

Brady Township

Zoning Ordinance

**Brady Township
Saginaw County**

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Final: February 2010

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Zoning Ordinance Text Amendments

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August 4, 2010	30
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Permitted Uses	Special Uses Subject to Review and Approval as Specified in Chapter 7 (Special Use Category)
Accessory uses and structures.	Aircraft landing strips (g)
Cemeteries.	Bed and Breakfasts (j)
Conservation areas.	Child care centers (j)
Family child care.	Golf Courses, driving ranges, mini golf (j)
Farming	Grain & seed elevators (d)
Forestry.	Institutions: human care, substance abuse treatment (b)
Parks & recreation areas.	Kennels (j)
Plant nurseries & greenhouses.	Livestock auction yards (f)
Raising & keeping small animals and livestock.	Mobile Home Park (i)
Roadside stands	Off-road vehicles facilities (m)
Single family dwellings.	Outdoor Commercial recreation uses (j)
State licenses residential facilities for <7 people	Production of fur-bearing animals (f)
Temporary outdoor uses.	Public buildings and service installations (b)
Two-family homes (a)	Religious, social, and educational institutions (b)
Veterinary clinics (a)	Riding stables (d)
Multiple Family Housing with 3 acres and 50' yards on all sides. Must have 1 additional acre per unit.	RV Parks and Campgrounds (k)
<p style="color: red;">Natural resources extraction, sand gravel, etc. and removal of trees</p>	Shooting Range (e)
	Wholesale agricultural product storage (d)
	Wind Energy Systems (c)
	Wireless Communication towers (p)
	<p style="color: red;">Natural resources extraction, sand gravel, etc. and removal of trees</p>



Special Land Use Category	Site Access Requirements	Minimum Parcel Size	Minimum Parcel Width	Minimum Structure Setbacks	Maximum Lot Coverage	Other Requirements
<p>Category L:</p> <ul style="list-style-type: none"> Natural Resource Extraction 	<p>Must be within 1/2 mile of an all-season road as designated by SCRC</p>	<p>Ten (10) acres in area</p>	<p>500 feet</p>	<p>neighboring property line. All fixed equipment and machinery shall be located at least 200 feet from any property or road right-of-way line. No cut or excavation shall be made closer than 100 feet to any property or road right-of-way line.</p>	<p>Same as zoning district</p>	<p>access point to each abutting road. Access points and roads within the park shall be designed to facilitate the safe movement of vehicles and trailers, including adequate clear vision areas. Park or campground shall include restroom and bathing facilities in an all weather structure. Owner or agent must obtain and maintain compliance with a Michigan Soil Erosion and Sedimentation Control Act Permit (Act 347). Site plan shall include a Mining Operations Plan that shows a chronological plan for the extractive use and all other disturbing activities, and the restoration of the site to a usable condition for agriculture or development. Excavated areas shall be restored so that no finished grade is greater than one foot of vertical rise in three feet of horizontal distance. A vegetative cover consisting of appropriate grass types shall be established on all graded areas to minimize soil erosion. All slopes shall be treated in conformance with the Michigan Soil Erosion and Sedimentation Control Act. As part of the Site Plan Review, Planning Commission may require fencing, berms, landscaping, or other means to adequately screen the use from adjacent properties, and to minimize public hazards. Applicant shall provide a date for completing the mining operation, based on the volume of material to be extracted and the average annual extraction rates. Any extension of operations</p>

Chapter 1 ■ Miscellaneous Provisions

SECTION 1.1 SHORT TITLE

This Ordinance shall be known and may be cited as the Brady Township Zoning Ordinance.

SECTION 1.2 LEGAL BASIS

This Ordinance has been prepared and adopted under the authority of the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).

SECTION 1.3 PURPOSE

This Ordinance has been prepared and adopted for the purpose of providing standards and regulations for land development, for the use of land and buildings, and for all other purposes described in the Michigan Zoning Enabling Act P.A. 110 of 2006, as amended. Also, this Ordinance is based on the Brady Township Master Plan, and is intended to carry out the objectives of that Plan.

SECTION 1.4 INTERPRETATION

This Ordinance is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance or of any private restrictions placed upon property by covenant, deed, or other private agreement. Where this ordinance imposes a greater restriction upon the use of buildings or premises or upon the heights of buildings or lot coverage, or requires greater lot areas, or larger yards, courts, or other open spaces than are imposed or required by such existing provisions of law or ordinance, or by such rules, regulations or permits, or by such private restrictions, the provisions of this Ordinance shall control.

SECTION 1.5 REPEAL

This Ordinance repeals and replaces the previous Brady Township Zoning Ordinance in its entirety.

