

ARTICLE II  
DEFINITIONS

SECTION 2.10      USAGE:

For the purpose of this Ordinance, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted and defined as set forth in this section.

Unless the context clearly indicated to the contrary, words used in the present tense include the future tense; words used in the singular number include the plural; and words used in the plural number include the singular; the work "herein" means this Ordinance; and the word "this Ordinance" shall mean "the Ordinance text, tables and maps included herein, as enacted or subsequently amended".

A "person" includes a corporation, a partnership, and an unincorporated association of persons such as a club; "shall" is always mandatory; a "building site" includes a plot, lot or parcel, a "building" includes a structure; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used for occupied".

The "Township" is Raisin Charter Township in the County of Lenawee, State of Michigan; and "Township Board", "Board of Appeals", and "Planning Commission" are respectively the Township Board, Board of Appeals, and Planning Commission of Raisin Charter Township.

Any words not defined in this ordinance shall be construed as defined in the Housing Law of Michigan, Act 167, Public Acts of 1917, as amended.

SECTION 2.20      TERMS AND WORDS DEFINED:

2.20.01      Accessory Building

A detached subordinate building or structure on the same premises with a main building, occupied or devoted to an accessory use which is appropriate, supplemental and customarily related to the use at the main building or premises. Where an accessory building is attached to a main building in a substantial manner by a wall or roof, such accessory building shall be considered part of the main building, including a carport, covered porch or other roofed structure.

2.20.02      Accessory Use, or Accessory

A. A use which is clearly incidental to, customarily found in connection with, and (except in the case of accessory off-street parking spaces or loading) located on the same zoning lot as, the principal use to which it is related. When "accessory" is used in this text, it shall have the same meaning as accessory use.

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

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

3. Domestic or agricultural storage in a barn, shed, tool room, or similar accessory building or other structure.
  4. Home occupations as defined herein.
- B. An accessory use to a nonresidential principal use includes, but is not limited to the following:
1. Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations.
  2. Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.
  3. Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located.
  4. Uses clearly incidental to a main use such as, but not limited to: offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
  5. Accessory off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located.

2.20.03 Adult Foster Care Facility

A governmental or private facility for adults who are aged, emotionally disturbed, developmental disabled, or physically handicapped and who require supervision but not continuous nursing care.

2.20.04 Alley

A strip of land over which there is a right-of-way, public or private, on which generally no dwelling or land uses front, serving as a rear entrance to one or more properties.

2.20.05 Alterations

Any change, addition, or modification in construction of type of occupancy; and any change in the roof or supporting members of the building or structure, such as bearing walls, partitions, columns, beams, girders, or any change which may be referred to herein as "altered" or "reconstructed".

2.20.06 Animal

Dog, cat, bird, reptile, mammal, fish or any other dumb creature.

2.20.07 Automotive Facilities

A. Automobile or Trailer Sales Area

An area used for the display, sale or rental of new and used motor vehicles, boats or trailers, recreation vehicles (including mobile homes) in operable condition and where no repair work is done.

B. Automobile Repair - Major

Any activity involving the general repair, rebuilding or reconditioning of motor vehicles, engines, or trailers; collision services, such as body, frame, or fender straightening and repair, overall painting and vehicles rustproofing.

C. Automobile Repair - Minor

Any activity involving minor repairs to motor vehicles and the incidental replacement of parts of such vehicles. A place where either gasoline or any other fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and applied directly into motor vehicles, including sale of accessories, greasing, oiling and minor automotive repair on the premises.

D. Automobile Wash Establishment

A building, or portion thereof, the primary purpose of which is that of washing motor vehicles.

2.20.08 Base Flood

A flood having one percent chance of being equalled or exceeded in any given year.

2.20.09 Basement or Cellar

A portion of a building having more than one-half (½) of its height below grade.

2.20.10 Bedroom

A room or area within a dwelling unit designed and intended to provide sleeping accommodations for one or more human beings.

2.20.11 Block

The property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdivided acreage, lake, river or live stream; or between any of the foregoing and other barrier to the continuity of development, or boundary lines of Raisin Charter Township.

2.20.12 Bed and Breakfast Facility

A building, typically a large single family dwelling, where lodgings and light breakfasts for persons, other than family, are regularly served for compensation.

