

ARTICLE XVII

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

SECTION 17.01 Rules Applying to Text

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

1. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
2. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicate the contrary.
3. The word "building" includes the word "structure".
4. A "building" or "structure" includes any part thereof.
5. The word "person" includes a corporation as well as an individual.
6. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".
7. Any word or term not defined herein shall be used with a meaning of common or standard utilization.

SECTION 17.02 Construction of Language (Definitions)

For the purposes of this Ordinance the following terms and words are defined as follows:

1. **ACCESSORY BUILDING:** A subordinate building, the use of which is clearly incidental to that of the principle building or to the use of the land and which is attached securely to a permanent masonry foundation or similar permanent footings. An accessory building may not be constructed prior to the construction of the principal building and use.
2. **ACCESSORY USE:** A use subordinate to the principle use on a lot and used for the purpose clearly incidental to those of the main use.
3. **AGRICULTURAL:** Includes purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, and animal and poultry husbandry.

4. ALLEY: A public or legally established private thoroughfare, other than a street, which affords a secondary means of access to abutting property.
5. ALTERATIONS: Any change, addition or modification in construction, any change in the structural members of a building, such as walls, or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed".
- 5A. ANIMAL UNIT: Defined as the unit of measurement as to the size of an animal feeding operation as specified in Section 16.20.
6. ANIMATED SIGNS: Any sign having a conspicuous and intermittent variation in the illumination of the physical position of any part of the sign.
7. APARTMENT: (See dwelling, Multiple Family)
8. AREA, NET SITE: The total area within the property lines of a project excluding external streets.
9. AUTOMOTIVE OR TRAILER SALES AREA: Any space used for display, sale, or rental of motor vehicles or trailers, in new or used and operable condition.
10. AUTOMOTIVE REPAIR: General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service such as body, frame or fender straightening and repair, overall painting and undercoating of automobiles when carried on in a completely enclosed room or building.
11. BASEMENT: That portion of a building which is below the first story, the ceiling of which is less than five (5) feet above the surrounding ground elevation at all points and where more than one-half of the height of the story is below the ground line.
- 11A. BED AND BREAKFAST: A building, other than a hotel, where lodgings and light breakfasts are served regularly for compensation.
12. BILLBOARD: Any construction or portion thereof upon which a sign or advertisement used as a outdoor display for the purpose of making anything known of the general public is affixed. This definition does not include any bulletin boards used to display official court or public office notices.
13. BUILDING: Any structure, either temporary or permanent, erected on site, a mobile home or mobile structure, above or below ground, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.

14. **BUILDING COVERAGE:** That percentage and of the plot or lot area covered by the building area.

15. **BUILDING HEIGHT:** The vertical distance measured from the established sidewalk grade to the highest point of the roof surface for flat roofs: to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip and gambrel roof. Where a building is set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building, provided such average elevation shall not exceed the established sidewalk grade at the center of the front of the building by more than one (1) inch for each front foot that building sets back from the front lie.

16. **BUILDING PERMIT:** A permit for commencing construction issued in accordance with a plan for construction that complies with all the provisions of this Zoning Ordinance.

16A. **BUILDING, PRINCIPAL:** One building in which is conducted the principal use of the lot in which it is situated.

17. **CHURCH:** A building wherein people regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such principal purpose.

18. **CLUB OR LODGE, PRIVATE:** A non profit association of persons who are members paying annual dues, which owns, hires or leases a building or portion therein, the use of such premises being restricted to members and their guests. The affairs and management of such "private club or lodge" are conducted by a board of directors, executive committee or similar body chosen by the members at a meeting. It shall be permissible to serve food and meats on such premises provided adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed provided it is secondary and incidental to the promotion of some other common objective by the organization and further provided that such sale of the alcoholic beverage is in compliance with the applicable Federal, State and Municipal laws.

18A. **COMMERCIAL FARM:** A farming operation requiring the full time of the owner manager or renter and a hired employee.

18 B. **COMMON ELEMENT:** An unoccupied area within a site condominium project which is reserved for the enjoyment of all residents (general common element) or by some residents (limited common element) and maintained by those residents through associations.

