portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.
- 28. Dwelling, One Family:** A building containing not more than one dwelling unit designed for residential use, complying with the following standards:
- a. It complies with the minimum square footage requirements of this ordinance for the zone in which it is located.

- b. It has a minimum width across any front, side or rear elevation of twenty (20) feet and complies in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under the provision of 1972 PA 230, as amended, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Michigan State Construction Code, then and in that event such federal and state standard or regulation shall apply.
- c. It is firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in applicable building code for single-family dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer set up 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.
- d. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, under carriage or chassis.
- e. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- f. The dwelling contains a storage capacity area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten (10) percent of the square footage of the building or one hundred (100) square feet, whichever shall be less.
- g. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof over-hang of not less than six (6) inches on all sides, or alternatively with window sills and roof drainage system concentrating roof drainage at collection points along the sides of the dwelling; has not less than two (2) exterior doors with the second one being in either the rear or side of the dwelling; and contains permanently attached steps connected to said exterior door areas or to porches connected to

said door areas where a difference in elevation requires the same. The compatibility of design and appearance shall be determined in the first instance by the township zoning administrator upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of fifteen days from the receipt of notice of said zoning administrator's decision. Any determination of compatibility shall be based upon the standards set forth in this definition of "dwelling" as well as the character, design and appearance of one or more residential dwellings located outside of mobile home parks within 2,000 feet of the subject dwelling where such area is developed with dwelling to the extent of not less than 20% of the lots situated within said area; or, where said area is not developed, by the character, design and appearance of one or more residential dwellings located outside of mobile home parks throughout the township. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

- h. The dwelling contains no additions or rooms or other areas that are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation is required herein.
- i. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3200, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- j. The foregoing standards shall not apply to mobile homes located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in the ordinance of the township pertaining to such parks.
- k. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Michigan State Construction Code provisions and requirements.

- 29. Dwelling Unit, Two-family:** A building designed exclusively for two dwelling units.
- 30. Dwelling Unit, Multiple Family:** A building, or portion thereof, designed exclusively for occupancy by three (3) or more families living independently of each other.
- 31. Essential Services:** The phrase “essential services” means the erection, construction, alteration or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings, reasonable necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare.
- 32. Family:** One person, or group of two or more persons living together who may or may not be inter-related by bonds of consanguinity, marriage, or legal adoption, occupying the whole or part of a dwelling as a separate housekeeping unit with a common and a single set of culinary facilities. The persons thus constituting a family may also include foster children, gratuior guests and domestic servants. This definition does not include the occupants of a rooming or boarding house as a family unit.
- 33. Family Day Care Home:** A state-licensed private dwelling in which not more than six (6) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day. The family day care home is an accessory use to the dwelling and the licensee must be a member of the household and an occupant of the dwelling. Family day care homes are not regulated by this ordinance.
- 34. Farm:** All of the contiguous neighboring or associated land operated as a single unit on which bonafide agriculture is carried on directly by the owner-operator, manager or tenant farmer, by his own labor or with the assistance of members of his household or hired employees; provided, however, that land by considered a farm hereunder shall include a contiguous parcel of ten (10) acres or more in area.
- 35. Flood Plain:** That portion of land adjacent to a water body or watercourse that is subject to periodic inundation.
- 36. Floor Area:** 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 buildings. The “floor area” of a building shall include the area of any floor when more than one-half (1/2) of the room height is above the established curb level, or above the finished lot grade level where curb levels have not been established. “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); penthouses, attic space having headroom of seven (7) feet, six (6) inches or more, interior balconies and mezzanines. Any space devoted to off-street parking or loading shall not be included in “floor area.”