2.20.13 Board of Appeals

The Raisin Charter Township Board of Appeals, the members of which have been duly appointed by the Township Board and which is authorized as a body to interpret, hear appeals, and grant variances only in accordance with the provisions of this Ordinance.

2.20.14 Building

An independent structure having a roof supported by columns or walls resting on its own foundation; including tents, awnings, or vehicles used as house trailers or mobile homes which have a primary function as shelter as well as being a means of convenience.

2.20.15 Building, Existing

An "existing" building is any building actually constructed or the construction of which is started previous to the effective date of this Ordinance: Provided, that the construction of any such building continues uninterrupted and is completed within six (6) months from such date. Any building damaged by fire, collapse, or decay to the extent of its full assessed value as of record at the time of damage shall not be considered an existing building.

2.20.16 Building, Height

Building height is the vertical distance from the average elevation of the adjoining grade paralleling the front, or if on a street corner, the front and side, of the building, to the highest point of the roof surface if the roof is flat; to the deck line, if the roof is the mansard type; or the midway point between the eaves and the ridge if the roof is gable, hip or gambrel type.

2.20.17 Building Line

A line parallel to the front lot line, and which marks the location of the building.

2.20.18 Building Inspector

The officer charged with the administration and enforcement of the building code, or his/her duly authorized representative.

2.20.19 Building Permit

A permit signifying compliance with the provisions of this Ordinance as to use, activity, bulk and density, and with the requirements of all other development codes and ordinances currently in effect in Raisin Charter Township.

2.20.20 Building Site

A lot, or a two dimensional condominium unit of land (i.e. envelope, footprint) with or without limited common element designed for construction of a principal structure or a series of principal structures plus accessory building. All building sites shall have access to public or private roads.

2.20.21 Church

A building used principally for religious worship, but the word "church" shall not include or mean an undertaker's chapel or funeral building.

2.20.22 Clinic

A building or group of buildings where human patients are admitted, but not lodged overnight for examination and treatment by more than one (1) professional, such as a physician, dentist or the like.

2.20.23 Commercial Use

A commercial use relates to the use of property in connection with the purchase, sale, barter, display, or exchange of goods, wares, merchandise or personal services or the maintenance of offices or recreational or amusement enterprises.

2.20.24 Commercial Vehicle

Any motor vehicle other than a motorcycle or passenger automobile designed or used primarily for transportation of persons or property.

2.20.24-1 Communication Tower

Communications Tower: A radio, telephone, cellular telephone, or television relay structure or skeleton framework, or monopole attached directly to the ground or another structure, used for transmission or reception of radio, telephone, cellular telephone, television, microwave, or any other form of telecommunication signals. This definition shall not include dishes, antennas, aerials, or similar reception or transmission structures used for non-commercial purposes, serving a single residential or business premise, such as amateur radio or two-way communication and/or dispatch systems for internal business or family use, and that does not exceed the height limitations for the appropriate zoning district.

2.20.25 Conditional Use Permit

A use permitted only where specified facts and conditions, detailed in this Ordinance, are found to exist. The facts and conditions set forth in this Ordinance for the Conditional Use must be met without modification or alteration, unless a Variance, as hereinafter defined, is obtained pursuant to the provisions of ARTICLE X.

2.20.26 CONDOMINIUM TERMS

A. Condominium Unit

That portion of the condominium project designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, or any other type of use approved by the Michigan Department of Commerce.

B. Common Elements

Portions of the condominium project other than the condominium units.

C. Site Condominium Project

A plan or project consisting of not less than two (2) single family units established in conformance with the Michigan Condominium Act P.A. 59 of 1978, as amended.

2.20.27 Construction

The building, erecting, altering, repairing, renovating (or demolition or removal) of any building, structure or structural foundation; or the physical excavating, filling and grading of any lot other than normal maintenance shall constitute construction.

2.20.28 Convalescent or Nursing Home

A home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders wherein seven (7) or more persons are cared for. Said home shall conform and qualify for license under State Law.

2.20.29 Curb Level (Grade)

The mean level of the established curb in front of the building. Where no curb has been established the Township Building Inspector shall establish such curb level for the purpose of these regulations.

