

ARTICLE 2 DEFINITIONS

Section 2.01 Definitions

Accessory buildings – A permanent structure, or portion of a permanent structure having a roof supported by columns, or walls for the shelter, support or enclosure of persons, animals or chattel, subordinate to a principle building on the same lot occupied by, or devoted exclusively to, an accessory use. An attached accessory building must conform to all setback requirements of the primary use.

Examples include: garages, storage buildings and gazebos.

Accessory buildings (private garage) - A building used primarily for the storage of self-propelled vehicles for the use of the occupants of a lot on which such building is located. The foregoing definition shall be construed to permit the storage on any one lot, for the occupants thereof, of not more than one commercial vehicle and where such vehicles are not commercially repaired.

Accessory buildings (storage shed) - Any building except those herein defined as private garage, used exclusively for storage incidental to principle dwelling.

Accessory structure – Anything constructed or erected which requires permanent location on the ground or attachment to something having such location which is subordinate to the principle building on the same lot.

Examples include: Above ground swimming pool, fence and freestanding signs. An accessory structure does not include physical improvements that are flush with the ground such as patios, sidewalks and driveways.

Accessory uses - A use naturally and normally incidental and subordinate to, and devoted exclusively to the main use of the premises.

Adult - A person eighteen (18) years of age or older.

Adult foster care family homes - Private homes 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 number of occupants in a home, other than the licensee and the licensee's spouse, shall not exceed ten (10) persons. The adult foster care family home licensees must provide the care and be a member of the household and an occupant of the home. The ratio of responsible persons to residents shall not be less than one (1) responsible person to six (6) residents and two (2) children under the age of twelve (12) years or ratio

thereof. The two (2) previous statements do not apply to those adult foster care family home applicants or licensees who applied for a license or who were issued a license before the promulgation of these rules.

Adult foster care large group homes (13-20 persons) - A group home that has an approved capacity to receive at least thirteen (13) but not more than twenty (20) adults to be provided with foster care. Any occupant of a home, other than the licensee or persons who are related to the licensee, live-in staff or the live-in staff's spouse and minor children, or a person related to a resident who is not in need of foster care, shall be considered a resident and be counted as a part of the licensed capacity. The total number of occupants shall not be more than six (6) over the licensed capacity.

Adult foster care small group homes (1-6 persons) - A group home that has the capacity to receive six (6) or fewer adults. Any occupant of a home, other than the licensee or persons who are related to the licensee, live-in staff or the live-in staff's spouse and minor children, or a person related to a resident who is not in need of foster care, shall be considered a resident and be counted as a part of the licensed capacity. The total number of occupants shall not be more than six (6) over the licensed capacity. Care is provided by paid staff who do not necessarily live on site.

Adult foster care small group homes (7-12 persons) - A group home that has the capacity to receive not less than seven (7) or more than twelve (12) adults. Any occupant of a home, other than the licensee or persons who are related to the licensee, live-in staff or the live-in staff's spouse and minor children, or a person related to a resident who is not in need of foster care, shall be considered a resident and be counted as a part of the licensed capacity. The total number of occupants shall not be more than six (6) over the licensed capacity. Care is provided by paid staff who do not necessarily live on site.

Adult uses - Any use of land, whether vacant or combined with structures or vehicles thereon by which said property is devoted to displaying or exhibiting material for entertainment, a significant portion of which includes matter or actions depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas".

1. Adult entertainment use shall include, but not be limited to the following:
 - a. An **adult motion picture** theater is an enclosed building with a capacity of fifty (50) or more persons used for presenting material which has a significant portion of any motion picture or other display depicting or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
 - b. An **adult mini-motion picture theater** is an enclosed building with a capacity for less than fifty (50) persons used for presenting material which has as a significant portion of any motion picture or other display depicting, describing or

- presenting "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
- c. An **adult motion picture arcade** is any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where a significant portion of images so displayed depict, describe or relate to "Specified Sexual Activities" or "Specified Anatomical Areas."
 - d. An **adult book store** is a use which has a display containing books, magazines, periodicals, slides, pictures, cassettes, or other printed or recorded material which has as a significant portion of its content or exhibit matter or actions depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" or an establishment with a substantial segment or section devoted to the sale or display of such material.
 - e. An **adult cabaret** is a nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers, or similar entertainers, where a significant portion of such performances show, depict or describe "Specified Sexual Activities" or "Specified Anatomical Areas."
 - f. An **adult motel** is a motel wherein matter, actions or other displays are presented which contains a significant portion depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."
 - g. An **adult massage parlor** is any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatment or any other treatment or manipulation of the human body occurs as part of or in connection with "Specified Sexual Activities" or where any person providing such treatment, manipulation or service related thereto exposes "Specified Anatomical Areas."
 - h. An **adult model studio** is any place where, for any form of consideration or gratuity, figure models who display "Specified Anatomical Areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such considerations or gratuities, except that this provision shall not apply to any bona fide art school or similar education institution.
 - i. An **adult sexual encounter center** is any business, agency, or person who, for any form of consideration or gratuity, provides a place where three (3) or more persons, not all members of the same family may congregate, assemble or associate for the purpose of engaging in "Specified Sexual Activities" or exposing "Specified Anatomical Areas."

2. **Significant Portion** — As used in the above definitions, the phrase "significant portion" shall mean and include:
 - a. Any one (1) or more portions of the display having continuous duration in excess of five (5) minutes; and/or,
 - b. The aggregate of portions of the display having a duration equal to ten (10) percent or more of the display.
 - c. The aggregate of portions of the collection of any materials or exhibits composing the display equal to ten (10) percent or more of the display.
3. **Display** — As used in the above definitions, the word display shall mean any single motion or still picture, presentation, dance or exhibition, live act, or collection of visual materials such as books, films, slides, periodicals, pictures, computer generated images, video cassettes or any other printed or recorded matter which is open to view or available to the general population whether for free or otherwise.
4. **Specified Sexual Activities** — As used in the above definitions, the phrase "specified sexual activities" shall mean and include:
 - a. Human genitals in a state of sexual stimulation or arousal;
 - b. Acts of human masturbation, sexual intercourse or sodomy;
 - c. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
5. **Specified Anatomical Areas** — As used in the above definitions, the phrase "specified anatomical areas" shall mean and include:
 - a. Less than completely and opaquely covered: 1) human genitals, pubic region; 2) buttock; and, 3) female breast below a point immediately above the top of the areola;
 - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Aged - An adult whose chronological age is sixty (60) years of age or older or whose biological age, as determined by a physician, is sixty (60) years of age or older.

Agriculture, roadside stands - A temporary or seasonal outdoor sales area accessory to an agricultural operation which sells products grown or produced on the premises.

Agriculture and horticulture - The commercial production, harvesting and storage of farm products or animals on a farm and the farm operations typically performed thereto, as defined in the Michigan Right to Farm Act, Public Act 93 of 1981, as amended; except that the raising of livestock and other animals in intensive livestock operations are not included in this definition.

Examples include: Farms including livestock and poultry raising, dairying, horticulture, farm forestry, including tree and shrub nurseries, sod farming and other similar bona fide agriculture

enterprise, truck gardening and other agricultural uses similar to and compatible with the above uses.

Agricultural tourism facilities - Commercial facilities are designed to attract visitors through the sale of agricultural byproducts and the sale of gifts, arts and crafts and other similar products. These facilities can also include the provision of agricultural-related activities such as hay rides, sleigh rides and petting zoos.

Airports, commercial - A transportation facility to accommodate the take-off, landing, shelter, supply, service and repair of aircraft, and the receiving and discharging of passengers and cargo.

Airports, private landing strips - A private transportation facility, closed to the public, to accommodate the take-off and landing of aircraft. The runway is made of sod and not paved with any type of material.

Alley - A public way which affords only a secondary means of access to abutting property and is not intended for general traffic circulation.

Alteration - Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, girders, or any change which may be referred to herein as “altered” or “reconstructed.”

Ambulance station, private - A facility for the stationing of ambulances and their crew (A place where ambulances are maintained and dispatched when needed).

Animal production, intensive feedlot operations - Any tract of land; or structure, pen, or corral, wherein cattle, horses, sheep, goats, and swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market. The intensive nature of these operations is such that vegetative cover cannot be maintained within the enclosure during the months of May, June, July and August. Open lots used for the feeding and rearing of poultry shall be considered an intensive feedlot operation. However, pastures used for the feeding and rearing of animals shall not be considered intensive feedlot operations.

Animal production, commercial - The commercial raising of non-farm animals for sale. These animals may be sold for domestic, commercial or laboratory use.

Examples include: The commercial raising of fur bearing animals, including minks, chinchillas, rabbits, fox, guinea pigs and similar animals. The commercial raising of domestic or laboratory animals such as cats, dogs, mice, rats or other uses similar and compatible with the above commercial animal production establishments.

Animal Shelter- A facility that is used to house or contain animals and is owned, operated, or maintained by a nonprofit corporation for the purpose of providing temporary kenneling and care for the animals and finding permanent adoptive homes for them.

(Added: Ord. No. 683, 7-23-07)

Arcades - A building or part of a building that houses a business whose principal purpose is the operation of pinball machines, video games, pool tables or similar player operated amusement device. Also see "Recreation and entertainment establishments, indoor".

Architectural features - Architectural features of a building shall include cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.

Art Education Center – A for profit education center designed for art instruction and the incidental sale of art supplies, crafts and students' work.

Assisted living facilities - A special combination of housing, personalized supportive services, and health care to help individuals to maintain maximum independence and choice outside a skilled setting.

Automobile dealers, new - An area of land and structures used to display and sell new automobiles, and may include auto servicing and repair as accessory uses. Also see "Rental and sales of automobiles, recreational vehicles and mobile homes, outdoor".

Automobile dealers, used - An area of land and structures used to display and sell used automobiles, and may include auto servicing and repair as accessory uses. Also see "Rental and sales of automobiles, recreational vehicles and mobile homes, outdoor".

Automobile repair facilities - General repair of automobiles including engine rebuilding, or additional mechanical repair, reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair, overall painting, and vehicle rust-proofing.

Automobile service stations - A building or structure designed or used for the retail sale of fuel (stored only in underground tanks), lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for facilities for the storage, minor repair, or servicing, but not including bumping, painting, refinishing, major repairs and overhauling, steam cleaning, rust-proofing, where the primary use of the premises is such, or high speed washing thereof. The term covers such uses as quick oil change facilities and muffler/brake replacement facilities provided no major repairs as described above are undertaken.

Automobile wash establishments - A building, or portion thereof, the primary purpose of which is that of washing motor vehicles. These establishments may be self-serve stationary cleaning areas or have the characteristic of a conveyor belt that moves the vehicle through the washing cycle.

Automobile wrecking yards and junk yards - The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding thirty (30) days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima-facie evidence of an automobile wrecking yard or junk yard.

Bakeries, non-retail - Those bakeries which produce large quantities of baked goods but do not sell the goods on-site. The baked goods produced on-site are delivered to smaller retailers or outlets.

