

ARTICLE II

DEFINITIONS

SECTION 2.01 RULES APPLYING TO TEXT

All words used in the present tense shall include the future, all words in the singular number include the plural number, and all words in the plural number include the singular number; the word “use” includes “activities”, the word “building” includes the word “structure”, and “dwelling” includes “residence”; the word “person” includes “corporation”, “co-partnership”, and “association” as well as an “individual”; the word “shall” is mandatory and directory. Terms not herein defined shall have the meaning customarily assigned to them, except when it is deemed necessary to amend this Ordinance with additional words to be defined or when a word needs to be defined by interpretation, the Zoning Board of Appeals shall define such terms.

SECTION 2.02 DEFINITIONS -A

Accessory Building - See “Building, Accessory”

Accessory Use - See “Use, Accessory”

Adjacent Property - Property which adjoins any side or corner of a specific parcel of land.

Agriculture - Farms and general farming, including fruit, crop, plant, nurseries, horticulture, floriculture, dairying, livestock and poultry raising, farm forestry, and other similar enterprises or uses conducted on open land or under structures, including animals that have been raised on the premises for the use and consumption of persons residing on the premises.

Agriculture, Specialized Crops - Specialized agricultural crops shall include horticulture, floriculture, or ornamental plants, vegetables, fruits, berries, greenhouse and under shade structure types of crop growing.

Alterations - The term “Alterations” shall mean any change, addition or modification in construction or type of occupancy, 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”.

Animal Hospital - A self-enclosed building wherein animals including domestic household pets and farm animals are given medical or surgical treatment and use as a boarding place for such animals limited to short time boarding incidental to hospital use. Such hospitals include only those under direction of a licensed veterinarian registered in the State of Michigan. Such animal hospitals shall be

constructed in such a manner that noise and odor are not discernable beyond the property upon which it is located.

Animal Shelter - A building supported by a governmental unit or agency or by a nonprofit corporation where domestic pets or other animals are kept because of requirements of public health officials, loss by owner, neglect or violation of a public law or ordinance.

ANSI – American National Standards Institute.

Apartments - The term “Apartments” shall mean the dwelling units in a multiple unit dwelling as defined herein:

- a. **Efficiency Unit:** is a dwelling unit consisting of not more than one (1) room, in addition to kitchen, dining and necessary sanitary facilities, and for the purpose of computing density shall be considered as a one (1) room unit.
- b. **One Bedroom Unit:** is a dwelling unit consisting of not more than two (2) rooms, in addition to kitchen, dining and necessary sanitary facilities, and for the purpose of computing density, shall be considered as a two (2) room unit.
- c. **Two Bedroom Unit:** is a dwelling unit consisting of not more than three (3) rooms, in addition to kitchen, dining and necessary sanitary facilities, and for the purpose of computing density, shall be considered as a three (3) room unit.
- d. **Three or More Bedroom Unit:** is a dwelling unit wherein for each room in addition to the three (3) rooms permitted in a two (2) bedroom unit, and for the purpose of computing density, said three (3) bedroom unit shall be considered a four (4) room unit, and each increase in a bedroom over three (3) shall be an increase in the room count by one (1) over the four (4).

Appeal - See “Zoning Appeal”

Automobile Wash - A building, or portion thereof, where self-propelled motor vehicles are washed as a commercial enterprise.

Automobile Repair - A place where, with or without the sale of engine fuels, the following services may be carried-out: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; or painting and undercoating of motor vehicles.

Automobile Service - A place where gasoline or any other automobile engine fuel, kerosene or motor oil and lubricants or grease (for operation of motor vehicles) are retailed directly to the public on premises; including sale of minor accessories and service for automobiles.

Automobile or Trailer Sales Area - Any enclosed building or area or open space used for display, sales, or rental of motor vehicles or trailers in new or used and operable condition.

Automobile Storage, Damaged - Any storage of inoperable vehicles intended to be repaired back to operable condition, but not including such vehicles which are incident or accessory to an automotive repair garage or a licensed salvage yard used as a depository for such vehicles.

SECTION 2.03 DEFINITIONS -B

Banner - A sign made of fabric or other non-rigid material with no enclosing framework.

Basement - That portion of a building partly below grade, but so located that the vertical distance from the grade level to the basement floor is greater than the vertical distance from the grade level to the basement ceiling. A basement shall not be included as a story for height measurement, nor counted as floor area, unless the room has walk-out capability. A walk-out basement shall be defined as a room with at least one wall below grade which provides barrier free access to the exterior of the structure and with at least fifty percent of one wall with no grade and two exits which are fire escape routes.

Bed and Breakfast Inn - A private residence that has sleeping accommodations meant for lodgers (up to fourteen [14] rooms) and is licensed by the State of Michigan as a Bed and Breakfast Inn.

Bedroom - A bedroom is a dwelling room used for or intended to be used solely for sleeping purposes by human beings.

Billboard: See “Off-Premises Sign”

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 stream; or between any of the foregoing and any other barrier to the continuity of development.

Board of Appeals - See “Zoning Board of Appeals”

Breezeway - Any covered passageway with open sides between two buildings.

Building - An independent structure, either temporary or permanent, having a roof supported by columns or walls which includes sheds, garages, stables, greenhouses, or other accessory structures. A detached building is one separated on all sides from adjacent buildings by open spaces from the ground up. 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 structure shall be deemed a separate building.

Building, Accessory - A supplemental building or structure on the same lot or parcel of land as the main building, or buildings, or part of the main building occupied by or devoted exclusively to any accessory uses, but such use shall not include any building used for dwelling, residential or lodging purposes, or sleeping quarters for human beings.

Building Area - The space remaining on a lot or parcel after the minimum yard and open space requirements of this Ordinance have been complied with.

Building, Farm - Any building or structure other than a dwelling, maintained, used or built on a farm which is essential and customarily used on farms of that type in the Township for the pursuit of their agricultural activities, including the storage or housing of farm implements, produce or farm animals.