2.20.29-1 Driveway Easement

Any dedicated public or private way other than a street, providing a means of access to a property. Multiple lots (more than one lot) must have a right-of-way width of not less than 60 feet and road base of not less than 28 feet with 20 feet of road surface and two four-foot shoulders. Curves in the road shall have a minimum radius of 75 feet to meet AASHTO standards. Composition of road base shall be six inches of 22A aggregate followed by six inches of 411 to comply with the requirements of the Lenawee County Road Commission. Cul-de-sacs are required to have a minimum radius of 75 feet.

2.20.30 Day Care Facility

A. Child Care Center

A facility, other than a private residence, receiving one (1) or more preschool or school aged children for care for a period of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. Child Care Center includes a facility which provides care for not less than two (2) consecutive weeks regardless of the number of hours of care per day. The facility includes child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop in center.

B. Family Day Care Home

A private home in which one (1) to six (6) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

C. Group Day Care Home

A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

2.20.28 Development

Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

2.20.29 Dwelling

A house or building, or portion thereof, which is occupied wholly as the home, residence, or sleeping place by one (1) or more human beings, either permanently or transiently, but in no case shall a trailer coach, automobile chassis, tent, or portable building be considered as a dwelling.

A. Dwelling, Multiple

A building used for and as a residence for three (3) or more families living independently of each other and each having their own cooking facilities therein, including apartment houses, townhouses, and apartment hotels, but not including homes.

B. Dwelling, One-Family

A detached building occupied by one (1) family and so designed and arranged as to provide living, cooking, and kitchen accommodations for one (1) family only. Every one family dwelling shall have a minimum width throughout the entire length of the dwelling of twenty four (24) feet measured between the exterior part of the walls having the greatest length.

C. Dwelling, Two-Family

A detached two-family dwelling is that occupied by two (2) families, each provided with separate facilities for each family for living accommodations. Also known as a duplex dwelling.

D. Dwelling Unit

A dwelling unit is any building 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, motor home, automobile chassis, tent, or other portable building be considered a dwelling in single-family, two-family, or multiple-family residential areas. In cases 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.

E. Efficiency Unit

An efficiency unit is 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 and thirty (330) square feet of floor area.

2.20.29-1 Easement - Driveway

Any dedicated public or private way other than a street, providing a means of access to a property having a right-of-way width of not less than twenty (20) feet.

2.20.30 Erected

Includes built, constructed, reconstructed, moved upon; and "erecting" includes any physical operations required for the building on the premises where the building is being constructed, reconstructed, or moved. Excavating, filling, draining, and the like, shall be considered a part of erecting.

2.20.31 Essential Services

Includes all publicly or privately owned utilities, such as electrical, gas, water, sewer, and communication generation, storage, distribution, collection, supply and disposal systems; police, fire, and road maintenance services; the erection, maintenance, alteration and removal of the foregoing; and all personal property and fixtures including poles, wires, pipes and other accessories reasonably necessary for the furnishing of adequate service by such utility or municipal department.

2.20.32 Excavation

Any breaking of ground, except common household gardening and ground care.

2.20.33 Family

A. Domestic Family

One or more persons living together and related by the bonds of consanguinity, marriage, or adoption together with servants of the principal occupants and not more than one additional unrelated person, with all of such individuals being domiciled together as a single, domestic housekeeping unit in the dwelling.

B. Functional Family

Persons living together in a dwelling unit whose relationship is of a permanent and distinct character and is the functional equivalent of a domestic family with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit. All persons of the functional equivalent of the domestic family must be cooking and otherwise housekeeping as a single nonprofit unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group



where the common living arrangements and/or the basis for the establishment of the functional equivalency of the domestic family is likely or contemplated to exist for a limited or temporary duration. There shall be a rebuttable presumption enforced by the building inspector in the first instance that the number of persons who may reside as a functional equivalent family shall be limited to six (6).

2.20.34 Farm

The carrying on of any agricultural activity or the raising of livestock or small animals as a source of income.

2.20.35 First Story

The lowest story of a building the ceiling of which is more than six (6) feet above the average surface elevation of the ground, or sidewalk adjacent to its exterior walls.

2.20.36 Flood or Flooding

Means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or base waters.
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

2.20.37 Floor Area

A. One-Family Residential

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

B. Multiple-Family Residential

For the purpose of computing the minimum allowable floor area in a multiple-family residential dwelling unit, the floor area shall be the net floor area exclusive of hallways. Net floor area is the sum of the horizontal areas of the several rooms measured from the interior faces of the walls of each room. The floor area measurement shall be exclusive of any common hallways, utility and storage areas, basements, garages, patios, porches, and balconies.