Bakeries, retail - Those bakeries which may produce small quantities of baked goods on-site or receive baked goods from a wholesaler and then sell the baked goods onsite. Goods produced on-site are not intended for mass distribution to off-site locations.

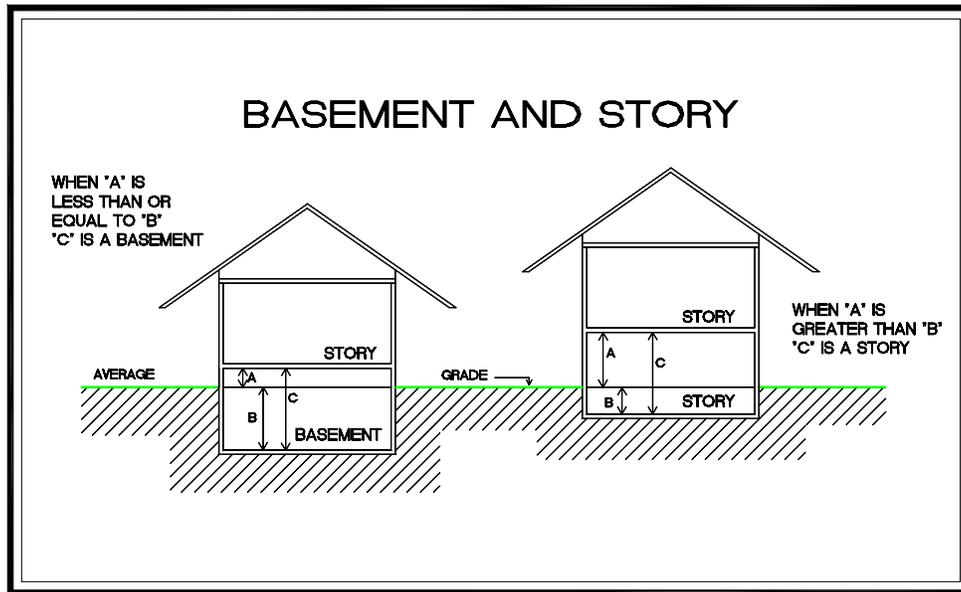
Barrier - As used in section 4.14 (fence wall and hedge standards) and section 4.28 (sight line provisions) the term barrier shall mean either a structure or vegetation that serves as an obstacle that hinders physical access.

(Added: Ord. No. 665, 7-10-06)

Bars, cocktail lounges, taverns and nightclubs - A business serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches, snacks and other prepared food may also be sold.

Basement - A story of a building: having fifty (50) percent or more of its height below average grade (see Figure 2-1).

Figure 2-1



Bed and breakfast establishments - A house, or portion of a house where short-term lodging rooms and meals are provided. A bed and breakfast is distinguished from a motel or hotel in that it shall have only one (1) set of kitchen facilities, employ only those living in the house or up to one (1) additional employee, and have a facade consistent with the surrounding homes. Typically these are residential type homes.

Billboard signs - An outdoor sign advertising an establishment, products, services, activities, persons or events. If the subject of the sign is made, produced, assembled, stored, distributed, leased, sold or conducted on the premises upon which the billboard is located it is an on-premise sign. If it is not, then the billboard is an off-premise sign.

Block - The property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, or between one (1) intersecting street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

Boarding houses - A dwelling where meal, or lodging and meals, are provided for compensation to three (3) or more persons by pre-arrangement for definite periods of not less than one (1) week. A boarding house is to be distinguished from a hotel, motel, or a convalescent or nursing home.

Boat Dock – For the purpose of multi-family residential PUD's, attached single family residential PUD's and/or other multi-family residential developments, a boat dock shall mean a space

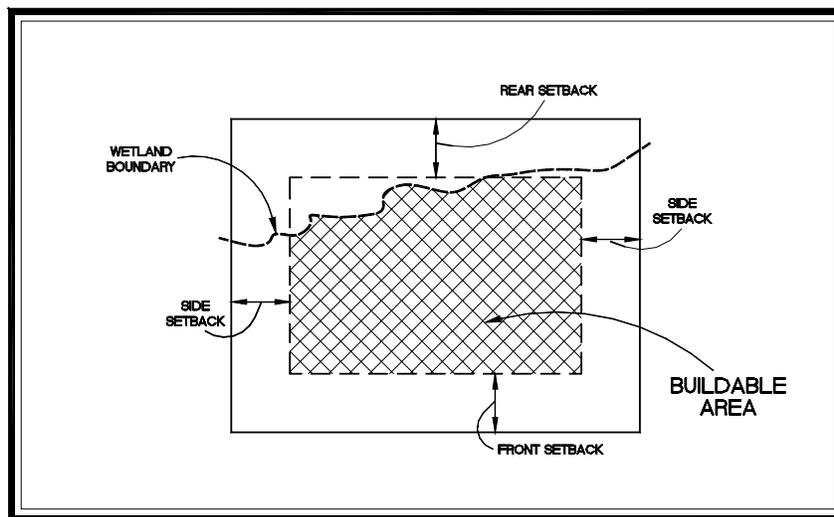
designed for the mooring of a single watercraft. Such spaces may extend from a dock or a shoreline. This definition shall not apply to detached single family residences.

Boat Slip – For the purpose of multi-family residential PUD's, attached single family residential PUD's and/or other multi-family residential developments, a boat slip shall mean a space designed for the mooring of a single watercraft. Such spaces may extend from a dock or a shoreline. This definition shall not apply to detached single family residences.

Bollard - A post emplaced vertically in the ground.

Buildable area - The buildable area of a lot is the space remaining after the minimum setback requirements of this Ordinance have been complied with. Wetlands, floodplains or submerged land such as a lake, pond or stream shall be excluded from the calculation of buildable area (see Figure 2-2).

Figure 2-2

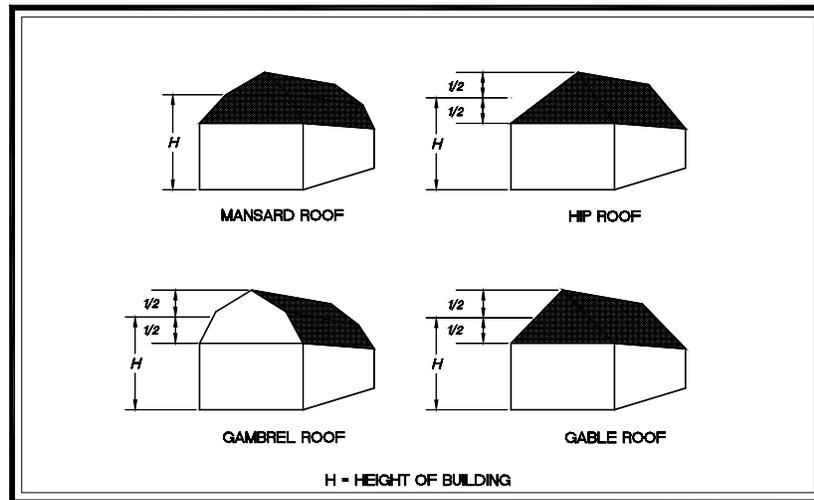


Building - A structure, either temporary or permanent, having a roof supported by columns, or walls for the shelter, support or enclosure of persons, animals, or chattels, is a building. This shall include tents, awnings, or vehicles situated on private property and used for purposes of a building. When any portion thereof is completely separated from every other part thereof by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

Building area - The horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on the lot.

Building height - The vertical distance measured from the established grade at the center of the front of the building to the highest point of the roof surface if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs (see Figure 2-3).

Figure 2-3



Building, main or principal - A building in which is conducted the principal use of the lot on which it is situated.

Building Inspector - The Building Inspector of the Township or his authorized representative.

Building permits - The written authority issued by the Building Inspector permitting the construction, removal, moving, alteration or use of buildings or other structures in conformity with the provisions of this Ordinance.

Bus passenger stations - Facilities that function as a pick-up and drop-off station for bus riding passengers. Minor repair facilities and bus storage areas must be completely enclosed and buffered as determined by the Township Planning Commission.

Business service establishments - Establishments which are primarily engaged in rendering services on a contract or fee basis to business establishments.

Examples include: Office machine repair, typewriter repair, computer repair, printing and other uses similar to and compatible with the above establishments.

Campgrounds - A parcel or tract of land under the control of a person or company on which sites are offered for the use of the public or members of an organization, either free of charge or

for a fee, for the establishment of temporary living quarters in tents or other recreational vehicles. Campgrounds include a children's camp and adult foster care camp.

Campgrounds, permanent - A campground where the sites are sold or leased for long term use, including semi-permanent installation of campers, trailers and mobile homes at the campsite.

Campgrounds, transient - A campground where the sites are rented out on a nightly or weekly basis and does not involve the long term installation of campers, trailers or mobile homes at the campsite.

Cemeteries - Land used or intended to be used for the burial of the deceased, and dedicated for cemetery purposes, including columbariums, crematories, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Chemical manufacturing facilities - Any operation that creates products used in or produced by a chemical process. Also see "Manufacturing, storage and/or distribution facilities (dangerous chemicals)".

Child care center - See Day care center, commercial

Child care institutions - A facility organized to receive minor children for care and supervision on a twenty four (24) hour basis operated throughout the year. Child caring institutions include such facility types as detention homes for delinquents, homes for abused, ignored, or the emotionally and mentally disabled, sexual offenders and substance abuse treatment facilities. Except for a maternity home for the care of unwed mothers (where there may be as few as four (4) residents), child caring institutions must be licensed for six (6) or more residents. These facilities can be short term institutions, residential treatment institutions, small facilities, and large facilities.

Clubs - An organization of persons for special purposes or for the promulgation of agriculture, sports, arts, science, literature, politics or the like, but not for profit. A club must be recognized or certified as a non-profit organization.

Examples include: Fraternal organizations, Lion Club, Kiwanis, American Legion, Eagle Clubs, Knights of Columbus, Masonic Temple, Moose Lodge, other lodges or clubs that are engaged in not for profit activities and other similar clubs compatible with the above organizations.

Commercial outdoor display, sales or storage - A permitted or accessory use, including sales or storage of: building/lumber supply, contractors yards, flea markets, auctions, garden/landscape supplies, nurseries, greenhouses, stone, farm implement, automobiles,

trucks, recreation vehicles, mobile homes, boats, jet skis, mowing equipment, construction equipment and similar materials or equipment.

Commercial vehicles - Any vehicle bearing or required to bear commercial license plates.

Examples include: Truck tractors, semi trailer (including flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box type enclosures), ice cream trucks, milk trucks, bread trucks, fruit trucks, delivery trucks, electrician or electrical business trucks, plumbing business trucks, heating and cooling business trucks, other construction oriented trucks, tow trucks, commercial banking trucks, vehicle repair service trucks, snowplowing trucks, any other vehicle with a commercial license plate having a gross vehicle weight in excess of ten thousand (10,000) pounds or a total length in excess of twenty two (22) feet.