Building Height - The vertical distance from the established grade to the highest point of the roof surface for flat roofs, to the decline of mansard roofs; and to the average height between eaves and ridge for gables, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Building Inspector - The township official appointed by the Township Board to administer and enforce applicable construction codes.

Building Integrated Photovoltaics (BIPVs) – A Private or Commercial Solar Energy System that is integrated into the structure of a building, such as solar roof tiles and solar shingles.

Building Line - See “Building Setback Line”

Building, Main - See “Principal Building”

Building Permit - A building permit is the written authority issued by the Building Inspector in conformity with the provisions of the Construction Code Ordinance.

Building, Principal - A building in which is conducted the principal use of the premises on which it is situated.

Building Setback Line - The line formed by the outer surface of a structure or enclosure wall at or with the finished grade or surface of the ground; pertaining to defining those minimum (building) setback lines which are established, in general, parallel to the front road right-of-way and within which setback area no

part of a building shall project or be located, except as otherwise provided for by this Ordinance.

Building, Temporary - See “Temporary Use or Building”

SECTION 2.04 DEFINITIONS - C

Campground - A parcel of land used for temporary, short term resort or recreation purposes in accordance with Public Act 368 of 1978, Part 125, Sections 12501-1-2516 and the Administrative rules promulgated under P.A. 368 as administered by the County, District or State Public Health Departments. Such short term uses and activities shall not exceed four (4) weeks at any one period of stay.

Church - A building wherein persons assemble regularly for the religious worship, maintained and operated by an organized religious body. Accessory uses, buildings and structures customarily associated with a church. Churches include temples or synagogues.

Clinic, Animal - See “Animal Hospital”

Clinic, Human - A building or group of building where human patients are admitted for examination and treatment by more than one (1) professional; such as, a physician, dentist, or the like, except that such human patients are not lodged therein overnight.

Club or Lodge - 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, and open only to members and not the general public.

College - A place of higher learning providing facilities for teaching and research of a general, technical, or religious nature, either public or private, and which is operated on a nonprofit basis.

Commercial - A retail trade and professional, personal, technical and mechanical business service operated primarily for profit.

Commercial District or Center - A concentration of commercial uses or activities, on a specific area planned or zoned for commercial purposes.

Common Areas, Uses and Services - Land areas, improvements facilities and utilities, the use, enjoyment and maintenance of which are intended to be shared by the owners and occupants of individual building units in a subdivision or a planned development.

Communications Towers – A structure designed and constructed to support one (1) or more antennas used for licensed telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public. *(added June 2024)*

Cone of Vision: The area that is clearly visible to a driver, generally described as a “fan-shaped envelope” preceding the driver which allows the driver to safely see and observe moving objects and persons in front of and to the immediate left and right of the driver.

Construction Code - Means the Michigan State Construction Code or any Code established in accordance with its provisions.

Convalescent or Nursing Home - A structure with sleeping rooms where persons are housed or lodged and are furnished with meals, nursing and medical care.

SECTION 2.05 DEFINITIONS - D

District - See “Zoning District”

Drive-in Establishment - Any establishment which offers goods and services over the counter or in motor vehicles.

Drive-in Restaurant - A Drive-in Restaurant shall be deemed to be any restaurant designed to permit or facilitate the serving of meals, sandwiches, ice cream, beverages, or other food served directly to or permitted to be consumed by patrons in cars or other vehicles parked on the premises, or permitted to be consumed by patrons elsewhere on the site outside the main building.

Dwelling - A building designed and built in accordance with the Township Construction Code and used exclusively as a living quarters for one (1) or more families but not including automobile chassis, tents or portable buildings.

Dwelling, Conventional - Either a home which has been completely built with lumber, brick, concrete and other building materials which have been brought to and assembled upon an individual lot or parcel of land or site; or it is a home which has been manufactured off-site in transportable units and assembled on an individual lot or parcel of land or site.

Dwelling, Farm - A dwelling used to house the principal family operating a farm, and which is accessory to the operation of the farm, which is the principal use of the land upon which it is located.

Dwelling, Group - (Group housing). Two (2) or more single or multiple family dwelling structures on a parcel of land under single ownership.

Dwelling, Mobile Home - A dwelling unit manufactured in one or more sections, designed for year-round dwelling purposes, capable of being transported upon its own or a separate wheeled chassis and not motorized or self-propelled, but which meets the minimum floor area requirements of this Zoning Ordinance and installed in accordance with all of the other requirements of this Ordinance and the Construction Code specified for dwellings, when located outside of a licensed mobile home park.

Dwelling, Multiple Family - A dwelling structure, or portion thereof, designed for occupancy by two (2) or more families living independently of each other.

Dwelling, One Family - A dwelling structure designed exclusively for occupancy by one (1) family.

Dwelling, Two Family or Duplex - A multiple family dwelling structure designed exclusively for occupancy by two (2) families independent of each other; such as, a duplex dwelling unit.

Dwelling Unit - A dwelling unit is any building or portion thereof or a mobile home having cooking facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently. 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 a dwelling.

SECTION 2.06 DEFINITIONS -E

Electronic Message Display - A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Entrance Ramp - Automotive access to a highway.

Erected - The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and other similar construction, shall be considered a part of erection.

Essential Services - The erection, construction, alteration or maintenance by public utilities or municipal departments of underground, surface or overhead gas, electrical, steam, fuel or water transmission or distribution systems, collection, communication, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar equipment in connection herewith, but not

including buildings which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety or welfare.

Excavation - Any breaking of ground, except farm use, common household gardening and ground care.

Exception - See “Zoning Exception”

Exit Ramp - Automotive exit from a highway.