19. **CONDITIONAL USE:** A use which is subject to conditional approval by the Township Board. A conditional use may be granted when specified by this Ordinance and for those uses not specifically mentioned. A permitted conditional use is not considered to be a non-conforming use.

19A. **CONDOMINIUM UNIT:** That portion of a condominium project or site condominium development which is designed and intended for separate ownership and use, as described in the master deed, regardless of intended use. The terms "condominium unit" and "site condominium" shall be considered the equivalent of the terms "dwelling unit" and "lot" for purposes of determining minimum lot area.

20. **COURT:** An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such buildings.

21. **COURT, OUTER:** A court enclosed on not more than three (3) sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable, with one (1) side or end open to a street, driveway, alley or yard.

22. **DISTRICT:** A portion of the incorporated part of the township within which certain regulations and requirements or various combinations thereof apply under the provision of this Ordinance.

23. **DRIVE-IN:** An establishment of the "drive-in" type is one which accommodates the patron's automobiles in the off-street parking area accessory to the business from which the occupants may receive in the vehicle on the same premises

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

25. **DWELLING - SINGLE-FAMILY:** A building containing not more than one (1) dwelling unit designed for residential use, complying with the following standards:

- A. It complies with the minimum square footage requirements of this Ordinance for the zone in which it is located.
- B. It has a minimum width across any front, side or rear elevation of twelve (12) feet and complies in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under the provisions of 1972 PA 230, as amended, including minimum heights for habitable room. Where a dwelling is required by law to comply with federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Michigan State Construction, then and in that event such federal or state standards or regulations shall apply.

- C. It is firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
- D. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism, under carriage or chassis.
- E. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- F. The dwelling contains a storage capacity area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to 10% of the square footage of the dwelling or 100 square feet, whichever shall be less.
- G. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof over-hang of not less than six inches on all sides, or alternatively with window sills and roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling; has not less than two exterior doors with second one being in either the rear or side of the dwelling; and contains permanently attached steps connected to said exterior door areas or to porches connected to said door areas where a difference in elevation requires the same.

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

- H. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
- I. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within the connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- J. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in the ordinance of the Township pertaining to such parks.
- K. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Michigan State Construction Code provisions and requirements.

26. DWELLING, TWO-FAMILY: A building containing not more than two separate dwelling units designed for residential use and conforming in all other respects to the standards set forth in this ordinance.

27. DWELLING, MULTI-FAMILY: A building containing three or more dwelling units designed for residential use and conforming in all other respects to the standards set forth in this ordinance.

28. ESSENTIAL SERVICES: The phrase "essential services" means the erection, construction, alteration or maintenance by public utilities or municipal department or commissions of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings, reasonable necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare. Telecommunication towers and similar facilities developed for private enterprise shall not be considered essential services.

29. FAMILY: One person, or group of two or more persons living together who may or may not be inter-related by bonds of consanguinity, marriage, or legal adoption, occupying the whole or part of a dwelling as separate housekeeping unit with a common

and a single set of culinary facilities. The persons thus constituting a family may also include foster children and domestic servants. This definition does not include the occupants of a rooming or boarding house as a family unit.

30. **FARM:** All of the contiguous neighboring or associated land operated as a single unit on which agriculture is carried on directly by the owner-operator, manager or tenant farmer, by his own labor or with the assistance of members of his household or hired employees; provided however, that land be considered a farm hereunder shall include a continuous parcel of ten acres (10) or more in area.

31. **FLOOD PLAIN:** That portion of land adjacent to a water body or water course which is subject to periodic inundation.

32. **FLOOR AREA:** The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The "floor area" of a building shall include the area of any floor when more than one-half (1/2) of the room height is above the established curb level, or above the finished lot grade level where curb levels have not been established. "Floor area" shall include elevator shafts and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed located on the roof), penthouses, attic space having headroom of seven (7) feet, six (6) inches or more, interior balconies and mezzanines. Any space devoted to off-street parking or loading shall not be included in "floor area".

33. **FRONTAGE:** All the property fronting one (1) side of the street between intersecting or intercepting streets, or between a street intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage of the side of the street which it intercepts.

34. **GARAGE, COMMERCIAL:** Any garage, other than a private garage available to the public, operated for gain, and used for storage, repair, rental, greasing, washing, sales, servicing, adjusting, or equipment of automobiles or other motor vehicles.