Communications towers - A radio, telephone or television transmission, reception or relay structure including but not limited to monopole, skeleton framework, or other design which is attached directly to the ground or to another structure, used for the transmission or reception of radio, televisions, microwave, or any other form of telecommunication towers and any tower erected by a public entity for hazard warning or other communication purpose.

1. **Communication antennae** - Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals and radio frequencies.
2. **Alternative tower structure** - Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
3. **Backhaul network** - The lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.
4. **Pre-existing towers and pre-existing antennae** - Any tower or antenna for which a building permit has been issued or a special use permit has been properly granted prior to the effective date of this Ordinance, including permitted towers or antennae that have not been constructed so long as such approval is current and not expired.

Condominium, contractible - A condominium project from which any portion of the submitted land or building may be withdrawn in accordance with the Condominium Act (PA 59 of 1978).

Condominium, conversion - A condominium project containing condominium units, some or all of which were occupied before the filing of a notice of taking reservations under Section 71 of the Condominium Act (PA 59 of 1978).

Condominium, expandable - A condominium project to which additional land may be added in accordance with the Condominium Act (PA 59 of 1978).

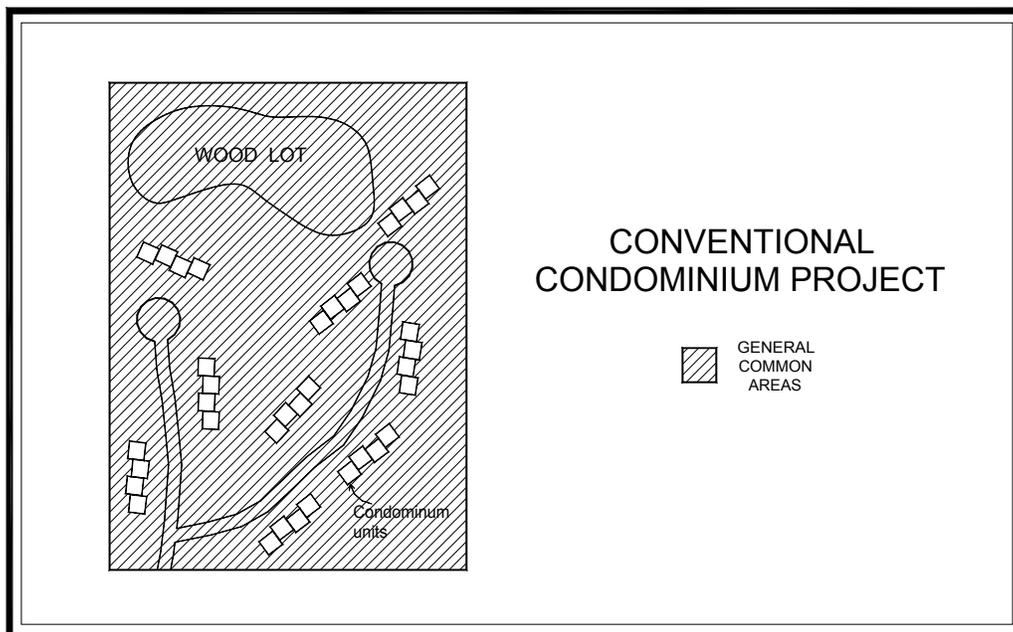
Condominium, general common elements - Portions of the condominium development owned and maintained by the condominium association, as defined in the Condominium Act (PA 59 of 1978).

Condominium, limited common elements - Portions of the condominium development other than the condominium unit itself reserved for the exclusive use of less than all of the co-owners of the condominium development, as defined in the Condominium Act (PA 59 of 1978).

Condominium, master deed - The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and including those items required in Section 8 of the Condominium Act (PA 59 of 1978).

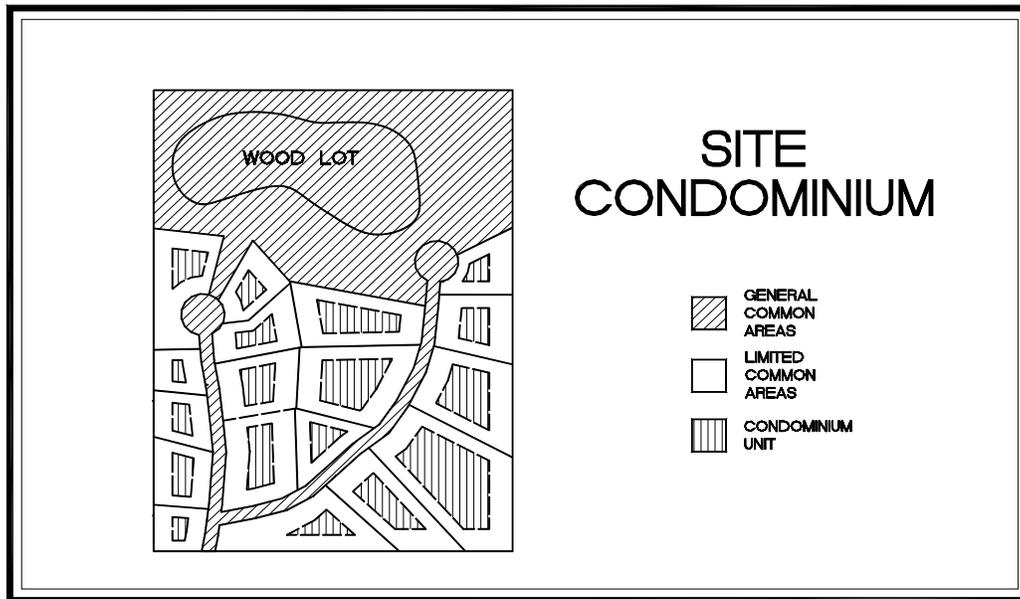
Condominium project, conventional - A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists primarily of the dwelling or other principal structure and most of the land in the development is part of the general common area (see Figure 2-4).

Figure 2-4



Condominium project, site - A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists of a building site, with or without structures, which along with associated limited common elements, constitutes the equivalent of a lot (see Figure 2-5).

Figure 2-5



Condominium, subdivision plan - Drawings and information prepared pursuant to section 66 of the Condominium Act, (PA 59 of 1978).

Condominium unit - A condominium unit is that portion of a condominium development designed and intended for occupancy and use by the unit owner consistent with the provisions of the master deed, as defined in the Condominium Act (PA 59 of 1978).

Contractor establishment (with indoor storage) – A facility for the operation of a building contractor or similar business, including office facilities, the storage of equipment and supplies indoors only.

Contractor establishment (with outdoor storage) - A facility for the operation of a building contractor or similar business, including office facilities, including outdoor storage of equipment and supplies.

Examples include: Heating and cooling contractors, landscape contractors, remodeling contractors and pest control contractors.

Convalescent or nursing home - See long term care.

Country clubs - A club established to provide its members with access to outdoor activities such as golf, tennis and other related activities. Country clubs may be an accessory use to a

golf course but cannot be the primary use with a golf course the accessory use. A country club may be for profit and should not be confused with the definition of “clubs”.

Crematory - A location containing properly installed, certified apparatus intended for use in the act of cremation.

Cul-de-sac length- The length of a cul-de-sac is measured from the middle of the last intersection with a two-lane roadway meeting the design criteria established in the Ordinance for such intersections and roadways, and ending at the middle of the cul-de-sac circle.

(Added: Ord. No. 683, 7-23-07)

Day care, adult (1-6 persons) - These facilities provide temporary care for less than a twenty four (24) hour period for persons over the age of eighteen (18) in a supervised environment. Generally, these establishments provide care for the elderly or disabled. There shall be no more than six (6) clients cared for on the property at any given time.

Day care, adult (7-12 persons) - These facilities provide temporary care for less than a twenty four (24) hour period for persons over the age of eighteen (18) in a supervised environment. Generally, these establishments provide care for the elderly or disabled. There shall be no less than seven (7) and no more than twelve (12) clients cared for on the property at any given time.

Day care, adult (13 or more persons) - These facilities provide temporary care for less than a twenty four (24) hour period for persons over the age of eighteen (18) in a supervised environment. Generally, these establishments provide care for the elderly or disabled. There shall be no less than thirteen (13) clients cared for on the property at any given time.

Day care centers, commercial - Day care centers are facilities (publicly or privately operated), other than a private home, having as their principal function the receiving of one (1) or more preschool or school age children (under the age of eighteen (18)) for care, maintenance, and supervision. Day care centers include facilities that provide care for not less than two (2) consecutive weeks, despite the number of hours per day of care. Day care centers receive minor children for care for periods of less than twenty four (24) hours a day, where the parents, relatives, or legal guardians are not immediately available. Day care centers are also commonly known as child care centers, day nurseries, child care facilities, nursery schools, parent cooperative preschools, play groups, or drop-in centers. These may also include intergenerational day care facilities for both children and the elderly.

Day care homes, family (1-6 persons) - A child care facility that provides licensed day care in private homes for six (6) or fewer unrelated minor children under the age of eighteen (18). Children receive care and supervision for periods of less than twenty four (24) hours a day unattended by a parent or legal guardian for more than four (4) weeks during a calendar year.

Day care homes, group (7-12 persons) - A child care facility that provides licensed day care in private homes for not less than seven (7) or no more than twelve (12) unrelated minor children under the age of eighteen (18). Children receive care and supervision for periods of less than twenty four (24) hours a day unattended by a parent or legal guardian for more than four (4) weeks during a calendar year. Facilities that provide licensed day care to thirteen (13) or more minor children constitute a commercial day care center.

Deck - A platform other than a porch, either freestanding or attached to a building that is supported by pillars or posts.

Detention - The process of restricting the rate of stormwater flowing off a parcel as a result of rain or snowmelt.

District - A portion of the Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

Drive-thru establishments - An establishment that by design, physical facilities, service or by packaging procedures encourages or permits customers to conveniently make deposits or receive other services, or obtain goods without leaving their motor vehicles, and then proceeding elsewhere. Distinguished from a drive-in establishment by the absence of parking while the service is being provided or brought to the customers. These establishments do not include drive-through fast food restaurants.

Examples include: Banks, drug stores, photo shops, grocery or party stores, and related businesses. A drive-through window, or motor vehicle oriented pick-up window, even if accessory to the principal use, shall subject the use to all the standards applicable to uses in which the drive-through aspect is a principal feature of the use and other retail and business service establishments similar to and compatible with the above uses.

Drive-in establishments - A business establishment so developed that its principal 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. These establishments do not include drive-in fast food restaurants.

Examples include: Cleaners, banks and other uses similar and compatible with the previously mentioned establishment.

Dry cleaning facilities - A building, portion of a building or premises used for the cleaning of fabric, textiles, wearing apparel or other articles with volatile solvents. A dry cleaning facility may

provide for drop off and pick-up by individuals or may serve satellite drop off and pick-up sites only.

Dwelling unit - A dwelling unit is any house or portion thereof having cooking facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently, but in no case shall a travel trailer, automobile chassis, tent or portable building: be considered a dwelling. In case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings.

Educational institutions - Any building or part thereof which is designed, constructed, or used for education or instruction including vocational, K-12 or other educational purposes.