SECTION 2.07 DEFINITIONS -F

Family - One (1) or two (2) persons with or without their direct lineal descendants and adopted children (and including the domestic employees thereof) and additionally not more than four (4) persons not so related, living together in the whole or part of a dwelling comprising a single housekeeping unit shall be considered a separate family for the purpose of this Ordinance.

Farm - Real property with a principal use of agriculture, forestry, or horticulture as provided by P.A. 116, as amended.

Farming - See “Agriculture”

Fence - A permanent partition, structure or gate erected as a dividing marker, barrier or enclosure, and not a part of a principal building or structure or other accessory structure. An ornamental fence is one that is less than three (3) feet in height, and is normally used in setting off planting areas and gardens.

Filling - The depositing or dumping of any matter into or onto the ground, except common household gardening and general care.

Filling Station - See “Automobile Service”

Flood Plain - That portion of land adjacent or connected to a water body or water course which is subject to periodic inundation in accordance with the 100 year flood cycle as established by the U.S. Army Corps of Engineers or other applicable Federal Agency.

Floor Area, Gross (GFA) - The sum of the gross horizontal areas of the several floors of the building measured from the exterior face of the exterior walls or from the centerline of walls separating two (2) dwelling units. The gross floor area of a building shall include the basement (see definition) floor area when more than one half (½) of the basement height is above the established curb level or finished lot grade and of interior finished construction similar to first or main floor. Any space devoted to off-street parking or loading shall not be included in gross floor area. Areas of dwelling basements, unfinished attics, utility rooms,

breezeways, porches (enclosed or unenclosed) or attached garages are not included.

Floor Area, Usable (UFA) - The measurement of usable floor area shall be that portion of floor area (measured from the interior face of the exterior walls) used for or intended to be used for services to the public as customers, patrons, clients, or patients; including areas occupied by fixtures or equipment used for display or sale of goods or merchandise, but not including areas used or intended to be used principally for storage of merchandise, utility or mechanical equipment rooms, or sanitary facilities. In the case of a half story area, the usable floor area shall be considered to be only that portion having a clear height of more than ninety (90) inches of headroom.

Foredune Crest

A foredune is the first dune landward of the ordinary high water mark, generally not stabilized with mature vegetation. The crest of the foredune is the highest elevation, and frequently changes over time due to wind erosion.

Foster Care Home - A state licensed child or adult care facility which is organized for the purpose of receiving children or adults for care, maintenance, and supervision in buildings supervised by the home for that purpose, and operated throughout the year. Foster Care Homes do not include a hospital licensed under Section 59 and Act No. 269 of the Public Act - No. 139 of the Public Acts of 1956, as amended, or a hospital for mentally ill licensed under Act No. 151 of the Public Acts of 1923, as amended, or nursing and convalescent care centers.

Frontage, Street - See "Road Frontage"

Frontage, Water - See "Water Frontage"

SECTION 2.08 DEFINITIONS - G

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 equipping of automobiles or other motor vehicles.

Garage, Private - An accessory building not to exceed the height or fifty (50) percent of the usable floor area of the principal structure used for parking of vehicles or storage as may be required in connection with the permitted use of the principal building.

Gas Station - See "Automobile Service"

Grade - The term "Grade" shall mean a ground elevation established for the purpose of regulating the number of stories and the height of the building. The

building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Greenbelt - A buffer area consisting of an open space, except as specifically required in certain sections of this Ordinance, which shall be either level or a berm and landscaped with trees, shrubs, vines and ground covers.

Group Housing - See “Dwelling, Group”

Group Residential Homes - See “Foster Care Homes”

SECTION 2.09 DEFINITIONS - H

Highway - Any public thoroughfare dedicated and maintained for the use and operation of vehicular traffic by the Michigan Department of Transportation. (See also “Road”.)

Highway, Local Arterial - Those highways defined as such by the Township Master Plan.

Highway, Major Arterial - Those highways defined as such in the Township Master Plan.

Historical Building, Site or Area - Those parcels and/or uses of land and/or structures designated as historical sites by the State of Michigan for the purpose of (a) safeguarding the heritage of the Township by preserving or allowing a structure or use which reflects elements of the community’s cultural, social, economic, political, or architectural history; (b) stabilizing and improving property values in the area; © fostering civic beauty; (d) strengthening the local economy; (e) promoting the use of such sites for the education, pleasure, and welfare of the local residents and of the general public.

Home, Motor - A motorized vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for overnight lodging. This term does not include mobile homes.

Home Occupation - Any use customarily conducted entirely within a dwelling, an accessory structure or an enclosed area and carried on by the inhabitants thereof, not involving employees other than members of the immediate family, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character thereof, and which does not endanger the health, safety, and welfare of any other persons residing in that area by reasons of noise, noxious odors, unsanitary or unsightly conditions, fire hazards and the like, involved in or resulting from such occupation, profession or

hobby. Such occupation shall not be permitted to make external alterations of construction features or have outdoor work areas, storage, or signs not customarily permitted in residential areas.

Hospital - An institution providing health services, primarily for inpatients and institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities and staff offices.

Hotel - A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals with or without meals, and in which there are more than five (5) sleeping rooms, and in which no provisions are made for cooking in any individual room. (Also see "Motel.")

SECTION 2.10 DEFINITIONS - I

IEC – International Electrotechnical Commission. The IEC a global organization that prepares and publishes international standards for all electrical, electronic and related technologies.

Industrial - A product manufacturing or conversion through assembly of new or used products or through the disposal or reclamation of salvaged material, businesses, business and service activities that are a normal integral part of an industrial enterprise or area operated primarily for profit.

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.

Inflatable Device - A sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable devices are restrained, attached, or held in place by a cord, rope, cable or similar method.

Institutional - An organization having a social, educational or religious purpose established by law, custom, practice or a system to serve a public.

ISO – International Organization for Standardization.