- 37. Frontage:** All the property fronting one (1) side of the street between intersecting or intercepting streets, or between a street intersection or intercepting streets, or between a street and a right of way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage of the side of the street that it intercepts.
- 38. Garage, Commercial:** Any garage, other than a private garage, available to the public, operated for gain, and used for storage, repair, rental, greasing, washing, sales, servicing, adjusting, or equipment of automobiles or other motor vehicles.
- 39. Garage, Private:** An accessory building not over one (1) story or fifteen (15) feet in height used for parking or storage of vehicles as may be required in connection with the permitted use of the principal building.
- 40. Gasoline Service Station:** Any building, or premises used for the dispensation, sale or offering for sale at retail of any motor fuels, oils or lubricants. When the dispensing, sale or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.
- 41. Grade:** The ground elevation established for the purpose of regulating the number of stories and height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the building.
- 42. Greenbelt Buffer:** A strip or parcel of land privately restricted or publicly dedicated as open space, located between land used for the purpose of protecting the character of adjacent residential or other uses, said greenbelt buffer shall include, but not be limited to the following materials: open space with maintained grass cover, evergreens, deciduous trees, shrubs, bushes.

- 42A. Group Day Care Home:** A private dwelling in which more than six (6) but not more than twelve (12) children or persons are given care and supervision for less than 24 hours per day.
- 43. Group Housing:** Two or more multiple dwellings on a parcel of land under single ownership.
- 44. Highway:** (See “Street, Major”)
- 45. Home Occupation:** An occupation that is traditionally or customarily carried on in the home, provided:
- a. That such occupation is incidental to the residential use in the extent that no more than thirty (30%) percent of usable floor area of the principal building, or fifty (50%) percent of an accessory building shall be occupied by such occupation.
 - b. That no article or service be sold or offered for sale on the premises except as is produced by such occupation.
 - c. That such occupation shall not require internal or external alterations or construction features or equipment or machinery not customarily located in residential areas.
 - d. That there be no more than one (1) employee other than members of the resident family.
- 46. Hospital:** An institution providing health services, primarily for in-patients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities, central services facilities and staff offices.
- 47. Hotel, Motel:** A building containing primarily rooming units with the number of dwelling units being not greater than ten (10%) percent of the total number of rooming units, and with the exception of the unit occupied by the management staff, used only for the accommodation of transients.
- 48. Industrial Park:** A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors.
- 49. Junkyard:** Any land or buildings where waste, used or second hand materials are brought and sold, exchanged, stored, baled, parked, disassembled or handled including, but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A “junkyard” includes

automobile wrecking yards and includes any area of more than fifty (50) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely with enclosed buildings.

50. Living Space: That area within a structure intended, designed, erected or used for human occupancy; that is, the sum of the gross horizontal area of the floor in question of the building used for occupancy, measured from the exterior faces of the exterior walls, from the center line of walls separating two buildings, from the center lines of interior wall, and excluding porches, garages, breezeways not usable the year around..

51. Loading Space: An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

52. Lot: A contiguous parcel of land the ownership of all parts of which is identical in name and estate of owner or owners. Notwithstanding single ownership, a parcel which is highly irregular in shape or configuration, or the depth of which, if the parcel is ten (10) acres or less, is greater than four times its width, may be treated as two or more parcels for the purposes of the administration of this ordinance. A lot for purposes of administration of this ordinance may consist of one or more lots of record.

53. Lot, Corner: A lot where the interior angle of two adjacent sides at the intersection of the two streets is less than one hundred 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 fifty (150) feet and the tangents to the curve, as the two points where the lot lines meet the curve or the straight street line extended from an interior angle of less than one hundred thirty-five (135) degrees.

54. Lot, Interior: Any lot other than a corner lot.

55. Lot Lines: The lines bounding for as defined herein:

- a. **Front Lot Line:** In the case of an interior lot, the line separating said lot from the street right of way in the case of a corner lot or double frontage lot, the line separating said lot from that street right of way which is designated as the front street in the plot and the request for zoning compliance permit. In the case of lots bordering on a lake, river, or canal: the established water or shoreline shall be designated as the rear of such lots.
- b. **Rear Lot Line:** The lot line opposite the front lot line. In the case of a lot irregularly shaped at the rear, the rear lot line shall be an

imaginary line parallel to the front lot line, no less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.

- c. **Side Lot Line:** Any lot lines other than the front lot lines or the rear lot lines.

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

57. Lot Coverage: That part or percent of the lot occupied by buildings or structures including accessory buildings or structures.

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

59. Lot of Record: A lot that is either a platted lot or is a parcel of land described in a recorded conveyance or other recorded instrument giving notice of its present ownership.