Examples include: Elementary, junior high and high schools, colleges, universities and vocational schools.

Non-profit: Public (including charter schools), parochial or other private elementary, intermediate, and/or high schools offering courses in general education.

For-profit: Schools including public trade or similar private schools and colleges, offering courses of instruction.

Other educational institutions similar and compatible with the above uses.

Entrance Feature - A building or other structure including but not limited to: walls, columns, gates, gazebos and gatehouses designed to mark the entrance to subdivisions, housing projects, office complexes, shopping centers industrial parks and similar developments.

Erected - The word “erected” includes built, constructed, reconstructed, moved on to, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erection.

Essential services - The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions, of underground, surface, or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems, including hydrants, towers, poles, and other similar equipment, and accessories. In connection therewith reasonably for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or general welfare. Not including buildings other than structures that serve primarily as enclosures or shelters.

Excavating - The removal of sand, stone, gravel or fill dirt below the average grade of the surrounding land and/or road grade, whichever is the highest.

FAA - The Federal Aviation Administration

FCC - The Federal Communication Commission

Family - One (1) or more persons related by blood, marriage, adoption or guardianship, living as a single housekeeping unit.

Family, functional - A group of no more than four (4) people, plus their offspring, having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character with a demonstrable and recognizable bond characteristic of a cohesive unit. Functional family does not include any society, club, fraternity, sorority, registered student organization, association, lodge, organization, or group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary.

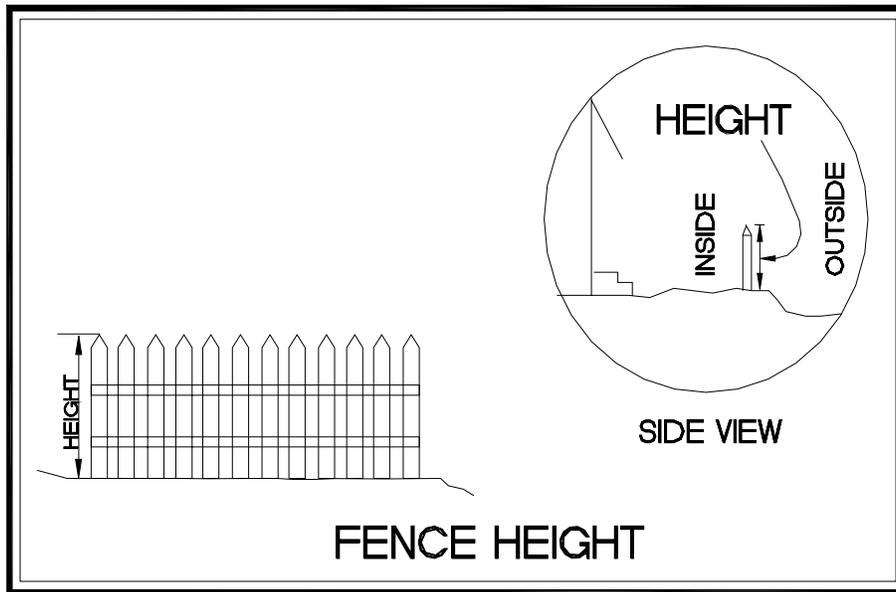
Farm - The land, plants, animals, buildings, structures, including ponds used for agricultural or aquaculture activities, machinery, equipment, and other appurtenances used in the commercial production of farm products.

Farmers markets, permanent - A commercial establishment selling produce and other farm products, whether or not produced on the property, at retail to customers, not unlike a grocery store.

Farmers markets, temporary - A farmers market established for a temporary period in an area normally set aside for other uses such as a parking lot, park, etc.

Fence height - The vertical distance between the ground on the exterior side of fence and the highest point of the fence excluding gates, posts and other decorative features (see Figure 2-6).

Figure 2-6



Fence, temporary - An enclosure or barrier used in conjunction with a temporary outdoor use such as to define a temporary parking area, or in conjunction with a seasonal use such as a snow fence or protective barrier around a garden.

Filling - Shall mean the depositing or dumping of any matter onto, or into the ground, except common household gardening.

Fire stations - A structure used for the keeping and maintenance of fire engines and other fire fighting equipment and safety vehicles, and may also include office and sleeping quarters for the structure. Also see “Public buildings”.

Floor area, gross - The sum of horizontal areas of all of the floors of a building, measured from the interior faces of the exterior walls, not including breezeways, unenclosed porches and attached garages.

Floor area, usable - Usable floor area, for the purposes of computing parking needs for off-street parking spaces, is net floor 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 of merchandise, or for utilities shall be excluded from this computation of “Usable Floor Area.” Measurement of floor area shall be the sum of horizontal areas of all of the floors of the building, measured from the interior faces of the exterior walls.

Foster care - The provision of 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 three (3) weeks for compensation.

Foster family group homes - A private home in which either five (5) or six (6) minor children who are not related to an adult member of the household by blood, marriage or adoption, are provided care. This care is provided for twenty four (24) hours a day, for more than four (4) days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian. Often, these children are awaiting adoption.

Foster family homes - A private home in which one (1), but not more than four (4), minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for twenty four (24) hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.

Foundation - The substructure of a building, (as defined in this article), consisting of walls, slab or underpinnings constructed of wood, concrete, brick or other masonry material.

Fraternal organizations - See “clubs”

Fuel distribution facilities - A facility that stores fuel for transport to retailers. Fuel is not sold to the general public on-site.

Funeral homes or mortuaries - A building or part thereof used for human funeral services. Such building may contain space and facilities for: a) embalming and the performance of other services used for preparation of the dead for burial; b) the performance of autopsies and other surgical procedures; c) the storage of caskets, funeral urns, and other related funeral supplies; and d) the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

Gasoline service station - A facility used for the retail sale of gasoline, oil and similar fuels for motor vehicles.

Golf courses - A tract of land for playing golf, with tees, greens, fairways and hazards such as sand traps and surface water. A miniature golf course is not included in the general term “golf courses” as defined in this Ordinance.

Golf courses, miniature - A facility or course that has only a short distance from the start of a hole to the end. A putting golf club is exclusively used at these facilities.

Golf driving ranges - A facility including golf tees and fairways designed to permit participants to practice driving golf balls or hitting the balls a considerable distance. Practice putting greens may also be present as an accessory use.

Grade, street or sidewalk - The established grade of the street or sidewalk shall be the elevation of the centerline of the street at the mid point of the front of the lot. The elevation is established by the Township Engineer or Building Inspector.

Greenbelt - A strip of land intended to serve as a buffer or screen and meeting the requirements of Article 10 of this Ordinance.

Greenhouses, non-retail - A non-retail commercial operation which sells agricultural products grown or produced on the site to buyers located off-site.

Greenhouses, retail - A commercial retail operation which sells plants and planting material including material not grown or produced on site.

Halls - A building or structure used for the purpose of public assembly that may be rented to individuals for use. Halls may also be used by and/or located on the premises of “clubs” as defined in this Ordinance. The term hall includes assembly, rental, dance, country clubs, banquet halls or other places of public assembly when conducted within an enclosed building.

Height - When referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna. For buildings see “Building height”.

Home occupations - A business or commercial pursuit conducted by a person or business entity in a residential dwelling.

Horses, keeping of - Maintaining horses for recreational purposes as an accessory use .

Hospitals - An institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to sick or injured human patients and including accessory facilities such as laboratories, out-patient departments, training facilities and staff offices. Also see “Medical service establishments, large”.

Hotels - A building used as a temporary abiding place of individuals or groups of individuals in which there are more than five (5) sleeping rooms sharing a common entrance to the structure.

Household pets, keeping of - The keeping of common household pets in a residence for non-commercial purposes residents including not more than two (2) dogs over four (4) months of age.

Industrial parks - An area of land with or without buildings, planned and developed to provide appropriate sites for industrial operations, offices and other similar types of uses.

Industrial service establishments -Industrial service establishments are engaged in the repair or servicing of industrial, business or consumer machinery, equipment products or by-products. Establishments that service consumer goods do so by mainly providing a centralized service for separate retail outlets. Building maintenance services and similar uses and services that are performed off-site. In most cases, few customers, especially the general public, come to the site but the number of customers is ultimately based on the type of service rendered on-site.

Examples include (low intensity (M1): Product testing, repair of scientific or professional instruments, janitorial and building maintenance services and other uses similar to and compatible with the above establishments.

Examples include (light (M2)): Electric motor repair, repair of auto and small truck engine, radiator, transmission, building, heating, air conditioning, mirror and glass shops, recycling operations, fuel oil distributors, solid fuel yards and other uses similar to and compatible with the above establishments.

Examples include (heavy (M3)): bump shops, machine shops, metal buffing, plastering and polishing shops, painting and sheet metal shops, undercoating and rust-proofing shops, welding shops, sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials, towing and vehicle storage, auto and truck salvage and wrecking, freight yards, heavy truck servicing and repair, freighting and trucking terminals, tire retreading or recapping, truck stops, heavy construction contractors with large equipment stored on-site, and heavy equipment trade schools and other uses similar to and compatible with the above establishments.

Junk - Any motor vehicle, machinery, appliances, product, or merchandise with parts missing or scrap metals or other scrap materials that are damaged, deteriorated, or are in a condition which cannot be used for the purpose for which the product was manufactured.

Kennels, commercial (7 or more dogs) - The housing or keeping of seven (7) or more dogs over four (4) months of age, for any purposes or the keeping of any number of dogs for training, breeding or boarding.

Kennels, private (3-6 dogs) - The housing or keeping of more than two (2) but less than six (6) dogs over four (4) months of age for non-commercial purposes on a lot or in a structure.

Laboratories - A place devoted to experimental, routine study or basic study such as testing and analytical operations and in which manufacturing of a product or products, except prototypes, is not performed.

Land Use Plan - A plan developed and adopted by the Township Planning Commission.

Landscape contractor- A business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.

(Added: Ord. No. 683, 7-23-07)

Libraries - A public or private non-profit institution responsible for the care and circulation of a collection of books and other accessory reference material including audio and video tapes, records and other recordable material.