SECTION 2.11 DEFINITIONS - J

Junk - All rubbish, refuse, waste material, garbage, including, but not limited to, the following: waste composed of animal, fish, fowl, fruit or vegetable matter, dead animals, putrescible and nonputrescible solid waste (except body wastes), ashes, glass, cans, bottles, discarded or abandoned machinery, household appliances, industrial wastes, discarded, inoperative, dismantled or partially

dismantled motorized vehicles or parts thereof. This shall not preclude home or farm composting for on-site use.

Junk Yard - Any lot, parcel, field or tract of land on which there is an accumulation of junk, equipment or machinery, whether operated for profit or not for profit bases. The term “junk yard” includes automobile wrecking yards and salvage areas of more than 200 square feet for the storage, keeping or abandonment of junk or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof, but does not include uses contained entirely within an enclosed building.

SECTION 2.12 DEFINITIONS - K

Kennel - Any lot or premises on which four (4) or more dogs of more than 6 months in age are kept or boarded temporarily or permanently, for the purpose of breeding, boarding, for sale, or otherwise. It shall also include any lot or premises on which other furbearing household or domestic pets of like number are bred or sold.

SECTION 2.13 DEFINITIONS - I

Laboratory - A place in which the principal use is devoted to experimental, routine, or basic study such as testing and analytical operations.

Lake - A permanent natural or man-made body of surface water of at least five (5) acres in area.

Landscaping - Any combination of existing or planted trees, shrubs, vines, groundcovers, flowers, lawns, fences, fountains, pools, artworks, screens, walls, benches, walks, paths, steps, terraces and garden structures.

Land Use Permit - See “Zoning Permit”

Lighting, Source of - For purposes of this Ordinance, the source of light shall refer to the light bulb or filament which is exposed or visible through a clear material. Exposed mercury vapor lamps or neon lamps shall be considered a direct source of light.

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

Lot - A parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on

public records. (Also see “Parcel” or “Plat”.) A lot shall not include road easements or road right-of-ways.

Lot Area - The total horizontal area within the lot lines of a lot or parcel. Road right-of ways and access easements shall not be included in the calculation of minimum lot area required to satisfy the provisions of this Ordinance.

Lot, Corner - A lot where the interior angle of two (2) adjacent sides at the intersection of two (2) roads is less than 135 degrees. A lot abutting upon a curved road or roads shall be considered a corner lot for the purpose of this ordinance if the arc is of less radius than 150 feet and the tangents to the curve at the two (2) points where the lot lines meet the curve or the straight road line extended, form an interior angle of less than 135 degrees.

Lot Coverage - That percentage of the lot or parcel covered by all buildings and structures located in the lot or parcel.

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

Lot, Double Frontage - Any interior lot having frontages on two (2) more or less parallel roads as distinguished from a corner lot. In the case of a row of double frontage lots, all sides of said lots adjacent to road shall be considered frontage and front yards shall be provided as required.

Lot, Interior - Any lot other than a corner lot.

Lot Lines - The exterior perimeter boundary lines of a lot or parcel.

Lot Line, Front - In the case of an interior lot, that line separating said lot from the road. In the case of a corner lot, or double frontage lot, “front lot line” shall mean that line separating said lot from that road which is designated as the front road in the plat and in the application for a Zoning Permit.

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

Lot Line, Side - Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a road is a side road lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot of Record - A lot or parcel of land existing prior to the adoption of this Ordinance and recorded in the office of the County Register of Deeds. For the purpose 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."

Lot, Waterfront - A lot having a frontage directly upon a lake, river or other reasonable sized impoundment of water. The portion adjacent to the water shall be designated as the water frontage of the lot, and the opposite side shall be designated the road frontage of the lot.

Lot Width - The horizontal distance between the side lot lines, measured at the two (2) points where either the building line, or front lot line intersects the side lot lines.

SECTION 2.14 DEFINITIONS -M

Major Thoroughfare - A road, street or highway designated as such in the Township Master Plan.

Marginal Access Road - A public or private road or driveway paralleling and adjacent to any one of the major roads and arterials as designated in the Township Master Plan.

Marquee - a roof-like projection over the entrance to a theater, hotel, or other building.

Master Plan - The plan prepared and adopted by the Township Planning Commission in accordance with Public Act 168 of 1959 relative to the agreed upon desirable physical land use pattern for future Township development. The Plan consists of a series of maps, plans, charts, and written material, representing in summary form, the soundest planning direction to the Township as to how it should grow in order to realize the very best community living environment in the Township.

Mature Forested Vegetation

Is defined as trees, generally grouped or in a line, of a minimum diameter at breast height (DBH). A DBH of 4 inches is a reasonable minimum size for most mature forested vegetation.

Migrant Housing - Housing which is provided for migrant labor in conformance with the requirements of the Michigan State Department of Agriculture.

Mobile Home - A structure, transportable in one 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. Refer to Ordinance 30, "Mobile Home Ordinance," for Mobile Homes located outside of Mobile Home Parks.

Mobile Home Park - A specifically designated parcel of land constructed and

designed to accommodate three (3) or more mobile homes for residential dwelling use and licensed by the State of Michigan as Mobil Home Park.

Mobile Home Space or Pad - Specified area of ground within a mobile home park designed for the accommodation of one (1) mobile home. Refer to Ordinance 30, "Mobile Home Ordinance," for mobile homes located outside of Mobile Home Parks.

Motel - (also see "Hotel) - A motel or motor court is a business comprising a dwelling unit or a group of dwelling units so arranged as to furnish temporary or transient lodging accommodations for the public for compensation.

Motor Court - See "Motel"

SECTION 2.15 DEFINITIONS -N

Natural State

The physical topography, vegetation, and drainage pattern as they exist on a property on the date of the adoption of Article XIV-B, or as they have been changed through naturally occurring, non-human induced development since that date.

Nonconforming Building or Structure - A nonconforming building or structure is one or portion thereof which does not conform to the provisions of the Ordinance in the zoning district in which it is located.