C. Usable

That area used for or intended to be used for the sale of merchandise or services, or used 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, hallways, or for utilities or sanitary facilities, shall be excluded from this computation of "Usable Floor Area". Measurement of usable floor area shall be the

sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

D. Floor Area, Gross

The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The "floor area" of a building which is what this normally is referred to as, shall include the basement floor area when more than one-half (1/2) of the basement height is above the established curb level or finished lot grade, whichever is higher (see Basement definition). Any space devoted to off-street parking or loading shall not be included in "floor area". Areas of basements, utility rooms, breezeways, unfinished attics, porches (enclosed or unenclosed) or attached garages are not included.

2.20.38 Frontage

The total length along which a building site of land fronts on a public or private road, driveway or easement measured along the line where the property abuts the street right-of-way.

2.20.39 GARAGES

A. Garage, Automotive Commercial

Any premises available to the public and used solely for the storage of automobile or motor-driven vehicles, for remuneration, hire, or sale, where any such vehicles or engines may also be serviced for operation, or repaired, rebuilt or reconstructed.

B. Garage, Private

A building or other structure designed for the housing of automobiles and having a maximum capacity of three (3) automobiles.

C. Garage, Public

A public garage is any building or premises, other than a gasoline filling station, used for the housing or care of more than three automobiles, or where any such automobiles are equipped for operation, repaired or kept for remuneration, hire, or sale.

2.20.40 Gasoline Filling Station

A space, structure, building or part of a building, used for the retail sale, service or supply of motor vehicle fuels, lubricants, air, water, batteries, tires, other accessories, motor vehicle washing or lubricating; or customary facilities for the installation of such commodities in or on such motor vehicles, including special facilities for minor repair or similar servicing thereof.

2.20.41 Hazardous Materials

Any materials that have been declared to be hazardous by any agency of the State of Michigan or of the United States, including but not limited to toxic materials and metal hydroxides.

2.20.42 Home Occupation

An incidental and secondary use of a dwelling unit for business purposes. A Home Occupation Permit must be applied for and approved by the Planning Commission. It is a permitted use in the A-1, AE, R-1 and RM-1 zoning districts when it meets the following standards.

- A. Home occupations shall be conducted solely by persons residing at the residence.
- B. All business activity and storage must take place within the interior of the dwelling/accessory building.
- C. No alteration to the exterior of the residential dwelling, accessory buildings or yard that alters the residential character of the premises is permissible.
- D. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that generated by homes in the residential or agricultural neighborhood.
- E. Only a personal driveway may be used and there shall be no additional parking spaces.
- F. At no time shall the number of vehicles on the property impose a negative impact on adjacent uses. Frequent shipments or deliveries by vehicles having more than two (2) axles are prohibited.
- G. A sign announcing a home occupation shall be permitted as follows:
  - 1. In the agricultural zoning district a home occupation shall be permitted one (1) sign with a maximum area of three (3) square feet.
  - 2. In any residential zoning district, a home occupation shall be permitted one (1) sign with a maximum area of three (3) square feet. Further, the sign shall be positioned flat against the front of the building.
- H. No article shall be sold or displayed anywhere on the premises except that which is prepared or produced by the home occupations.
- I. No equipment or process shall be used in a home occupation which generates noise, vibration, glare, fumes, odor or electrical interferences that are nuisances to persons off the premises. Any electrical equipment processes that create visual or audible interference with radio or television receivers off the premises or that cause fluctuations in line voltages off the premises shall be prohibited.
- J. Hazards of fire, explosion, radioactivity, or chemical contamination shall not exist at any time as a result of a home occupation. Home occupations shall be required

to conform with current fire and life safety codes as adopted by the Township. Additionally, any processes, uses, or quantities deemed hazardous by the authority having jurisdiction shall not be allowed.

- K. The conduct of the home occupation shall not violate any of the Township Ordinances concerning nuisance, fire or health, or any other Township, County, State or other applicable laws or regulations.

Examples of Home Occupation: This is not intended to limit the kinds of home occupations that can comply with the conditions of this section.