35. **GARAGE, PRIVATE:** An accessory building not over one (1) story or fifteen (15) feet in height used for parking or storage of vehicles as may be required in connection with the permitted use of the principal building.

36. **GASOLINE SERVICE STATION:** Any building, or premises used for the dispensation, sale or offering for sale at retail of any motor fuels, oils or lubricants. When the dispensing, sale or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

37. **GRADE:** The ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

38. **GREENBELT BUFFER:** A strip or parcel of land privately restricted or publicly dedicated as open space, located between land uses or the purpose of protecting the character of adjacent residential or other uses. Said greenbelt buffer shall include, but not be limited to the following materials: open space with maintained grass cover, evergreens, deciduous trees, shrubs, bushes.

39. **GROUP HOUSING:** Two or more multiple dwellings on a parcel of land under single ownership.

39A. **HIGH DENSITY ANIMAL FEEDING OPERATION:** AN ANIMAL FEEDING OPERATION THAT HOUSES OR CONFINES ANIMALS WHOSE NUMBERS TOTAL 1,000 or more animal units: as defined in Section 16.20.

40. **HIGHWAY:** (See "Street Major")

41. **HOME OCCUPATION:** An occupation that is secondary to the principal residential use. (See Section 16.21)

42. **HOSPITAL:** An institution providing health services, primarily for in-patients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities, central services facilities and staff offices.

43. **HOTEL - MOTEL:** A building containing primarily rooming units with the number of dwelling units being not greater than ten percent (10%) of the total number of rooming units, and with the exception of the unit occupied by the management staff, used only for the accommodation of transients.

44. **INDUSTRIAL PARK:** A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors.

45. **JUNK YARD:** Any land or buildings where waste, used or second hand materials are bought and sold, exchanged, stored, baled, parked, disassembled or handled including, but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" includes automotive wrecking yards and includes any area of more than five hundred (500) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

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

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

48. LOT: A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) principal building together with its accessory buildings, and providing the open spaces, parking and loading spaces required by this Ordinance. Said parcel of land may consist of one or more lots of record according to any recorded plat, but for the purpose of this Ordinance shall be deemed one parcel or lot if title to the property is held under one deed.

49. LOT, CORNER: A lot where the interior angle of two adjacent sides at the intersection of the two streets is less than one hundred thirty five (135) degrees. A lot abutting upon a curved street, or streets, shall be considered a corner lot for the purposes of this Ordinance if the arc is of less radius than one hundred fifty (150) feet and the tangents to the curve at the two points where the lot lines meet the curve or the straight street line extended from an interior angle of less than one hundred thirty five (135) degrees.

50. LOT, INTERIOR: Any lot other than a corner lot.

51. LOT LINES: The lines bounding for as defined herein.

Front Lot Line: In the case of an interior lot, the line separating said lot from the street, in the case of a corner lot or double frontage lot, the line separating said lot from that street which is designated as the front street in the plot and the request for zoning compliance permit. In the case of lots bordering on a lake, river, or canal; the established water or shore line shall be designated as the rear of such lots.

Rear Lot Line: The lot line opposite the front lot line. In the case of a lot irregularly shaped at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.

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

52. LOT AREA: The total horizontal area within the lot lines of a lot.
53. LOT COVERAGE: That part or percent of the lot occupied by buildings or structures including accessory buildings or structures.
54. LOT DEPTH: The horizontal distance between the front and rear lot lines, measured along the median between side lot lines.
55. LOT OF RECORD: A lot or parcel existing prior to the adoption of this Ordinance and recorded in the office of the County Register of Deeds. For the purposes of this Ordinance, land contracts and purchase options not recorded in the County Register of Deeds Office, but dated and executed prior to the effective date of this Ordinance shall also constitute a lot of record.
56. LOT WIDTH: The horizontal distance between the side lot lines, measured at the frontage of the lot at the road right-of-way.
- 56A. MASTER DEED: The condominium document recording the condominium project as approved by Wheatland Township which is attached as exhibits and incorporated by reference in the approved bylaws for the project.
57. MASTER PLAN: The statement of policy by the Township Planning Commission relative to the agreed upon desirable physical pattern of future community development. Consists of a series of maps, charts and written material representing in summary form the soundest conception to the community as to how it should grow in order to bring about the very best community living conditions.
- 57A. MINI STORAGE WAREHOUSE FACILITY: A building or a group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized and controlled access stalls or lockers for the dead storage of customers goods or wares with provision that all such goods and wares are enclosed within a building.
58. MOBILE HOME: A vehicular, portable structure built on a chassis and designed to be used without a permanent foundation as a dwelling when connected to required utilities and which is, or is intended to be attached to the ground, or another structure, or to a utility system on the same premises for more than thirty (30) consecutive days. Mobile homes which do not conform to the standards of this Ordinance shall not be used for dwelling purposes within the township unless located within a mobile home park or a mobile home plat zoned for such uses, or unless for temporary residence purposes as hereinafter provided.
59. MOBILE HOME PARK: Any subdivision of land for purposes of locating three (3) or more mobile homes, pursuant to the requirements of meeting the State of