Nonconforming Use - A nonconforming use is a use which does not conform to the use regulations of the zoning district in which it is located.

Nuisance - Is an offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being.

Nuisance Per Se - Is a nuisance which is subject to remedy as a matter of law and is a violation of this Zoning Ordinance.

Nursing Home - See "Convalescent Home"

SECTION 2.16 DEFINITIONS - O

Occupied - A building, structure, or land area designed and used for the purpose of and occupied for a useful purpose permitted under the provisions of this Ordinance.

Office - An enclosed area which has as its primary use, rooms for professional or financial organizations, individuals, and labor unions, civic, social, fraternal

and/or other related organizations or enterprises.

Office Park - District or area for office and office related accessory uses.

Off-Street Parking - See “Parking, Off-street”

Off-Street Parking Lot - See “Parking, Off-street, lot”

Off-Street Parking Space - See “Parking, Off-street, space”

On Site Use Wind Energy Systems – A wind energy system intended to primarily serve the needs of the property owner.

Open Air Business Uses - Are business uses operated for profit, substantially in the open air, usually without buildings or structures, including uses such as the following:

- a. bicycle, utility truck or trailer, motor vehicle, boats or home equipment sale, repair, or rental services.
- b. outdoor display and sales of garages, motor homes, mobile homes, snowmobiles, farm implements, swimming pools and similar products.
- c. retail sale of trees, fruit, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer.
- d. tennis courts, archery courts, shuffleboard, horseshoe courts, rifle ranges, miniature golf, golf driving range, children’s amusement park or similar recreation uses (transient or permanent).

Open Space - Any land area suitable for growing vegetation, recreation, gardens or household service activities, such as, clothes drying, but not occupied by any buildings or other structures, except as provided in this Ordinance.

Open Space Uses - Any principal or accessory use of a lot or parcel not involving the use of buildings or structures which are required to meet the Township Construction Code or any construction requirement of the County or Township Ordinances, Rules or Regulations, except as provided in this Ordinance.

Open Storage - A land area occupied and used for outdoor storage of building materials, sand, gravel, stone, lumber, equipment and other supplies.

Ordinary High Water Mark

The ordinary high water is established legally by the U.S. Army Corps of Engineers for all of the Great Lakes. The 1986 lake level is generally considered the most reasonable high water mark to use for legal definitions.

Organization: An entity, including a natural person, which owns or operates the premises where an on-premises sign is displayed.

Outdoor Advertising Signs - See “Signs, Outdoor Advertising”

SECTION 2.17 DEFINITIONS -P

Parcel - See “Lot

Parking, Off-street - Vehicular parking provided on a lot or parcel, but not within a highway or road right-of-way.

Parking, Off-street, 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.

Parking, Off-street, 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 storage or parking of permitted vehicles on lots or parcels, but not within a public highway or public or private road right-of-way.

Parking Space - A land area of not less than nine (9) 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 road or alley.

Pennant - a triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

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

Planned Unit Development - A planned residential, commercial, industrial, public or semi-public land use development consisting of one or more principal uses located on a parcel of land of prescribed minimum area and approved by the Township after site plan review.

Plat - A map or plan of the layout of the subdivision of a parcel of land which is in conformance with all of the provisions of Public Act 288 of 1967 as amended; The Land Division Act and the Subdivision regulations of the Township, if and when enacted.

Pond - A small body of surface water of less than five (5) acres in area which exists in a natural state or is established by either the damming of surface water or by excavation of soil to expose groundwater.

Porch, Enclosed - (included patio and deck) - 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 - (includes patio and deck) - A covered entrance to a building or structure which is unenclosed except for columns supporting the porch roof, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

Practical Difficulties - See “Zoning Variance”

Principal Structure

A principal structure is considered the structure necessary for the land use for which a permit is being requested. It is distinguished from accessory structures, which may include garages, sheds, storage buildings, or equipment structures.

Private Road - See “Road, Private”

Public Utility - Any person, firm, corporation, municipal department, board, or commission duly authorized to furnish, and furnishing under federal, state, or municipal regulations to the public; electricity, gas, steam, communications, telegraph, transportation, water, storm water collection or wastewater collection and treatment.

SECTION 2.18 DEFINITIONS - Q

Reserved

SECTION 2.19 DEFINITIONS - R

Recreation Vehicle - A motorized vehicle primarily designed and used as temporary living quarters for recreational camping or a vehicle mounted on or drawn by another vehicle.

Recreation Vehicle Park (RV Park) - A family recreation oriented facility for the overnight or short-term (not to exceed fourteen [14] days consecutively) parking of travel trailers, recreation vehicles or tents, but not including mobile homes. May also be known as a campground.

Restaurant - Is a building in which food or beverages are cooked or prepared and offered for sale, and where consumption is permitted on the premises whether or not entertainment is offered.

Right-of-Way, Road - See “Road Right-of-Way”, includes “Highway and Street Right-of-Way.”

Road - Any public or private thoroughfare dedicated and maintained for the use

and operation of vehicular traffic and which meets the minimum standards of construction of the County Road Commission.

Road, Collector - A road specified in the Master Plan which connects to minor roads.

Road, Connecting - A road specified in the “Master Plan” for the Township.

Road Frontage - The legal line which separates a dedicated road right-of-way or easement from abutting land to which it provides over-the-curb vehicular access.

Road, Frontage Access - A public or private road paralleling and providing ingress and egress to adjacent lots and parcels but connected to the major highway or road only at designated intersections or interchanges.

Road, Hard Surface - A highway or road built to the concrete or asphalt surface road building specifications of the County Road Commission or the Michigan Department of Transportation.

Road, Local Arterial - A road specified in the “Master Plan” for the Township which provides for the handling of large volumes of local traffic over extended distances.

Road, Minor - A road specified in the “Master Plan” for the Township which provides for the handling of small volumes of local traffic to individual lots and parcels.