1. Dressmaking
2. Handicrafts
3. Typing, secretarial services
4. Tutoring, limited to six (6) students
5. Office facility of a sales representative provided that no transactions are made in person on the premises

#### Home Business

An incidental and secondary use of a residential property for business purposes is a conditional use in the A-1 and AE zoning districts. Home business requires a conditional use/site plan approval under Article X of this Ordinance. A home business must meet the following standards:

- A. A home business shall be permitted only in a single-family dwelling unit or in an accessory structure.
- B. Home business shall be conducted solely by persons residing at the residence and/or with the assistance of one person who does not reside on the premises.
- C. There shall be no change in the exterior appearance of the structure or premises to accommodate the home business, or other outdoor visible evidence of conduct of the home business, and there shall be no external or internal alterations not customary in A-1 and AE zoning districts.
- D. No article shall be sold or displayed anywhere on the premises except that which is prepared or produced by the home business.
- E. No exterior storage associated with or resulting from a home business shall be permitted.
- F. No equipment or process shall be used in a home business which generates noise, vibration, glare, fumes, odor or electrical interferences that are nuisances to persons off the premises. Any electrical equipment processes that create visual or audible interference with radio or television receivers off the premises or that cause fluctuations in line voltages off the premises shall be prohibited.
- G. Hazards of fire, explosion, radioactivity, or chemical contamination shall not exist

at anytime as a result of a home business. Home businesses shall be required to conform with current fire and life safety codes as adopted by the Township. Additionally, any processes, uses, or quantities deemed hazardous by the authority having jurisdiction shall not be allowed.

- H. The conduct of a home business shall not violate any of the Township's Ordinance concerning nuisance, fire or health, or any other township, county, state or other applicable laws or regulations.
- I. A sign announcing a home business shall be permitted in the Agricultural and Agricultural Estates zoning districts, a home occupation shall be permitted one (1) sign with a maximum area of three (3) square feet.
- J. At no time shall the number of vehicles on the property impose a negative impact on adjacent uses. Frequent shipments or deliveries by vehicles having more than two (2) axles are prohibited.

2.20.43 Hotel, Motel, Motor Hotel

A building occupied as a temporary abiding place of individuals who are lodged with or without meals in which there are more than ten (10) sleeping rooms and no provisions made for cooking in any individual room.

2.20.44 Institutional Uses

Churches, schools, hospitals, and other similar public or semipublic uses. This excludes nursing homes, convalescent homes, adult foster care facilities.

2.20.45 Junk Yard

Any land area including buildings thereon used primarily for the outdoor collecting, storage and abandonment of waste paper, rags, scrap metal or discarded materials which are for sale; or which is used for the outdoor collecting, dismantling, storage or salvaging of machinery or vehicles not in running condition for the sale of parts thereof.

2.20.46 Kennel

Any lot or premises on which four (4) or more common house pets are kept permanently or temporarily boarded outside of the principal dwelling.

2.20.47 Laboratory

A place devoted to experimental, routine study or basic study such as testing and analytical operations, and where manufacturing of product or products, except prototypes for testing market, is not performed.

2.20.48 Land Use Plan, Official

The plan so designated by the Planning Commission.

2.20.49      Loading Berth

An off-street space on the same lot with a building or group of buildings, for temporary parking for a commercial vehicle while loading or unloading merchandise or materials. Off-street loading space is not to be included as off-street parking space in computation of required off-street parking. A loading space is a minimum of five hundred twenty-eight (528) square feet in area.

2.20.50      Local Street

A street of limited continuity used primarily for access to abutting residential properties.

2.20.51      Lodging House

A building or part thereof, other than a hotel, including so-called tourist homes, where lodgings are provided for hire, more or less transiently, and with or without provision for meals.

2.20.52      LOT TERMS

A.      Lot

A lot is a piece, plat, tract or parcel of land, vacant, occupied or to be occupied by a building, structure, or use, or by another activity permitted thereon and including the open spaces required under this ordinance.

B.      Lot Area

Area of a lot bounded by lot lines.

C.      Lot, Corner

A lot whose lot lines form an interior angle of less than one hundred thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting on a curved street or streets shall be deemed a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street lines intersect at an interior angle of less than one hundred thirty-five (135) degrees.

D.      Lot Coverage

The amount of a lot, stated in terms of percentage, that is covered by all roofed buildings and/or structures located thereon. This shall be deemed to include all buildings, porches, arbors, breezeways, patio roofs, and the like, whether open box-type and/or lathe roofs, or fully roofed but shall not be deemed to include fences, walls, or hedges used as fences, or swimming pools.