Light fabrication - Manufacturing establishments that are involved in the production of goods requiring limited processing of material as well as packaging and assembly. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Manufacturing processes do not include those that generate excessive noise, vibration, smoke, or odor or which use or store excessive amounts of hazardous materials. Processes do not include use of stamping presses, casting or extruding of metals or chemical treatments such as etching with acid. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

(Added: Ord. No. 650, 9-19-05)

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

Lodges - see "Clubs"

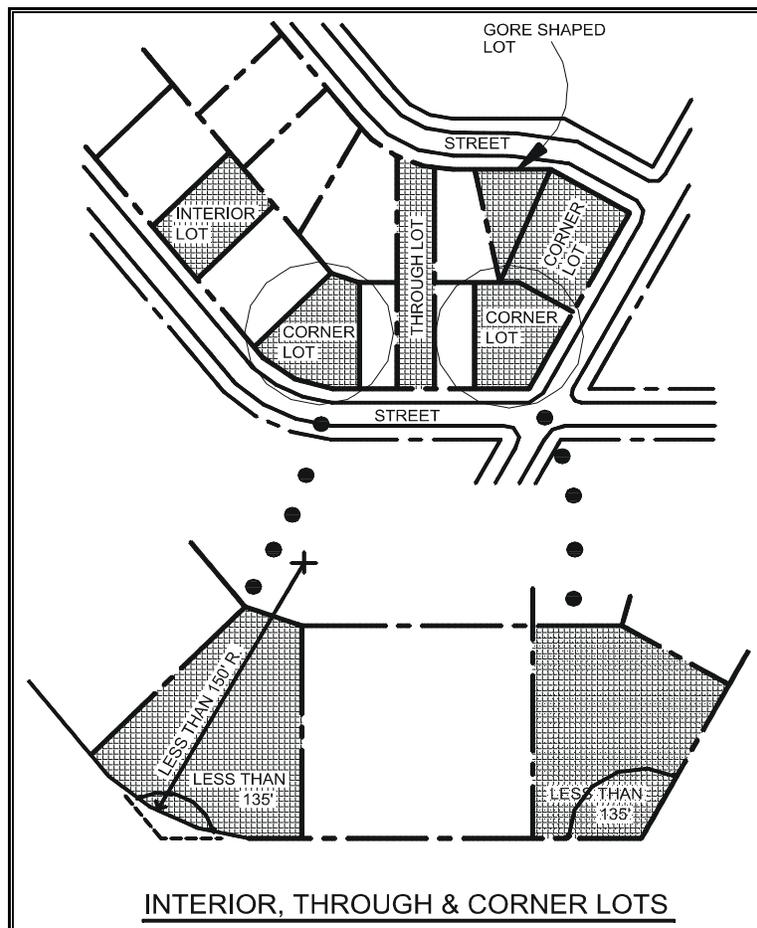
Long term care facilities - Establishments primarily engaged in providing in-patient nursing and health related personal care, other than a private home, in which one (1) or more adults who are aged or physically impaired by accident, disease, or otherwise disabled are received for care and supervision for extended periods. Establishments of this type include: nursing homes, subacute care facilities, homes for the aged, intermediate care facilities, hospice, convalescent homes and rest homes.

Lot - A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) main building with its accessory buildings, and providing the open spaces, parking spaces, and loading spaces required by this Ordinance. In the case of a site condominium, each condominium unit and its contiguous associated limited common area shall constitute a lot.

Lot area - The total horizontal area within the lot lines of a lot, excluding any road rights of way. (see lot line, front)
(Amended: Ord. No. 683, 7-23-07)

Lot, corner - A lot located at the intersection of two (2) streets or a lot bounded on two sides by a curving street, any two (2) chords of which form an angle of one hundred thirty five (135) degrees or less. The point of intersection of the tangents described above (see Figure 2-7).

Figure 2-7



Lot coverage - That part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

Lot depth - The mean horizontal distance from the front street line to the rear lot line.

Lot, gore shaped - A triangular shaped lot. (See Figure 2-7).

Lot, interior - A lot other than a corner lot with only one (1) lot line fronting on a street (see Figure 2-7).

Lot, lake - A lot having frontage on a natural or man-made lake excluding rivers, streams, channels and ponds.

Lot, zoning - A parcel of land that is designated by it's owner at the time of applying for a zoning permit as one lot, which is intended to be used, developed or built upon as a unit under single ownership. Such lot may consist of a single lot of record, or a combination of multiple lots of record or portions of lots of record that comply with the requirements of this Ordinance. (Added: Ord. No. 679, 6-4-07)

Lot line, front - In the case of an interior lot, abutting upon public or private street, the front lot line shall mean the line separating such lot from such street right-of-way. In the case of a through lot, the front lot line shall be that line separating said lot from that street which is designated on the zoning permit. In the case of a corner lot, both street lot lines are front lot lines (see lot area). (Amended: Ord. No. 683, 7-23-07)

Lot line, rear - Ordinarily, that lot line which is opposite and most distant from the front lot line of the lot. In the case of an irregular, triangular, or gore-shaped lot, a line ten (10) feet in length entirely within the lot parallel to, or approximately parallel, and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of determining depth or rear yard. In cases where none of these definitions are applicable, the Zoning Administrator shall designate the rear lot line.

Lot line, side - Any lot line not a 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 line, street or alley - A lot line separating the lot from the right-of-way of a street or an alley.

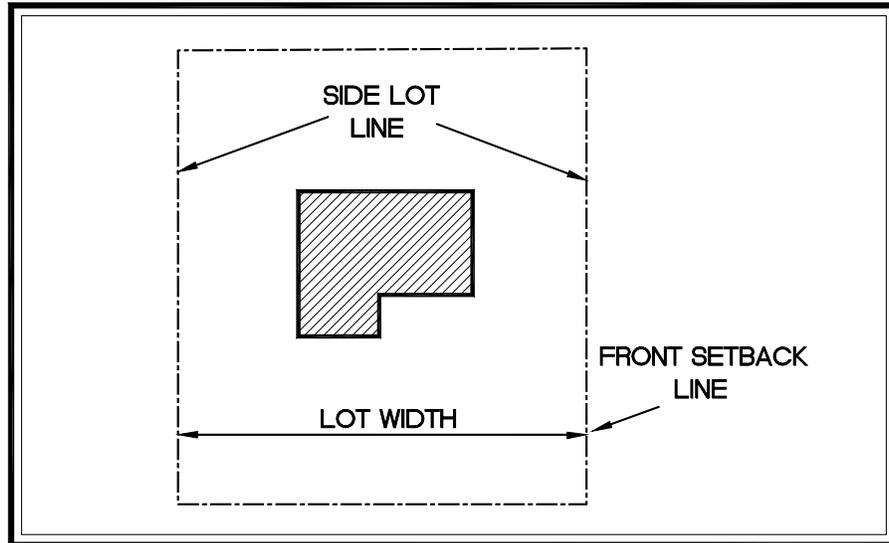
Lot lines - The property lines bounding the lot.

Lot of record - A lot which actually exists in a subdivision plat or condominium plan 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.

Lot, through - A lot having its front and rear yards each abutting a street or road. Expressways do not constitute a road for the purpose of this definition (see Figure 2-7).

Lot width - The continuous horizontal distance between the side lot lines, measured at the required front yard setback or the actual front yard setback, whichever is less (see figure 2-8).

Figure 2-8



(Amended: Ord. No. 665, 7-10-06)

Manufactured home - A factory built single family structure that is manufactured under the authority of the National Manufactured Housing Construction and Safety Standards Act of 1974.

Manufacturing establishments - Manufacturing establishments that are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially complete materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

Examples include (Low intensity (M-1)): Manufacture of industrial controls, electronic components and accessories, measuring, analyzing and controlling instruments, photographic equipment and repair (except chemicals and sensitized materials), medical and optical goods, and other similar items. Production of prototype products. Research, development, and testing facilities for industrial scientific, and business or commercial establishments. Lumberyards with outdoor storage. Other establishments similar to and compatible with the above establishments.

Examples include (Light (M-2)): Production, assembly or fabrication of candy, drugs, cosmetics and toiletries, musical instruments, toys, novelties, electrical instruments and appliances; radio and stereo equipment; pottery and figurines or other similar ceramic products using only previously pulverized clay. Processing of brick, tile or terra cotta, cement lime, gypsum, or plaster of paris, cement products. Manufacturing and maintenance of electric neon signs, billboards, commercial advertising structures, sheet (light) metal products, including heating and ventilating ducts and equipment. Manufacturing of musical instruments, toys, novelties, rubber or metal stamps. Manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell textiles, tobacco, wood (excluding planing mill), yarns and paint not requiring a boiling process, provided these activities take place entirely within an enclosed building except for on-site delivery vehicles. Tool and die shops; metal working machine shops involving the use of grinding or cutting tools; such as manufacturing tools, dies, jigs, and fixtures; publishing, printing, or forming of box, carton, and cardboard products and fine blanking. Other establishments similar to and compatible with the above establishments.

Examples include (Heavy (M-3)): The assembly and/or manufacture of automobiles, automobile bodies, parts and accessories, breweries (large commercial producers), distilleries, cigars and cigarettes, electrical fixtures, batteries and other electrical apparatus and hardware. Food processing including fat rendering, smoking, curing, canning or other processing of edible goods. Production of chemicals or refining of petroleum products. Production of aggregate such as a redi-mix plant. Other establishments similar to and compatible with the above establishments.

Manufacturing storage and/or distribution establishments (dangerous chemicals) -

Establishments that manufacture flammable, explosive, corrosive or noxious substances subject to state or federal regulation or in any way hazardous to humans or animals.

Examples include: Manufacture of fireworks, petroleum products or hydrocarbons, industrial acids, acetylene gas, paint oil (including linseed), turpentine, gas or oil drilling and production or refineries, acetylene gas, shellac, turpentine, lacquer, varnish or similar substances and other establishments similar to and compatible with the above establishments.

Marine sales and services - A facility for storing, servicing, fueling, berthing, and securing and launching of private pleasure craft that may include the sale of fuel and incidental supplies for the boat owner, crews, and guests, in accordance with Department of Natural Resources regulations.

Medical care facilities, neighborhood - A facility offering medical care to primarily people residing in the immediate area of the facility.

Examples include: Doctors office, dental office, chiropractor, podiatrist and other uses similar and compatible with the above.

Medical care establishments - Healthcare facilities that provide medical, dental, surgical, preventive health services and other related services to patients as well as establishments providing support to health professionals and patients such as medical laboratories, medical suppliers and other service establishments involved with medical services.

Examples include (Small) : Medical or dental clinics, doctor or dentist offices, medical or dental labs, blood collection facilities, x-ray and related scanning facilities, emergency medical care facilities, sales of medical supplies and prosthetics, drug stores, pharmacies, chiropractors, physical therapists, rehabilitation therapists, nurses, or physicians and other medical service establishments similar to and compatible with the above use. Such facilities are five thousand (5,000) square feet in size or less.

Examples include (Large): Sanitariums, hospitals, medical clinics and other medical service establishments similar to and compatible with the above use.

Mezzanine - An intermediate floor in any story occupying one third (•) or less of the floor area of such story.

Monument sales - An area of land and buildings used in the forming, engraving and sculpting on monuments and stone art. Also see "Retail sales or rental establishments with outdoor display".

Motels - A series of attached, semi-detached, detached rental units containing bedroom, bathroom and closet space wherein each unit has a separate individual entrance leading directly from the outside of the building.

Municipal offices or buildings - A building or office used and dedicated for the official functions of the Township. Listed in the schedule of uses as "Public buildings".

Museums - A place for preserving and exhibiting artistic, historical or scientific objects.

Non-conforming building - A building or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions of this Ordinance in the zoning district in which it is located.

Non-conforming use - A use of land or structure for purposes which conflict with the provisions of this Ordinance.

Nursery schools - See “Child care center”

Nursing homes - see “Long term care facilities”

Occupied - The word “occupied” includes arranged, designed, built, altered, converted to, rented or leased, or intended to be occupied.