Road, Private - A non-public road which serves at least two separately owned lots or parcels and which meets the County Road Commission construction standards.

Road Right-of-Way Line - The line which forms the outer limits of a road rightof-way or easement, and which forms the line from which all setbacks and front yards are measured, unless otherwise specified in this Ordinance.

Road, Service - See “Road, Frontage Access”

Roadside Stand - A temporary or permanent building or structure operated for the purpose of selling only products or produce raised or produced on the same premises or the immediate surrounding area by the proprietor or his family. Comparable uses of similar structures on land not owned by the proprietor are permitted only as temporary transient uses subject to Section 18.28 of this Ordinance. The use of the roadside stand shall not make the land a commercial district on land which is basically classified as agricultural or residential, nor shall its use be deemed a commercial activity. The maximum floor area of a roadside stand shall not exceed 400 square feet.

Rotor - An element of a wind energy system that acts as a multi-bladed airfoil assembly which attracts, through rotation, kinetic energy directly from wind.

SECTION 2.20 DEFINITIONS -S

Salvage - Means the same as junk (see definition of Junk).

Sanitary Landfill - A private or public landfill that meets all of the requirements of Public Act 641 of 1978 or Public Act 64 of 1979 and the rules promulgated under these Acts by the Michigan Department of Natural Resources.

SCADA Tower – A freestanding tower, containing instruments such as anemometers, that is designed to provide present moment wind data for use by a Supervisory Control and Data Acquisition (SCADA) system.

Setback, Road - The distance between the right-of-way line and the nearest point of the foundation or the vertical wall extended to the ground of the principal structure.

Setback, Waterfront - The distance between the shoreline and the nearest point of the foundation or the vertical wall extended to the ground of the principal structure.

Shadow Flicker - Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as a window of a dwelling.

Shoreline - The line which separates land from a surface water feature may be (a) established as a matter of record as the mean level elevation of the surface water or (b) as determined by the legal establishment of the surface water level elevation by the County Drain Commissioner in the State Department of Natural Resources. For the purpose of this Ordinance the legally established surface water level elevation shall take precedence, if established, over the mean level elevation.

Sign - The use of any words, numerals, figures, devices, designs or trademarks by which anything is made known, such as to show an individual firm, profession, business, product or message and visible to the general public. Any device, structure, fixture, painting, or visual image using words, graphics, symbols, numbers, or letters designed and uses for the purpose of communicating a message or attracting attention.

Sign – Abandoned -

- a. A sign whose message describes the availability of goods or services at a location where such goods and services are no longer available and have ceased to be available for a period of at least **one (1) year** or, in the

alternative, a sign which pertains to a time, event or purpose which has elapsed or expired in the preceding 180 days. Evidence of abandonment shall include intentional conduct, such as failure to pay taxes or permit fees, or to maintain the sign, or a negligent failure to do so.

- b. A non-complying sign left unattended or located in a public right-of-way without permissions from the road agency having jurisdiction and the Township Board

Sign – Awning - A building mounted sign that provides additional functionality as shelter.

Sign – Canopy - A sign mounted on a permanent canopy or other structure at or near an entrance or building entry.

Sign – Complying - A sign that is legally installed in accordance with federal, state, and local permit requirements and laws.

Sign – Directional - Signs designed to provide direction to pedestrian and vehicular traffic.

Sign – Freestanding - A sign supported by a structure independent of any other structure.

Sign – Ground - A freestanding sign with a visible support structure.

Sign - Height of - The vertical distance to the top edge of the copy area or structure, whichever is higher, as measured from the adjacent street.

Sign - Internally illuminated - A sign that has the light source enclosed within it so the source is not visible to the eye.

Sign – Illuminated - A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by reflection of a light source aimed at its surface.

Sign – Marquee - a sign mounted on or affixed to a marquee.

Sign – Nonconforming - A sign that was legally erected and maintained but does not currently comply with sign restrictions because such restrictions were enacted after the sign was originally permitted and installed.

Sign - Off-Premises or Off-Site Sign - An outdoor sign, whose message directs attention to either a person or persons not resident on the property where the sign is located, or, a specific business, product, service, entertainment event or activity, or other commercial or noncommercial activity, or non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted at the

property upon which the sign is located. Also including billboards, or outdoor advertising.

Sign - On-Premises or On-Site Sign - A sign whose message and design relates to either a person or persons resident upon the property where the sign is located, or, an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

Sign – Permanent - A sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

Sign – Pole - A freestanding sign with visible support structure.

Sign – Portable - Any sign not permanently attached to the ground or building (**see Sign-Temporary**).

Sign – Projecting - A building mounted sign with the faces of the sign projecting 12 inches or more from and generally perpendicular to the building fascia, excepting signs located on a canopy, awning, or marquee.

Sign – Roof - A building-mounted sign erected upon, against, or over the roof of the building.

Sign – Rotating - Sign faces or portions of a sign face which mechanically revolves around a central axis as opposed to revolving around an imaginary axis created by a pattern of alternating lights which convey an appearance of rotation.

Sign – Snipe - A temporary or permanent sign tacked, nailed, posted, pasted, glued, or otherwise attached to a public utility pole.

Sign – Temporary - Any sign, banner or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without structural frame, that is not permanently attached to the ground or a structure or any other sign intended to remain in use for a short period of time which is not permanently installed. “Short period of time” is defined for the purposes of this ordinance as 180 days or less.

Sign – Wall - A building-mounted sign which is either attached to, displayed, or painted on an exterior wall in a manner parallel with the wall surface, and not projecting more than 16 inches from such surface (See fascia sign).

Sign – Window - A sign that is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of a door.

Signage - A community's inventory of signs used to communicate information or attract attention, including signature building, product displays, and dispensers, as well as traditional projecting, wall, roof, and freestanding signs.

Sign, Lighted - Any sign visible to the outdoors having a conspicuous, continuous or intermittent variation in the illumination of the physical position of any part of the sign.