E.      Lot, Zoning

A single tract of land, located within a single block, which at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. A zoning lot shall satisfy this Ordinance with respect to area, size, dimensions, and frontage as

required in the district in which the zoning lot is located. A zoning lot therefore, may not coincide with a lot of record as filed with the County Register of Deeds, but may include one or more lots of record.

F. Lot Line

A boundary line of a lot.

G. Lot Line, Front

The exterior line or right-of-way of a road on which a lot fronts or abuts.

H. Lot Line, Rear

Any lot line, other than a front lot line, which is parallel or nearly parallel to the front lot line.

I. Lot Line, Side

Any lot line not a front or rear lot line.

J. Lot of Record

A lot which actually exists in a subdivision plat as shown on the records of the County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

J-1. Required Street Frontage

Any parcel of land which is to be occupied by a use or a building, other than an accessory use or building, shall have frontage on and direct access to a public street or private easement which meets one of the following conditions:

- a. A public street with a roadway which has been accepted for maintenance by the County, or
- b. A permanent, unobstructed and recorded easement (driveway) when one or more structures are served or when one or more uses under separate ownership are served.

K. Lot, Reverse Frontage

An interior or corner lot whose rear yard fronts on one (1) or two (2) public rights-of-way.

L. Lot, Through

An interior lot having frontage on two (2) or less parallel streets as distinguished from a corner lot.

M. Lot Width

A horizontal straight line distance between the side lot lines, measured between the two points where the front setback line intersects the side lot lines.

2.20.53 Mobile Home

A structure transportable in one (1) or more sections which is built on a chassis and designed to be used 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. Mobile home does not include a recreational vehicle (Act 419, Michigan P.A. of 1976). All mobile homes must conform to the U.S. Department of Housing and Urban Development's code for mobile homes. Mobile home includes a double-wide unit.

2.20.54 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 charge is made therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended or used incidental to the occupancy of a mobile home, and which is not intended for use as recreation vehicle trailer park (Act 419, Michigan P.A. of 1976).

2.20.55 Mezzanine

An intermediate floor in any story occupying not to exceed 50% of the floor area of such story.

2.20.56 Mini-Warehouses

Mini-warehouse buildings are groups of buildings in a controlled access and fenced compound that contain varying sizes of individual compartmentalized and controlled access stalls or lockers for a dead storage of customers goods or wares.

2.20.57 Modular

A structure which meets the requirements of the B.O.C.A. building and construction code, and which is transported in one (1) or more sections on a removable chassis, and is designed to be used on a permanent foundation, when connected to the required utilities, such as plumbing, heating, and electrical systems. Pursuant to B.O.C.A. the characteristics of modular are:

- A. A pitched roof of heavy truss construction able to support a "deadweight" of at least ten (10) pounds per square inch (psi), and having roof shingling of five (5) inch exposure.
- B. A heavy deck flooring of wood on two (2) by eight (8) floor joists;
- C. A drain ventilation size of three (3) inches in diameter extending twelve (12) inches above the roof; and



D. Establishment on a foundation as approved by the building code.

2.20.58 New Construction

Means structures for which the "start of construction" commenced on or after the effective date of this Ordinance.

2.20.59 Non-Conforming Lot of Record (Substandard Lot)

A lot lawfully existing at the effective date of this Ordinance, or affecting amendment, and which fails to meet the minimum area requirements of the zoning district in which it is located.

2.20.60 Non-Conforming Structure

A structure, or portion thereof, lawfully existing at the effective date of this Ordinance, or affecting amendment, which fails to meet the minimum yard setback height, and floor area requirements of the zoning district in which it is located.

2.20.61 Non-Conforming Use

A use lawfully existing in a building or on land at the effective date of this Ordinance, or affecting amendment, and which fails to conform to the use regulations of the zoning district in which it is located.

2.20.62 Nuisance

The word "nuisance" shall be held to embrace public nuisance as known at common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; and any dwelling or building which is overcrowded with occupants or is not provided with adequate ingress or egress to or from the same, or is not sufficiently supported, ventilated, seweraged, drained, cleaned or lighted in reference to its intended or actual use; and whatever renders the air or human food or drink unwholesome, are also severally, in contemplation of this Ordinance, nuisances and all such nuisances are hereby declared illegal.