Off-street parking lot - An off-street parking lot shall consist of space for parking motor vehicles with properly related access to a public street or alley and maneuvering room, and located in an area with the land use to which it is related.

Office establishments - Office establishments are characterized by activities conducted in an office setting and generally focusing on business, government, professional, financial or other related services. Accessory uses may include cafeterias and health facilities established primarily to service the needs of employees on the premises.

Examples include (large): Office buildings, industrial parks, corporate headquarters

Examples include (small): Professional offices such as banks, credit unions, savings and loan associations and other financial and business services institutions, insurance offices, non-inventory sales, stock brokerage firms administrative, corporate headquarters, dentist, doctors, chiropractors, lawyers, engineers, radio studio without broadcasting towers and photographic studios. Such facilities are five thousand (5,000) square feet in size or less.

Open storage - All outdoor storage of building materials, equipment and other supplies.

Outdoor display - An area of designated size and location used for the display of merchandise.

Parking space - An area for parking of individual automobiles or motor vehicles, such space being exclusive of necessary drives, aisles, entrances, or exits and being fully accessible for the parking of permitted vehicles.

Parks, private - An area or parcel that may be open to the general public or may be restricted to members or employees and reserved for recreational, educational or scenic purposes. These parks are owned by private individuals, organizations, businesses or corporations.

Parks, public - An area or parcel open to the general public and reserved for the recreational, educational or scenic purposes.

Examples include: Play fields, play grounds and other recreational facilities.

Pawnshops - An establishment where merchandise is left as security for a loan of money and abandoned or resold if repayment of the loan has not been made within a specified period of time. Also see “Retail establishments, neighborhood”.

Personal service establishments - Personal service establishments are primarily engaged in providing services involving the care of a person or his or her personal goods, apparel or other belongings.

Examples include: Barber, beauty and nail shops or salons, nails, watch and shoe repair, tailor shops, locksmith, coin operated laundromats, laundry or dry cleaning customer outlets (pick-up stations only), laundry pick-up stations, self-serve dry cleaning center and the like, tanning, fitness or health clubs, physical culture or health establishments, reducing salons, gymnasiums, printing, tuxedo rental, tattoo parlors, masseurs, steam baths, upholstering, photographic studios and animal grooming and other uses similar to and compatible with the above establishments.

Pets - Shall mean only such animals as may commonly be housed within domestic living quarters.

Photography studios - A facility for the staging and production of photographic pictures, including indoor and outdoor areas with limited facilities for the processing of film.

Planned unit developments - A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.

Planning Commission - The Township Planning Commission established under the authority of Public Act #168 of 1959.

Porch, enclosed - A covered entrance to a building or structure which is totally enclosed 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.

Porch, open - A covered entrance to a building or structure which is unenclosed except for columns supporting the porch roof, or similar architectural feature and projects out from the main wall of said building or structures and has a separate roof or an integral roof with the principal building or structure to which it is attached.

Premises - A lot, together with all of the buildings, structures on it and other improvements.

Primary thoroughfare - A county primary road or a State or Federal Highway.

Public buildings - Buildings that house public services and uses usually in offices; but not including “utility and public service installations” or “educational and social institutions”.

Examples include: Ambulance stations, fire, police, post office and other municipal offices.

Public utility buildings and uses - A building or structure within which a public utility or transportation service deemed necessary for the public health, safety or general welfare (or some other essential service) is provided to the public by an entity under public franchise or ownership, including but not limited to facilities created for the generation, transmission and/or distribution of electricity, gas steam, communications, television, and water; the collection and treatment of sewage and solid waste; and the provision of roads, rails, air or mass transportation for the general public use. Accessory uses may include offices, truck and large equipment parking, fueling and maintenance and other related facilities.

Examples include: Electric transformer stations and substation; electric transmission towers; municipal sewage treatment plant and municipal building; and gas regulator and pumping station and municipal utility pumping stations and other uses similar and compatible with the above. These installations do not include outdoor storage yards

Race tracks - A course prepared for the racing of horses, dogs or vehicles, including accessory structures such as seating, parking, ticket booths, stables, garages, staging areas and other related facilities. Also see “Recreation and entertainment establishments, outdoor”.

Radio and television station - A building used for the production and transmission of radio or television broadcasts. Wireless communication towers, although often accessory to radio stations, are considered a separate use, requiring separate approval.

Radio TV broadcast towers - See “Wireless telecommunication towers”.

Railroad switching yard - An area of land, a portion of which is covered by a system of tracks that permits the switching, storing and assembly of railcars into railroad trains.

Recreation: Commercial outdoor recreation establishments (excluding golf related uses)

Outdoor recreation and entertainment establishments provide continuous, intermittent or seasonal recreation and/or entertainment-oriented activities largely in an outdoor setting. There may be concessions, restaurants, retail shops selling items related to the recreation or entertainment uses, office for management functions, spectator seating and service areas, including locker rooms and restrooms, caretaker’s quarters, maintenance facilities and other

facilities in addition to structures for the principal uses. Additional regulations apply to outdoor entertainment establishments that serve alcohol.

Examples include: Tennis courts, archery courts, shuffleboard, horseshoe courts, children's amusement park or other type of amusement and water parks, theme parks, fairground, zoos, animal racing facilities, go-carts, automobile or motorcycle tracks, race tracks, amphitheaters, airgun or survival games, batting cages, ski slopes, and skate board parks and other uses similar to and compatible with the above establishments.

Recreation: golf courses, country clubs, par three golf courses - See "Golf courses" and "Country clubs".

Recreation: golf driving ranges, miniature golf courses - See "Golf driving ranges" and "Golf courses, miniature".

Recreation: indoor commercial recreation - Indoor entertainment establishments providing recreation that diverts, amuses, entertains, or provides entertainment or other hospitality that may include food service or accommodations, but does not include drive-through establishments. Additional regulations apply to indoor establishments that serve alcohol.

Examples include: Bowling alleys, billiard halls, arcade or video game rooms, archery range (indoor) and other indoor entertainment establishments similar to and compatible with the above establishments.

Recreation: private or public recreation clubs - Clubs and/or organizations which focus on outdoor activities and are not for profit.

Examples include: Gun clubs, archery or bowmen clubs and other clubs and organizations that are similar and compatible with the above uses.

Religious institutions - Institutions that primarily provide meeting areas for religious activities for the general public. They may be associated with a convent (group housing) or provide caretaker housing or a parsonage on-site as an accessory use.

Examples include: Churches, synagogues, temples and mosques and other institutions similar to and compatible with the above establishments. Schools, day care centers, homeless shelters, soup kitchens and other uses sometimes associated with religious institutions are separate principal uses.

Rental and sales of automobiles, recreation and recreational vehicles, outdoors - Establishments involved in the sale or rental of automobiles, recreational vehicles and mobile homes. These establishments may have outdoor storage.

Examples include: Automobile and truck (used and new) sales, automobile rental, automobile wash establishments, rental equipment (commercial), trailer sales, and other business establishments that typically have large outdoor displays and other uses similar and compatible with the above establishments.

Rental businesses establishments, indoor - Businesses involved in the rental of equipment and goods which are fully enclosed within a building. Outdoor storage is not permitted.

Research and development establishments - An establishment or other facility that carries out the investigation in the natural, physical or social sciences which may include engineering and product development. Also see "Manufacturing (low intensity)".

Examples include: Pilot plants for testing of manufacturing processes related to, or resulting from, other uses permitted in district, research, development and testing facilities for industrial scientific and business or commercial establishments and other uses similar and compatible with the above establishments.

Residential, apartments - A group of rooms or suites which include bath(s) and kitchen facilities in a two-family or multiple dwelling arranged and intended for use as a residence by a single family or a group of individuals living together as a single housekeeping unit.

Residential, duplex - Two (2) residences attached by a common wall or ceiling/floor.

Residential, efficiency unit - A dwelling unit consisting of one (1) room, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room providing not less than three hundred fifty (350) square feet of floor area.

Residential, mobile home - A structure, transportable in one (1) or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

Residential, mobile home park - A parcel or tract of land under the control of a person upon which three (3) or more mobile homes are located on a continual non-recreational basis and which is offered to the public for that purpose, regardless of whether a change is made, therefore, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a mobile home.

Residential, mobile home subdivision - The development of property under the subdivision provisions of the Land Division Act (PA 288 of 1967) for the purpose of creating lots for siting mobile homes that may not meet the standards for a single family residence under this ordinance.

Residential, multiple family - A building used or designed as a residence for three (3) or more families living independently of each other and each doing their own cooking in said building. This definition includes three (3) or more family houses and apartment houses which share common entrances.

Residential, single family attached - An attached building designed for, or occupied exclusively by, one (1) family.

Residential, single family detached - A detached building designed for, or occupied exclusively by, one (1) family.

Residential, townhouses, patio or row houses - See “Residential, single family attached”.

Restaurants, conventional - An establishment serving prepared food or beverages for consumption on the premises and which may or may not include accessory “take-out” services.

Restaurants, drive-in - An establishment serving prepared food or beverages for consumption on the premises and which may or may not include accessory “take-out” services. These establishments differ from conventional sit-down and drive-through restaurants because the food served to the patron is brought by foot to his/her automobile and consumed therein or may have facilities to handle walk-up customers.

Restaurants, drive-thru - An establishment serving prepared food or beverages for consumption off the premises or in some cases on premises and so developed that its principle form of service delivery is to patrons driving up in a automobile and then receiving their meal from a window.

Retail establishments, convenience - A retail establishment offering for sale prepackaged food products and other items for off-premises consumption or use. Typically, these are usually short trip, high volume uses not more than three thousand five hundred (3,500) square feet in size. It is possible that a convenience retail establishment will share a building with another use, such as a gasoline service station.

Examples include: Party stores, newspaper stands, liquor outlets, drugstores, shops selling baked goods, shops selling beverages and books and other convenience retail establishments similar to and compatible with the above establishments.

Retail establishments, large - A retail establishment that generally services a regional market and is primarily involved in purchase and resale of goods. Services may be rendered incidental to the sale of such goods at the retail establishment. There may be processing or manufacturing of products incidental or subordinate to the selling activities but not on the scale of an establishment solely involved in manufacturing (see manufacturing definitions in this Article).

Examples include (large): Furniture stores, building supply establishments with outdoor storage and other large retail establishments over twenty five thousand (25,000) square feet.

Retail establishments, neighborhood - A retail establishment that is primarily engaged in the purchase and resale of goods or merchandise to the public for personal, household, or business use or consumption and rendering services incidental to the sale of such goods. There may be some processing of products incidental or subordinate to the selling activities. These retail businesses contain up to a total maximum of twenty five thousand (25,000) square feet, but an individual unit shall not exceed five thousand five hundred (5,500) square feet, including one (1) restaurant (drive-in types are prohibited) outside restaurant seating of up to thirty three (33) percent of the total capacity is allowed.