Sign, Outdoor Advertising - (also Billboard) - Any construction or portion thereof upon which a sign or advertisement used as an outdoor display for the purpose of making anything known to the general public is affixed. The definition does not include any bulletin boards used to display official court or public notices.

Solar Energy System – Any part of a system that collects or stores solar radiation or energy for the purpose of transforming it into any other form of usable energy, including but not limited to the collection and transfer of heat created by solar energy back to the electrical grid.

Solar Energy System, Commercial – A Solar Energy System where the principal design, purpose or use of such system is to provide energy to site uses or the wholesale or retail sale of generated electricity to any person or entity.

Solar Energy System, Ground Mounted – A Private or Commercial Solar Energy System that is not attached to or mounted to any roof or exterior wall of any principal or accessory building.

Solar Energy System, Private – A Solar Energy System used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electrical grid.

Solar Energy System, Roof or Building Mounted – A Private or Commercial Solar Energy System attached to or mounted on any roof or exterior wall of any principal or accessory building, but excluding BIVPs.

Site Plan - A drawing showing a legal survey of a lot or parcel, and the plan for all of the proposals to develop or change the existing character of the lot or parcel.

Social Institution – includes but is not necessarily limited to the following:

- a. Hospital licensed under the Public Health Code, P.A. 368 of 1978, as amended, or a hospital for mentally ill licensed under the Mental Health Code, P.A. 258 of 1974, as amended.
- b. Children's Camp (more than 4 children), Child Care Center (1 or more child), Intergenerational Day Care (2 or more person), Child Caring

Institution (6 or more children) licensed under the Child Care Organization Act, P.A. 116 of 1973, as amended.

- c. Adult Foster Care Medium Group Home (serving at least 7 but not more than 12 persons), AFC Large Group Home (serving at least 13 but not more than 20 persons), AFC Congregate Facility (20 or more persons), and AFC Camps (4 or more persons), licensed under the Adult Foster Care Facility Licensing Act, P.A. 218 of 1979, as amended.
- d. Nursing Home (7 or more persons), Homes for the Aged (21 or more persons), Hospice Facilities and Sub-acute Care Facility as licensed under the Public Health Code P.A. 368 of 1978, as amended.
- e. Unregulated facilities such as independent living facilities, senior housing, extended care facilities and adult day care.

Special Use - A use which is subject to approval by the Township after site plan review. A special use may be granted when specified by this Ordinance. A permitted special use is not considered to be a nonconforming use.

Special Use Permit - A permit issued by the Township Planning Commission to a person or persons intending to undertake the operation of an activity upon land or within a structure which is specifically mentioned in this Ordinance and possesses a unique characteristic found to be not injurious to the health, safety, convenience and general welfare of the Township's inhabitants and the District within which it is permitted to be located.

Steep Bluff

A bluff is generally comprised of unsorted glacial till (sand, gravel, clay and cobbles) that rises from the beach. A minimum slope for a bluff to be considered steep is 30 degrees or greater from the toe of the slope to the crest or top of the bluff. This is based upon the average angle of repose found along the Lake Michigan shoreline.

Story - That part of a building included between the surface of one (1) floor, and the surface of the next floor; or if there is no floor above, then the ceiling next above. A story thus defined shall not be counted as a story when more than fifty (50) percent, by cubic content, is below the height level of the adjoining ground.

Story, Half - An uppermost story lying under a sloping roof, the usable floor area of which, at a height of four (4) feet above the floor does not exceed two-thirds (2/3) of the floor area in the story directly below, and the height above at least two hundred (200) square feet of floor space is seven (7) feet, six (6) inches.

Story Height - The vertical distance from the top surface of one (1) floor to the top surface of the next above. The height of the topmost story is the distance from the top surface of the floor to the ceiling above it.

Street - See "Road"

Structure - See “Building”, and in addition any man-made surface feature or designed earth feature (other than normal finished grading for drainage purposes), including drives, parking areas, garden houses, pole barns, sheds, pergolas, decks, porches, play houses and game courts.

Structural Alterations - Any change in the supporting members of a building such as bearing walls, columns, beams or girders or any substantial changes in the roof and exterior walls.

Survival Wind Speed - Is the maximum wind speed, as designated by the Wind Energy Conversion System manufacturer, at which a WESC, in unattended operation (not necessarily producing power) is designed to survive without damage to structural equipment or the loss of the ability to function normally.

Swimming Pool - Any permanent, non-portable structure or container located either above or below grade designed to hold water to depth greater than 24 inches, intended for swimming or bathing. A swimming pool shall be considered an accessory structure for purposes of computing lot coverage.

SECTION 2.21 DEFINITIONS -T

Television Satellite Dish - An outdoor structure used for the purpose of receiving television signals and programs from space satellites.

Temporary Building - See “Building, Temporary”

Temporary Use - See “Use, Temporary”

Tent - As used in this Ordinance, shall mean 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 small tents used solely for children’s recreational purposes.

Tower Height - For a Horizontal Wind Turbine Rotors is the distance between the ground and the highest point of the Wind Energy Conversion System, as measured from the ground, plus the length by which the rotor blade on a horizontally mounted WECS exceeds the structure which supports the rotor and blades and for a Vertical Axis Wind Turbine as the distance between the ground and the highest point of the WECS.

Township - Means the Charter Township of South Haven, Van Buren County, Michigan.

Transitional Parole Housing, Half-way House, Substance Abuse Treatment & Rehabilitation Service or similar social institution – includes a facility for the treatment and rehabilitation of persons undergoing treatment for substance abuse

licensed under Article 6 of the Public Health Code, Public Act 368 of 1978, as amended. Also includes: a community correction center, resident home, halfway house, or other similar facility that houses persons who are under the jurisdiction of the Department of Corrections.

This definition shall not include state licensed hospital or psychiatric hospital.