SECTION 1.6 VALIDITY

This Ordinance and the various sections, subsections, clauses, sentences, and provisions are severable. If any section, subsection, clause, sentence or provision is declared to be unconstitutional or invalid, the balance of the Ordinance shall not be affected by the declaration.

SECTION 1.7 EFFECTIVE DATE

This Ordinance shall become effective upon publication of a notice of adoption as provided by the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended)



Chapter 2 ■ Definitions

SECTION 2.1 RULES OF USE AND CONSTRUCTION

This chapter defines the words used in this Ordinance. The rules of construction applicable to the words used in this Ordinance are as follows:

- a. Words and phrases that are not defined in this chapter shall be defined in terms of their common or customary usage.
- b. Technical words and phrases that may have peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.
- c. The particular shall control the general.
- d. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- e. When it is consistent with the context, words used in the present tense shall include the future. Words used in the singular form shall include the plural, and the plural form shall include the singular.
- f. The word "person" includes any individual, partnership, association, trust, corporation, or any other legal entity or combination of legal entities.
- g. The word "lot" includes the word "parcel".
- h. Where a standard or regulation involves two or more conditions, provisions, or items that are connected by the conjunction "and" or "or", then the conduction shall be interpreted as follows:
 - 1) "And" means that all the connected conditions, provisions or items shall apply.
 - 2) "Or" means that the connected conditions, provisions or items may apply singly or in combination.

SECTION 2.2 DEFINITIONS

Abutting (lot or parcel). A lot or parcel that shares a common border with the subject lot or parcel.

Access management (access control). A technique to improve traffic operations along a major roadway and decrease the potential for accidents through the control of driveway locations and design; consideration of the relationship of traffic activity for properties adjacent to, and across from, one another; and the promotion of alternatives to direct access.

Access to property, reasonable. A property owner's legal right, incident to property ownership, to access a public road right-of-way. Reasonable access to property may be indirect or certain turning movements prohibited for improved safety and traffic operations.

Accessory Building or Accessory Structure: Any unattached subordinate building or structure, such as a private garage, which is incidental to that of the main building, located

on the same lot with the main building, or any portion of the main building if that portion is occupied or devoted exclusively to an accessory use.

Accessory Use: Any use customarily incidental and subordinate to the main use of the premises but does not include residential occupation. These may include but are not limited to private garages, permanent storage sheds, playhouses, decks, porches and carports.

Adjacent (lot or parcel). A lot or parcel which abuts or is directly across a street right-of-way or alley from any lot or parcel line of the subject lot or parcel.

Adult Media: Magazines, books, slides, CD-ROMs or devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexually oriented hard-core material.

Adult Media Store: An establishment that rents and/or sells media, and that meets any of the following three tests:

- a. 40 percent or more of the gross public floor area is devoted to adult media.
- b. 40 percent or more of the stock in trade consists of adult media.
- c. It advertises or holds itself out in any form as "XXX," "adult," "sex," or otherwise as a sexually oriented business other than adult media store, adult motion picture theater or adult cabaret.

Adult Motion Picture Theater: An establishment emphasizing or predominately showing sexually oriented movies.

Agricultural Building: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products and that is clearly incidental to agricultural activity, excluding the business of retail trade.

Agricultural Storage, Terminals and Processing Facilities: A building, facility, area, open or enclosed, or any location for the refinement, treatment, or conversion of agricultural products where physical, chemical, or similar change of an agricultural product occurs. Examples of agricultural processing include but are not limited to fruit dehydrators, cold storage houses, hulling operations, and the sorting, cleaning, packing, and storing of agricultural products preparatory to sale and/or shipment in their natural form, including all uses customarily incidental thereto.

Agricultural and Forestry Activities: The employment of land for the primary purpose of obtaining a profit in money by raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, fur-bearing animals or honeybees, or by dairying and the sale of dairy products, by any other horticultural, floricultural or viticultural use, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of obtaining a profit by stabling or training equines including, but not limited to, providing riding lessons, training clinics and schooling shows. The growing or harvesting of forest tree species trees used for commercial or related purposes.

Aircraft Landing Strip. An airstrip restricted, except for aircraft emergencies, to use by the owner and, on an infrequent and occasional basis, by invited guests and by commercial aviation activities in connection with permitted uses of the land.

Alteration. 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 (Small): Any animal, including rabbits, weighing 20 pounds or less, except pet animals, unusual animals, or fowl.

Animal (Large): Cattle, horses, mules, sheep, goats, beasts of burden, or any other domesticated or wild animal weighing more than 20 pounds except pet animals, unusual animals, or fowl.