Examples include (neighborhood): Shops for the sale of baked goods, beverages, including liquor outlets, antique shops, books, bicycle shops, clothing and accessory stores, carpeting and rug sales, shoes, confection, grocery stores, food markets, supermarkets, wallpaper, butcher shops, drugs, flowers, food stuffs including meats, gifts, novelty shops, small household accessories, hardware, hobby equipment, jewelry, notions, optical goods, pawnshops, paint, photographic supplies, periodicals, sports cards and other like collectibles, sundry small household articles, sporting goods, musical instruments (sales and services), tobacco and meat markets and other retail and business service establishments similar to and compatible with the above use whose principal activity is the sale of merchandise.

Retention - The process of preventing stormwater from flowing off a parcel as a result of rain or snowmelt.

Retirement communities, mixed use - These facilities include a range of housing options and medical and household services to serve the elderly and retirees with a range of medical and social needs.

Riparian - To have rights to water, including access to a body of water.

Riparian Lot - A Lot that is contiguous to a body of water so as to provide the owner of the Lot riparian rights with respect to the body of water.

Sales & storage, low intensity-An establishment or place of business that is primarily engaged in the selling of merchandise, either retail or wholesale, and the storing of merchandise. There is little on-site sales activity with the customer present.

(Added: Ord. No. 683, 7-23-07)

Sawmills - A facility where logs are sawed into boards.

Senior housing - Housing type that provides individual dwelling units to allow seniors to live independently with regard to cooking, housekeeping, laundry and general activities of daily living.

Service or repair establishments - Establishments that service or repair appliances, electrical equipment or other mechanical equipment or consumer goods and preparation of certain goods. Includes customer drop-off and pickup as well as off-site service calls.

Examples include: Any service establishment of an office, showroom, or workshop nature of an electrician, plumber, decorator, baker or upholsterer and other uses similar to and compatible with the above establishments.

Setback, actual - The minimum horizontal distance between the principal building, excluding steps and unenclosed porches and the lot line. In the case of a lot adjacent to a lake, the setback is measured from the nearest point on the shore. In the case of a lot on a cul-de-sac or curvilinear street, the setback is measured from the midpoint of the lot width on the front lot line (see Figures 2-9, 2-10 and 2-11).

Setback, required - The minimum front, rear and side setbacks as required by the ordinance. In the case of a lot adjacent to a lake, the setback is measured from the nearest point on the shore or the actual lot line, whichever is closest. In the case of a lot on a cul-de-sac or curvilinear street, the setback shall be measured from the midpoint of the lot width on the front lot line (see Figures 2-9, 2-10, 2-11).

Figure 2-9

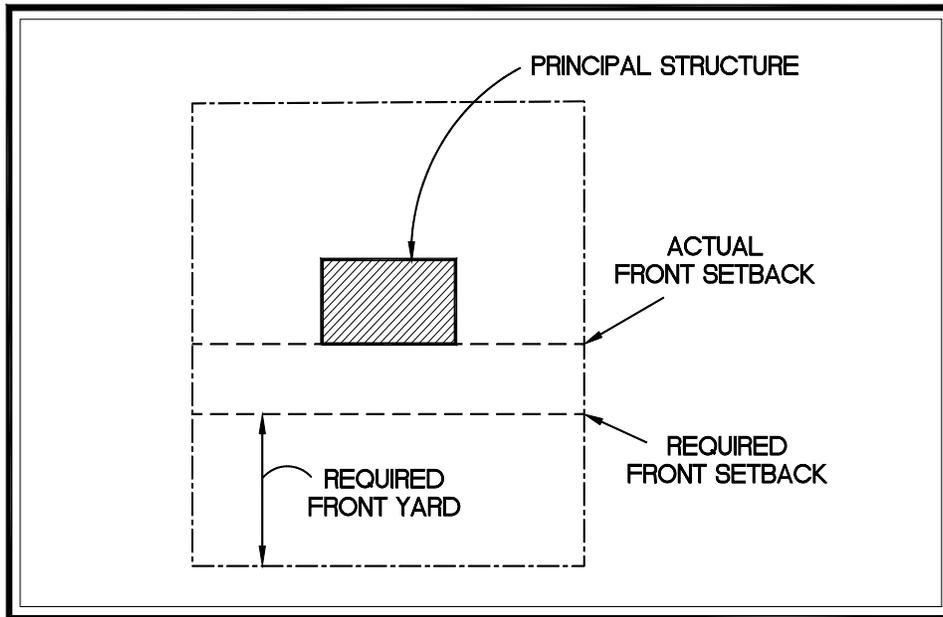


Figure 2-10

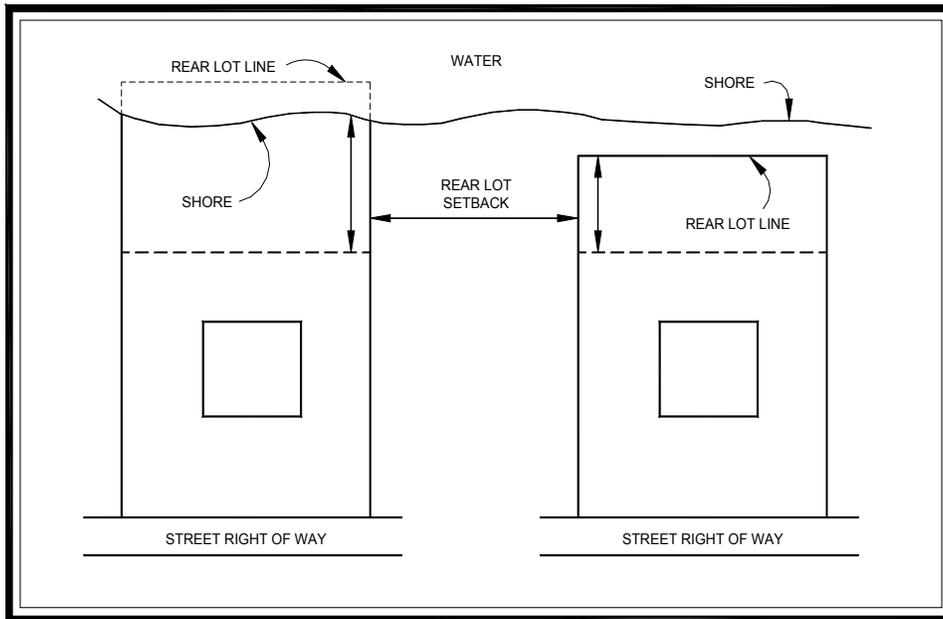
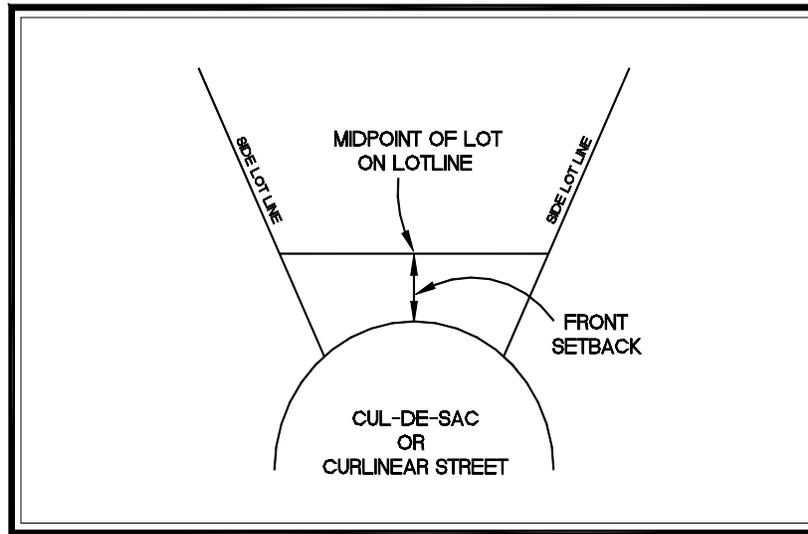


Figure 2-11



Shopping malls - A number of stores under one (1) roof which are all accessed by a common walkway.

Sight Line - A line across the width of a lake lot which connects the point closest to the lake on the foundation of the principle structure on either side of the lot or parcel of land upon which proposed structure is to be constructed (see Figure 2-12).

If there is no principle structures located on contiguous properties to the lot or parcel upon which the proposed structure is to be constructed the sight line will be established from the point closest to the lake on the foundation of the next principle structure within 300 feet on either side (see Figure 2-12A).

If there is not a principle structure within three hundred (300) feet on either side of the lot on which the proposed structure is to be built, the Zoning Administrator will establish a sight line intended to provide adequate protection of the view of the lake for future development in the area.

Figure 2-12

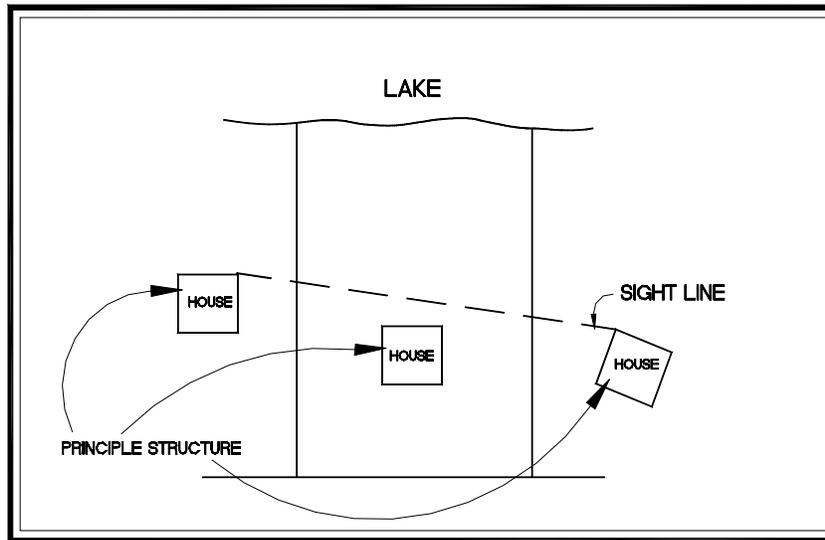
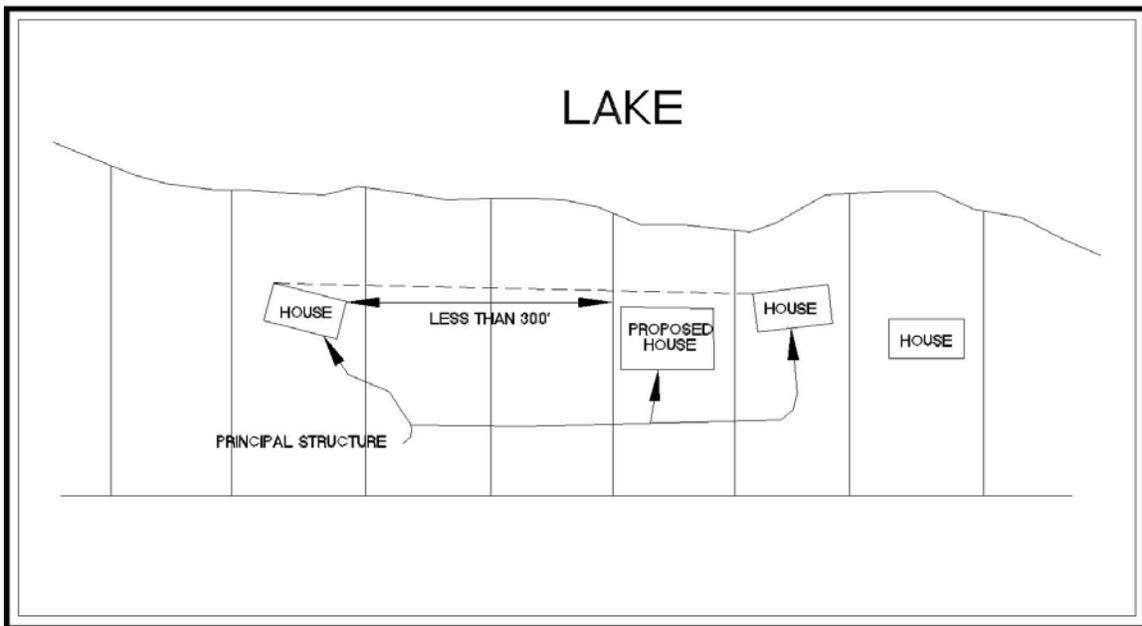


Figure 2-12A



(Amended: Ord. No. 679, 6-4-07)

Sign -A structure defined as a sign in the Township Sign Regulation Ordinance.