Travel Trailer - A portable non-motorized vehicular unit primarily designed for travel and/or recreational usage, which may also contain facilities for periodic overnight lodging. This term also includes folding campers and truck mounted campers but does not include mobile homes.

SECTION 2.22 DEFINITIONS -U

Unnecessary Hardship - See “Zoning Variance”

Use - The lawful purpose for which land or premises or a structure or building thereon is designed, arranged, intended, or for which is occupied, maintained, let or leased for a use or activity.

Use, Accessory - A use or activity normally and naturally incidental to, subordinate to, & related exclusively to the principal use of the land or buildings, including all structures detached from the principal structure above & below ground; such as garages, sheds, barns and designed surface structures & areas.

Use, Agricultural - Any use permitted in the “RD” Resource Development and “AR” Agriculture-Residential Zoning Districts in this Ordinance.

Use, Commercial - Any use permitted in the “C” Commercial Zoning Districts in this Ordinance.

Use, Industrial - Any use permitted in the “I” Industrial Zoning Districts in this Ordinance.

Use, Institutional - Any of the public or private organizational uses permitted in this Ordinance.

Use, Land - The principal and accessory uses and activities being made of all land areas, buildings and structures located upon a lot or parcel.

Use, Principal - The one primary or dominant permitted use or activity to which a lot or parcel is put and continues to be put to that use until the use is legally permitted to change or become another permitted use as evidenced by a Certificate of Zoning Compliance.

Use, Public - Any of the publicly-owned or leased uses of land, buildings or structures administered and operated by a public agency or official.

Use, Residential - Any of the uses permitted in the Residential Zones in this Ordinance.

Use, Temporary - A use, activity, or building permitted to exist during period of construction of the main building or use, or for special temporary or transient events.

Utility Grid Wind Energy Systems – A structure designed and built to provide electricity to the electric utility grid

SECTION 2.23 DEFINITIONS -V

Variance - See “Zoning Variance”

Visibility - The physical attributes of a sign and its contents that allow for detection at a given distance, although legibility may be uncertain.

SECTION 2.24 DEFINITIONS -W

Water Frontage - The legally established or median shoreline which separates a lot or parcel of land from a surface body of water.

Wind Energy Conversion System (WECS) – Meaning a combination of (1) A surface area, either variable or fixed, for utilizing the wind for electrical power generation; and (2) A shaft, gearing, belt, or coupling utilized to convert the rotation of the surface area into a form suitable for driving a generator, alternator, or other electricity producing device; and (3) The generator, alternator, or other device to convert the mechanical energy of the surface area into electrical energy; and (4) The tower, pylon, or other structure upon which any, all, or some combination of the above are mounted.

Wind Energy Conversion System, Interconnected – Is a WECS which is electrically connected to the local electrical power utility and could feed back power into the local electrical power utility system.

Wind Energy System – A structure which converts wind energy into electricity through the use of a wind turbine generator and includes the turbine, blades, and/or tower as well as related electrical equipment and supporting wires. This does not include wiring to connect the wind energy system to the electrical grid.

Wind Site Assessment – An assessment to determine the wind speeds at a specific site and the feasibility of using that site for construction of a wind energy system.

SECTION 2.25 DEFINITIONS -X

Reserved

SECTION 2.26 DEFINITIONS -Y

Yard - The required open spaces on the same lot with the principal and accessory building and structures, which remain permanently unoccupied and unobstructed from the ground upward, except as otherwise provided in this Ordinance.

Yard, Front - The required open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building in which the principal use is located.

Yard, Front, Road and Waterfronts - Are both defined as front yards or setbacks from road right-of-way lines and shorelines of surface water bodies.

Yard, Rear - The open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building in which the principal use is located.

Yard, Side - The open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building in which the principal use is located.

SECTION 2.27 DEFINITIONS -Z

Zoning Administrator - The official appointed by the Township Board designated to administer and enforce the requirements of this Ordinance.

Zoning Appeal - An entreaty or demand for a hearing and/or review of facts and/or actions conducted by the Zoning Board of Appeals.

Zoning Board of Appeals - As used in this Ordinance, means the South Haven Township Zoning Board of Appeals.

Zoning District - A portion of the unincorporated area of the Township within which certain regulations and requirements, or various combinations thereof, apply under the provisions of this Ordinance and designated on the Zoning District Map.

Zoning Exception - See “Zoning Interpretation” and “Zoning Variance.”

Zoning Interpretation - A review which is necessary when the provisions of this Ordinance are not precise enough to all applications without interpretation, and

such review of the provisions of this Ordinance is therefore required in accordance with the procedures and provisions of this Ordinance.

Zoning Permit - A permit issued by the Zoning Administrator approving a proposed use, site plan or other activity determined to comply with this Ordinance.

Zoning Variance - The term "Variance" shall mean a modification of literal provisions of the Zoning Ordinance granted when strict enforcement of the Zoning Ordinance would cause unnecessary hardship or practical difficulties due to circumstances unique to the individual property on which the variance is granted. The crucial points of variance are (a) unnecessary hardship, (b) practical difficulties, © unique circumstances, and (d) exceptional and unusual elements, are present which would preclude the same type of development permitted in the zoning district from being repeated, but, which with a variance, would permit compatible development similar to the character of development permitted in a zoning district. The term Variance shall not mean to include granting variances for substantially larger respective zoning districts.

- a. **Practical difficulties** - Shall mean those dimensional zoning requirements which cannot be met by an existing lot or parcel because of its unique or unusual shape and size due to its narrowness, shallowness, irregular shape or natural or existing development characteristics and such lots or parcels are different in the sense of these characteristics from other more typical lots located in the same zoning district.
- b. **Unnecessary hardship** - Shall mean that a permitted principal or accessory use because of its specific limitations by normal definition is in need of modification through combining permitted principal or accessory uses when only one such use is permitted on a lot or parcel.