2.20.63 Off-Street Parking Lot

A facility providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, so as to provide access for entrance and exit for the parking of more than three (3) vehicles.

2.20.64 Open Front Store

A business establishment so developed that service to the patron may be extended beyond the walls of the structure, not requiring the patron to enter the structure. The term "Open Front Store" shall not include automobile repair stations or automobile service stations, gasoline filling stations.

2.20.65 Ordinary High Water Mark

The line between upland and lake or stream bottom land which persists through successive

changes in water levels, and below which the presence and action of the water is so common or recurrent as to mark upon the soil a character, distinct from that which occurs on the upland.

2.20.66      Open Air Business

Shall be defined to include the following:

- A.     Retail sale of trees, shrubbery, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
- B.     Sidewalk cafes.
- C.     Retail sale of fruits and vegetables.
- D.     Tennis courts, archery court, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park and/or similar recreation uses.
- E.     Bicycle, utility truck or trailer, motor vehicles, boats or home equipment sale; rental or repair services.
- F.     Outdoor display and sale of garages, swimming pools, motor homes, mobile homes, snowmobiles, farm implements, and similar products.

2.20.67      Parcel

A tract or continuous area or acreage of land which is occupied or intended to be occupied by a building, series of buildings, accessory building(s), condominium units, or by any other use or activity permitted thereon and including open spaces and setbacks required under this ordinance, and having its frontage on a public or private street.

2.20.68      Parking Space

An area of definite length and width, said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles. Perpendicular and angle parking spaces shall have a minimum dimension of nine by eighteen (9 x 18) feet. Parallel parking shall be a minimum of eight by twenty (8 x 20) feet in dimension.

2.20.69      Planning Commission

The Raisin Charter Township Planning Commission with all powers granted under authority of Act 168 of the Public Acts of 1959, as amended, and as provided in this Ordinance.

2.20.69-A    Private Clubs and Lodges

An organization of persons for special purposes or for the promulgation of agriculture, politics or similar interests, but not for profit, and open only to members and not to the general public. This definition is not intended to include churches, synagogues and other houses of worship.

2.20.70      Public Utility

Any person, firm, corporation, municipal department or board duly authorized to furnish or furnishing under regulation, to the public, electricity, gas, steam, communication, transportation, drainage or water.

2.20.71      Recreation Vehicles

A vehicle primarily designed as temporary living quarters or recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle, (Act 419, Michigan P.A. of 1976, as amended).

2.20.71-A    Rental Hall Facility

A building used for gatherings of people on an occasional basis. The building may be used on a for-profit basis, and is open to members of the general public.

2.20.72      Repairs

The rebuilding or renewal of a part of an existing building for the purpose of maintaining its original type and classification.

2.20.73      Research and Development Facility

Any facility that is involved in the inquiry, examination, investigation or experimentation aimed at the discovery and/or interpretation of facts, revision of accepted theories or laws in the light of new facts, or practical application of such new or revised theories of laws and the development thereof. Development may include a limited number of test units of a given product resulting from such research and shall include limited production while a product is being test-marketed which is the interim step between research and development and ultimate full scale production.

2.20.74      Restaurant

A.    Drive-in Restaurant: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state, and whose design, method of operation, or any portion of whose business includes one or both of the following characteristic:

1.    Foods, frozen desserts, or beverages are served directly to the customer in motor vehicles either by a carhop or by other means which eliminates the need for the customer to exit the motor vehicles.
2.    The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building, is allowed, encouraged, or permitted.

B.    Fast-Food Restaurant: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, and whose design or principal method of operation includes both the following characteristics:

1. Foods, frozen desserts, or beverages are usually served in edible containers, or in paper, plastic, or other disposable containers.
  2. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises, is posted as being prohibited and such prohibition is strictly enforced by the restaurateur.
- C. Carry-Out Restaurants: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state, and whose design or method of operation includes both of the following characteristics:
1. Foods, frozen desserts, or beverages are usually served in edible containers, or in paper, plastic, or other disposable containers.
  2. The consumption of foods, frozen desserts, or beverages within the restaurant building, within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building, is posted as being prohibited and such prohibition is strictly enforced by the restaurateur.
- D. Standard Restaurant: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages (alcoholic and nonalcoholic) to the customer in a ready-to-consume state, and whose design or principal method of operation includes one or both of the following characteristics:
1. Customers, normally provided with an individual menu, are served their foods, frozen desserts, or beverages (alcoholic and non-alcoholic) by a restaurant employee at the same table or counter at which said items are consumed.
  2. A cafeteria-type operation where foods, frozen desserts, or beverages (alcoholic and nonalcoholic) generally are consumed within the restaurant building.
- E. Bar/Lounge/Tavern: A structure or part of a structure designed, maintained, and operated primarily for the dispensing of alcoholic beverages. The selling of food and snacks may also be permitted. If the bar/lounge/tavern is part of a larger dining facility, it shall be defined as that part of the structure so designated and/or operated.