60. Lot Width: The horizontal distance between the side lot lines, measured at the two points where the front lot line or front setback line intersects the side lot lines.

61. Master Plan: The statement of policy by the Township Planning Commission relative to the agreed upon desirable physical pattern of the future community development, consists of a series of maps, charts and written material representing in summary from the soundest conception to the community as to how it should grow in order to bring about the very best community living conditions.

62. Mobile Home: A vehicular, portable structure built on a chassis and designed to be used without a permanent foundation as a dwelling when connected to required utilities and which is, or is intended to be attached to the ground, or another structure, or to a utility system on the same premises for more than thirty (30) consecutive days. Mobile homes which do not conform with the standards contained in the definition of “single family dwelling” above shall not be used for dwelling purposes unless located within a mobile home park or a mobile home plat zoned for such uses, or unless approved as a temporary residence according to Section 10.20.

63. Mobile Home Park: Any subdivision, however designed, that is occupied or designated for occupancy by more than one (1) mobile home and which conforms to the provisions of Act 243 of 1959.

64. Modular Housing Unit: A unit constructed solely within the factory in various sized modules, which are then transported by flatbed, or other

means, to the site where they are assembled on permanent foundations, to form single family dwellings which are either attached (in rows or cluster), stacked or detached.

65. Non-Conforming Building: A building or portion thereof, existing at the effective date of this ordinance, or amendments thereto, and which does not conform to the provisions of the ordinance nor to the use regulations of the district in which it is located.

66. Non-Conforming Use: A use that lawfully occupied a building or land at the time of this ordinance or amendments thereto become effective, and which does not conform to the use regulations of the district in which it is located.

67. Nursing or Convalescent Home: A structure with sleeping rooms where persons are housed or lodged and furnished meals and nursing care for hire.

68. 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 two (2) vehicles.

69. Open Space: Any space suitable for recreation, gardens or household service activities such as clothes drying. Such space must be at least seventy-five (75) percent open to the sky, free of automobile traffic, parking and undue hazard, and readily accessible by all those for whom it is required.

70. Parking Space: A land area of not less than ten (10) by twenty (20) feet, exclusive of driveways and aisles, and so prepared as to be usable for the parking of a motor vehicle and so located as to be readily accessible to a public street or alley.

71. Planned Unit Development: This is a tract of land which includes two (2) or more principal buildings, developed under single ownership or control; the development of which is unique and of a substantially different character than that of the surrounding area, and where the specific requirements of a given district may be modified and where the minimum area is fixed. Such development shall be based on a plan that allows for flexibility of design not available under normal zoning district requirements.

72. Principal Building: On a lot, any dwelling, in a zone other than a residential zone, the largest building devoted to a use conforming to the district designation or permitted as a conditional use.

- 73. Principal Use:** The main use to which the premises are devoted and the main purpose for which the premises exist.
- 74. Public Park:** Any park, playground, beach, outdoor swimming pool, parkway, within the jurisdiction and control of a governmental agency authorized by state statutes to own and maintain parks.
- 75. Public Sewer System:** A public sewer system shall be defined as a central or community sanitary sewage and collection system of pipes and structures including pipes, conduits, manholes, pumping stations, sewage and waste water treatment works, diversion and regulatory devices, and outfall structures, collectively or singularly, actually used or intended for use by the general public or a segment thereof, for the purpose of collection, conveying, transporting, treating or otherwise handling sanitary sewage or industrial liquid wastes of such a nature as to be capable of adversely affecting the public health, and operated and maintained by the general public.
- 76. Public Utility:** Any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under state or municipal regulations to the public gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.
- 77. Recreation Area, Private:** All lands and structures which are owned and operated by private individuals, a business or corporation which are predominantly intended to accommodate recreational vehicles and provide for outdoor recreational activities.
- 78. Recreation Vehicle:** All those small mobile units principally designed for recreation such as motor homes, camper trailers, pickup campers, pop-up campers, pop-up tent trailers and similar camping type vehicles or trailers.
- 79. Retail and Rental Store:** Any building or structure in which goods, wares, or merchandise is sold to the ultimate consumer for direct consumption and not for resale.
- 80. Right of Way:** A street, alley or other thoroughfare or easement permanently established for passage or persons or vehicles.
- 81. Roadside Stand:** A permanent structure that is used seasonally for the sale of produce. The use of a roadside stand shall not constitute a commercial district.
- 82. Rooming House:** A building, or part thereof, other than a hotel, where sleeping accommodations are provided for hire and where meals may be regularly furnished.