Michigan Mobile Home Commission Rules.

60. NON-CONFORMING BUILDING: A building or portion thereof, existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions of the Ordinance nor to the use regulations of the district which it is located.

61. MODULAR HOUSING UNIT: A unit constructed solely within the factory in various sized modules, which are then transported by flatbed, or other means, to the site where they are assembled on permanent foundations, to form single family dwellings which are either attached (in rows or clusters) stacked or detached.

62. NON-CONFORMING USE: A use which lawfully occupied a building or land at the time of this Ordinance or amendments thereto became effective, and which does not conform to the use regulations of the district in which it is located.

NURSING OR CONVALESCENT HOME: A structure with sleeping rooms where persons are housed or lodged and furnished meals and nursing care for hire.

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

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

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

67. PLANNED UNIT DEVELOPMENT: This is a tract of land which includes two (2) or more principal buildings, developed under single ownership or control: the development of which is unique and of a substantially different character than that of surrounding area, and where the specific requirements of a given district may be modified and where the minimum area is fixed. Such development shall be based on a plan which allows for flexibility of design not available under normal zoning district requirements. A site condominium project shall comply with the requirements for planned unit development.

68. PRINCIPAL USE: The main use to which the premises are devoted and the main purpose for which the premises exist.

68A. PRIVATE DRIVEWAY: A driveway or access of no less than twenty (20) feet in width, defined by a recorded easement or shared driveway agreement, serving no more than two (2) single family dwelling units or individual lots, which meet the site development regulations for the district in which they are located.

68B. PRIVATE ROAD: A road or access defined by a right-of-way of not less than sixty-six (66) feet in width and serving three (3) or more residential units or two (2) or more commercial or industrial units. Such private road shall adhere to the standards of the Hillsdale County Road Commission for construction of a gravel road.

69. PUBLIC PARK: Any park, playground, beach, outdoor swimming pool, parkway within the jurisdiction and control of a governmental agency authorized by State statutes to own and maintain parks.

70. PUBLIC SEWER SYSTEM: A public sewer system shall be defined as a central or community sanitary sewage and collection system of pipes and structures including pipes, conduits, manholes, pumping stations, sewage and waste water treatment works, diversion and regulatory devices, and outfall structures, collectively or singularly, actually used or intended for use by the general public or a segment thereof, for the purpose of collection, conveying transporting, treating or otherwise handling sanitary sewage or industrial liquid wastes of such a nature as to be capable of adversely affecting the public health; operated and maintained by the general public.

71. PUBLIC UTILITY: Any person, firm, or corporation, municipal department, board or commission duly authorized to furnish ad, furnishing under State or municipal regulations to the public gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

72. RECREATION AREA, PRIVATE: All lands and structures which are owned and operated by private individuals, a business or corporation which are predominately intended to accommodate recreational vehicles and provide for outdoor recreational activities.

73. RECREATION VEHICLE: All those small mobile units principally designed for recreation pastime such as motor homes, camper trailers, pick-up campers, pop-up campers, pop-up tent trailers, and similar camping type vehicles or trailers.

74. RETAIL & RENTAL STORE: Any building or structure in which goods, wares or merchandise are sold to the ultimate consumer for direct consumption and not for resale.