2.20.75 Road or Street, Paved Private

A private right-of-way reserved for the use of the occupants of the abutting structures and which meets the design criteria of the Township Building Inspector.

2.20.76 Road or Street, Paved Public

A public right-of-way of sixty-six (66) feet or more in width which has been dedicated for the purposes of providing access to abutting private lots of land including the space for pavement and sidewalks.

2.20.77      Setback

The minimum horizontal distance a foundation or wall of a building or structure or any portion thereof is required to be located from the boundaries of a lot, parcel, or building site of land upon which the same is situated.

2.20.77-A    Setback Line

Line established adjacent to highways for the purpose of defining limits within which no building or structure or any part thereof shall be erected or permanently maintained. Setback line is measured from the right-of-way line rather than the lot line.

2.20.78      Shed

A shed is a lightly constructed one (1) or two (2) story building for temporary use during the erection of a permanent building; or a light one (1) story structure attached to, or auxiliary to another building and intended for storage only.

2.20.79      Shopping Center

A retail commercial establishment or a group of retail establishments which is 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.

2.20.80      Sign

For the purpose of this ordinance, the term "sign" shall mean and include any announcement, declaration, display, illustration or insignia used to advertise or promote the interests of any person or product when the same is placed out-of-doors in view of the general public.

2.20.81      Story, One Half

A story under the gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than 2 feet above the floor of such story and the floor area shall not exceed 2/3 of the area of the floor below.

2.20.82      Structure

A walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home.

2.20.83      Structural Changes or Alterations

Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders, or any substantial change in the roof.

2.20.84      Substantial Improvement

Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is

considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

2.20.85      Swimming Pool

Any structure or container, either above or below grade, located either in part or wholly outside a permanently enclosed and roofed building, designed to hold water to a depth of greater than twelve (12) inches when filled to capacity, intended for immersion of the human body, whether for swimming or wading or both.

2.20.86      Temporary Building or Use

A structure or use permitted by the Building Inspector to exist during periods of construction of the main use or for special events, not to exceed six (6) months. Two (2) extension periods of six (6) months each are allowed.

2.20.87      Townhouses

A row of three (3) or more attached one-family dwellings, not more than two and one-half (2.5) stories in height and for which there is an entrance to each dwelling. Townhouse shall not be used as a synonym for the term "condominium" which refers to how property or space is owned rather than a particular housing style.

2.20.88      Trailer

Includes any trailer coach, motor home, tent camper, demountable camper, or unit designed as a vacation unit for short-term seasonal occupancy, which is designed to be operated on highways, which is in good running condition and which complies with all requirements of state law for licensing of such vehicles. This term does not include a utility trailer which is used for hauling of goods and debris.

2.20.89      Use

The principal purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

2.20.90      Wall, Obscuring

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

2.20.91      Variance

A varying or relaxation of the standards of the zoning ordinance by the Board of Appeals; and where such variances will not be contrary to the public interest; and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Ordinance would result in practical difficulty.

2.20.92 Yard

- A. An open space, unoccupied and unobstructed from the ground upwards, except as otherwise provided herein, and on the same lot with a building. The measurement of a yard shall be the minimum horizontal distance between the lot line and the building or structure.
- B. A "required yard" is that portion of any lot on which the erection of a main building is prohibited.
- C. A "front yard" is a yard on the same lot with a building between the front line of the building and the front lot line and extending from one side lot line to the other side lot line.
- D. A "rear yard" is a yard on the same lot with a building between the rear line of the building and the rear lot line and extending from one side lot line to the other side lot line.
- E. A "side yard" is a yard on the same lot with a building between the side lot line and the nearest side line of the building and extending from the rear yard to the front yard.

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