- 83. Rooming Unit:** Any room or group of rooms, forming a single habitable unit used for living and sleeping, but which does not contain cooking or eating facilities.
- 84. Rowhouse, (Townhouse):** An attached house in a row or group, each house containing not more than two dwelling units and each house separate from adjoining houses in the same row or group by common fire walls or fire separations.
- 85. Sanitary Landfill:** A method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing principles of engineering to confine the refuse to the smallest practical area, to reduce to the smallest practical volume, and to cover at the conclusion of each day's operation or at more frequent intervals as necessary, and maintained in accordance with the provisions of Act 87 of the Public Acts of 1965, as amended.
- 86. Setback:** The minimum horizontal distance between the street, rear or side lines of the lot and the front, rear or sidelines of the building. When two or more lots under one ownership are used, the exterior property lines so grouped shall be used in determining off sets.
- 87. School:** A building used for the purpose of elementary or secondary education, which meets all requirements of compulsory education laws of the State of Michigan, and not providing residential accommodations.
- 88. Shopping Center:** A group of commercial establishments, planned, developed, owned and managed as a unit, with off-street parking provided on the property, and related in its location, size and type of shops to the trade area which the unit serves.
- 89. Signs:** Any words, numbers, figures, devices, designs, or trademarks by which anything is made known, other than billboards, such as are used to show an individual firm, professional business and are visible from the exterior of the structure.
- 90. Site Condominium Subdivision:** A division of land, on the basis of condominium ownership, which is not subject to the provisions of the Subdivision Control Act, Public Act 288 of 1967, as amended.
- 91. Small Accessory Building:** See "Accessory Building"
- 92. Story:** That part of a building, 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.

- 93. Street:** A thoroughfare that affords the principal means of access to abutting property.
- 94. Street, Major:** A public way, the principal use of which is to provide an arterial route for through traffic and has as its secondary use the provision of access to abutting properties.
- 95. Street, Minor:** A public way, the principal use of which is to give access to abutting properties.
- 96. Structure:** Anything constructed or erected, the use of which required location on the ground or attached to something having location on the ground.
- 97. Structural Alteration:** The erection, strengthening, removal or other change of the supporting elements of a building, such as footings, bearing walls, beams, columns and the like.
- 98. Swimming Pool:** Any artificially constructed, portable or non-portable pool capable of being used for swimming or bathing, having a depth of three (3) feet or more at any point.
- 99. Trailer Coach:** Same as Mobile Home.
- 100. Trailer Coach Park:** Same as Mobile Home Park.
- 101. Undevelopable Land:** Land which has soil types or a high water condition that presents severe limitations on septic tank and tile fields.
- 102. Usable Floor Area:** The area for the purpose of computing parking and off-street loading and unloading space, is 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 which is used or intended to be used principally for the storage or processing of merchandise or utilities shall be excluded from the computation of “usable floor area.”
- 103. Use:** The purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.
- 104. Variance:** A modification of the literal provisions of this ordinance which the zoning board of appeals is permitted to grant when strict enforcement of said provisions would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought.

104A. Vehicle, Commercial: Any vehicle, other than a passenger car, that is intended to provide for transportation for hire or for the movement of goods or products, including semis and their trailers or similar vehicles identified by business name or with similar advertising on their exterior. No commercial vehicles may be parked in areas not intended for such parking and shall not be utilized for purposes of signage or advertising along public roads.

105. Yard:

- a. An open space on the same lot with the main building, unoccupied and unobstructed from the ground upward except as otherwise provided in this ordinance.
- b. **Front Yard:** A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.
- c. **Rear Yard:** A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and nearest line of the main building.
- d. **Side Yard:** A yard between the main building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest point of the main building.

106. Zoning District: (See District)