75. RIGHT-OF-WAY: A road, street, or other public easement permanently established for passage of persons or vehicles

76. **ROAD:** A public right-of-way of sixty-six (66) feet or more which has been dedicated for the purposes of providing access to abutting private lots of land including space for pavement and sidewalks.
77. **ROADSIDE STAND:** A permanent structure which is used seasonally for the sale of produce. The use of a roadside stand shall not constitute a commercial district.
78. **ROOMING HOUSE:** A building, or part thereof, other than a hotel, where sleeping accommodations are provided for hire and where meals may be regularly furnished.
79. **ROOMING UNIT:** Any room or group of rooms, forming a single habitable unit used for living and sleeping, but which does not contain cooking or eating facilities.
80. **ROWHOUSE, (TOWN HOUSE):** An attached house in a row or group, each house containing not more than two dwelling units and each house separate from adjoining houses in the same row or group by common fire walls or fire separations.
81. **SETBACK:** The minimum horizontal distance between the street, rear or side lines of the lot and the front, rear or side lines of the building. When two or more lots under one ownership are used, the exterior property lines so grouped shall be used in determining offsets.
82. **SCHOOL:** A building used for the purpose of elementary or secondary education which meets all requirements of compulsory education laws of the State of Michigan, and not providing residential accommodations.
83. **SHOPPING CENTER:** A group of commercial establishments, planned, developed, owned and managed as a unit, with off-street parking provided on the property, and related in its location, size and type of shops to the trade area which the unit serves.
84. **SIGNS:** Any words, numbers, figures, devices, or trademarks by which anything is made known, other than billboards, such as are used to show an individual firm, professional business and are visible from the exterior of the structure.
- 84A. **SITE CONDOMINIUM PROJECT:** A plan or project consisting of not less than three (3) single family units and established in conformance with the Michigan Condominium Act (P.A. 59 of 1978 as amended). Such development shall comply with the requirements for planned unit development.
85. **STORY:** That part of a building, including between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above.

86. STREET: A thoroughfare which affords the principal means of access to abutting properties.
87. STREET, MAJOR: A public way, the principal use of which is to provide an arterial route for through traffic and has as its secondary use the provision of access to abutting properties.
88. STREET, MINOR: A public way, the principal use of which is to give access to abutting properties.
89. STRUCTURE: (See Building)
90. STRUCTURAL ALTERATION: The erection, strengthening, removal or other change of the supporting elements of a building, such as footings, bearing walls, beams, columns, and the like.
91. SWIMMING POOL: Any artificially constructed, portable or non-portable pool capable of being used for swimming or bathing, having a depth of three (3) feet or more at any point.
- 91A. TELECOMMUNICATION TOWER: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio or similar communication purposes. Such structures may be freestanding, such as self-supporting lattice or guyed towers or monopole towers, or attached to an existing structure, such as other towers, steeples, light or utility poles or similar alternative design mounting structures that may camouflage or minimize the appearance of the antennas or towers.
- 91B. TEMPORARY BUILDING OR TRAILER OFFICE: A building which is temporarily located on a lot for seasonal, immediate or emergency purposes, with such use existing no longer than one (1) year from date of location.
92. TRAILER COACH: Same as Mobile Home.
93. TRAILER COACH PARK: Same as Mobile Home Park.
94. UNDEVELOPABLE LAND: Land which has soil types or a high water condition which presents severe limitations on septic tank and tile fields.
95. USABLE FLOOR AREA: The area for the purpose of computing parking and off-street loading and unloading space, is that area used for or intended to be used for the sale of merchandise or services or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise or utilities shall be excluded from this computation of "usable floor area". Measurement of floor area shall be the sum of the gross horizontal areas of

the several floors of the building measured from the interior faces of the exterior walls.

96. USE: The purpose for which land or premises of a buildings thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

97. VARIANCE: A modification of the literal provisions of this Ordinance which the Zoning Board of Appeals is permitted to grant when strict enforcement of said provisions would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought.

98. YARD: An open space on the same lot with the main building, unoccupied and unobstructed from the ground upward except as otherwise provided in the Ordinance.

Front Yard: A yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.

Rear Yard: A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building.

Side Yard: A yard between the main building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest point of the main building.

99. ZONING DISTRICT: (See District).