Slaughter houses - Any building used for the slaughter or the preparation of live animals for food consumption or other uses and for processing animals and the parts thereof to make them saleable for food or other uses. Retail sales shall be limited to items slaughtered on the premises of the establishment.

Soil removal - Shall mean removal of any kind of soil or earth matter, including topsoil, sand gravel, clay, rock or similar materials to a depth not greater than twelve (12) inches, except common household gardening and general farm care.

Soil, sand, clay and gravel or similar removal operations, quarry excavation - An operation under which material is removed from an area of land in connection with the production of soil, sand, clay or gravel by surface, open pit method or other mining methods.

Special Use Permit - Authority granted by the Planning Commission or Zoning Administrator (for administratively approved Special Use Permits) for a specific use on a specific parcel authorized by Special Use Permit in the zoning district in which the parcel is located.

Stables and/or riding academies - An accessory building in which horses are cared for and kept for either private and/or public use.

Stacking space - A space designed to accommodate a motor vehicle waiting to use a drive-through facility.

Stadiums and arenas including baseball, football or other large facility with public seating - Large indoor or outdoor facilities that are generally used for sport competition and contain some type of seating for spectators.

State equalized valuation - The value shown on the Township assessment roll as equalized through the process of State and County equalization.

State licensed residential facility - A structure constructed for residential purposes that is licensed by the State pursuant to the Adult Foster Care Facility Licensing Act (MCLA 400.701, et seq.) or the Child Care Organizations Act (MCLA 722.111, et seq.) that provides resident services or care for six (6) or fewer persons under twenty four (24) hour supervision for persons in need of that supervision or care. Typically these facilities are located in residential settings. A "State Licensed Residential Facility" that receives special zoning treatment as a residential use may include an adult foster care facility, foster family home, or foster family group homes.

Storage facilities (excluding outdoor storage) - A building or series of buildings containing separate storage spaces of varying sizes leased or rented as individual leases.

Storage facilities (with outdoor storage) - A lot that may include both buildings containing separate storage spaces and areas outside of buildings used for storage.

Story - That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor above it, or if there be no floor above it, then the space between the floor and the ceiling next above it (see Figure 2-1).

1. A “**Mezzanine**” shall be deemed a full story when it covers more than fifty (50) percent of the area of the story underneath said mezzanine, or, if the vertical distance from the floor next below it to the floor next above it is twenty four (24) feet or more.

Story, half - That part of a building between a pitched roof and the uppermost full story, said part having a floor area which does not exceed one half ($\frac{1}{2}$) the floor area of said full story.

Street - A public or private thoroughfare which affords traffic circulation and principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road, and other thoroughfare, except an alley.

Strip malls - A group of stores attached or separate, all of which are accessed from a separate outside entrance. Also see “Retail establishments, neighborhood” and “Retail establishments, large”.

Structure - Anything constructed or erected which requires permanent location on the ground or attachment to something having such location. A structure does not include physical improvements that are flush with the ground such as patios, sidewalks and driveways.

Structure, temporary - Anything constructed or erected which does not require permanent location on the ground or attachment to something having such location. A structure does not include physical improvements that are flush with the ground such as patios, sidewalks and driveways.

Structure, seasonal - Anything constructed or erected which does not require permanent location on the ground or attachment to something having such location and which is associated with a seasonal activity. A structure does not include physical improvements that are flush with the ground such as patios, sidewalks and driveways.

Structure alteration - Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders, or any change in the width or number of exits, or any structural change in the roof.

Subacute care facilities - A facility that provides services for medically complex patients who are stable enough for hospital discharge, but are too sick to go home. In the health care industry this is also know as “*transitional care*”. Also see “Long term care facilities”.

Temporary buildings - A building or structure permitted by procedures established in this Ordinance, to exist during a specified period of time.

Temporary outdoor use - A use carried out in an open uncovered area or temporary structure, which is discontinued when the designated time period, activity, or use for which the temporary structure was erected, has ceased.

Tents - A shelter of canvas or the like supported by poles and fastened by cords or pegs driven into the ground and shall not include those types of tents used solely for children's recreational purposes.

Theaters, indoor - A building or structure arranged for the presentation of motion pictures, plays or operas indoors. Also see "Recreation and entertainment establishments, indoor".

Theaters, outdoor - A building or structure arranged for the presentation of motion pictures, plays or operas in out-of-doors. Also see "Recreation and entertainment establishments, outdoor".

Tillable - Land which is able to be cultivated or used for grazing. Landforms such as steep slopes, lakes, ponds, rivers, streams or wetlands shall not be considered tillable land.

Towers - Any ground or roof mounted pole, spire, structure, or combination thereof taller than thirty (30) feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

Towing Service- An establishment that provides for the removal of motor vehicles by towing, carrying, hauling, or pushing from public or private property when requested by the vehicle owner or ordered to be impounded to a public or private impound lot. This may also include the temporary storage of vehicles but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles. This service shall not include an "automotive service" use that has a tow truck and repairs vehicles on site.

(Added: Ord. No. 683, 7-23-07)

Township - The Charter Township of Fenton.

Township Board - The Board of Trustees of the Charter Township of Fenton.

Truck Terminal - A facility for the receipt, transfer, short term storage and dispatching of goods transported by truck.

Use - The purpose for which land or premises of a building thereon is designed, arranged, or intended or for which it is occupied, maintained, let or leased.

Variance - An authorization permitting change in the requirements of this Ordinance by the Zoning Board of Appeals in cases where the general requirements of this Ordinance and the literal enforcement of such would result in a practical difficulty upon the variance applicant.

Variance, use - Authorization from the Zoning Board of Appeals to establish use in a zoning district in which the use is otherwise prohibited.

Veterinary clinic - A facility for the examination and treatment of animals, excluding temporary boarding facilities.

Veterinary hospitals - A facility for the examination and treatment of animals, including temporary boarding facilities.

Wildlife habitat - An area that, because of climate, soils, vegetation, relationship to water and other physical properties, has been identified as important to the maintenance of wildlife species.

Wireless telecommunication antennae - see “Communications towers”

Wireless telecommunication towers - see “Communications towers”

Wholesale and warehousing - Wholesale and warehousing establishments or places of business that are primarily engaged in the selling of merchandise to retailers or storing of merchandise, to industrial, commercial, institutional, or professional business users, to other wholesalers, or acting as agent or broker and buying merchandise for, or selling merchandise to such individuals or companies. There is little on-site sales activity with the customer present. Accessory uses may include offices, truck fleet parking, fueling and maintenance.

Examples include: The sale of wholesale or warehousing of automotive equipment, dry goods and apparel, groceries and related products, raw farm products except livestock, electrical goods, hardware, plumbing, heating equipment and supplies, machinery and equipment, petroleum bulk stations and terminal, tobacco and tobacco products, beer, wine and distilled alcoholic beverages, paper and paper products, furniture and home furnishings and parcel delivery services, any commodity the manufacture of which is permitted in this zoning district.

Woodworking - A business involved in the construction of furniture small portable structures and similar products, primarily out of wood.

Yard - An open space of identified width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings, and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein. This regulation shall not exclude eaves provided that an eight (8) foot height clearance is provided above the adjacent ground level.

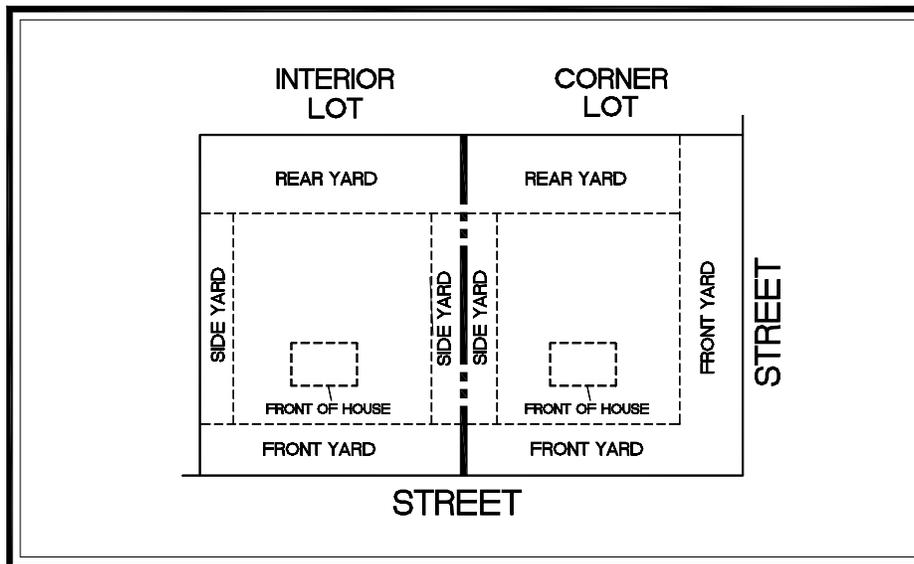
Yard, front - An open space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building (see Figure 2-13).

Yard, rear - An open space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building (see Figure 2-13).

Yard, required - See “Setback, required”.

Yard, side - An open space between a 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 (see Figure 2-13).

Figure 2-13



Zoning Board of Appeals -The Zoning Board of Appeals for the Township established under the authority of Public Act 168 of 1959.

Zoning district - A portion of the Township within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established by this Ordinance.

Zoning Permit - Written verification from the Township Zoning Administrator or their designee, that a proposed land use, new construction, addition, or excavation or grading of property complies with the terms of this ordinance. The instances where a zoning permit is required is outlined in Section 7.02

(Amended Ord. No. 606, 6-16-03; Ord. No. 621, 6-7-04, Ord. No. 679, 6-4-07; Ord. No. 683, 7-23-07)