Animal Feedlots: See the Michigan Generally Accepted Agricultural Management Practices. GAAMPS

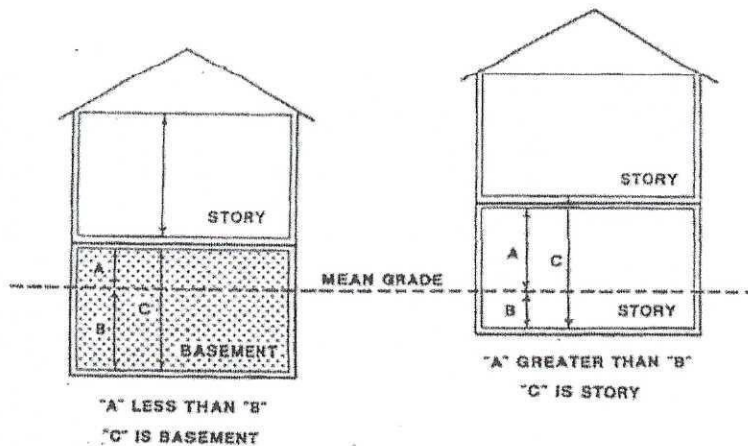
Animal Units: See the Michigan Generally Accepted Agricultural Management Practices.

Animal (Wild or Exotic): Animals which are wild by nature and not customarily domesticated. This definition does not include birds, small rodents, or small, nonpoisonous reptiles commonly used for educational or experimental purposes, or as pets.

Auto Service Station, Commercial: That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Accessory activities may include automotive repair and maintenance, car wash service, and food sales.

Bar: A building or portion thereof where liquors are sold to be consumed on the premises, but not including restaurants where the principal business is serving food.

Basement. That portion of a building which is part or wholly below grade but so located that the vertical distance from the mean grade to the floor is greater than the vertical distance from the mean grade to the ceiling.



Bed And Breakfast. A use which is subordinate to the principal use of a dwelling as a single-family dwelling unit and in which transient guests are provided a sleeping room and board in return for payment.

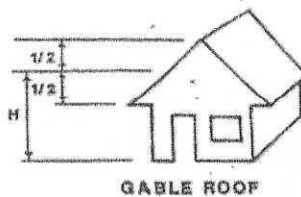
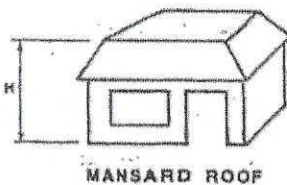
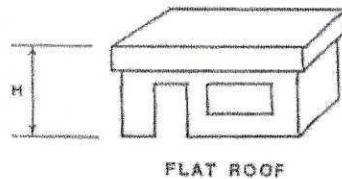
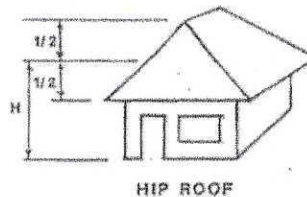
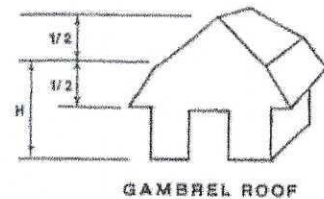
Berm. A mound of earth graded, shaped and improved with landscaping in such a fashion as to be used for visual and/or audible screening purposes.

Board of Appeals. The Brady Township Zoning Board of Appeals.

Buffer Zone. A strip of land often required between certain zoning districts reserved for plant material, berms, walls, or fencing to serve as a visual barrier.

Building. Any structure which is erected having a roof supported by columns or walls, which is used or erected for the shelter or enclosure of persons, animals or personal property or for carrying on business activities or other similar uses.

Building height. The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean elevation level between eaves and ridge of a gable, hip or gambrel roof.



Building line. A horizontal line generally parallel to a front, rear or side lot line which is located at the point of the foundation of a principal building nearest to the front, rear, or side lot line.

Building, Main. (also Building, Principal) A building in which the principal or main use of the lot on which it is situated occurs.

Building Setback Line. A line indicating the minimum distance required to be maintained between the lot line and the nearest supporting member of any structure on the lot.

Bulk Fuel Station. A place where petroleum (including liquefied petroleum gas), gasoline, naphtha, benzene, kerosene, or any other flammable liquid is stored for wholesale purposes only, and where the aggregate capacity of all storage tanks is more than six thousand (6,000) gallons.

Campground. An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.

Car Wash. A structure containing facilities for washing automobiles using a chain conveyer or other method of moving the cars along, or machinery that moves around a stationary vehicle, and automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying.

Cemetery. Any publicly or privately owned place for the interment of human remains.

Certificate of Occupancy. A document issued by the Building Inspector certifying that the described property has complied with the provisions of the Building Code and may be legally occupied.

Child care organization: A facility for the care of children under 18 years of age, as licensed and regulated by the State under Act No. 116 of Public Acts of 1973 and the associated rules promulgated by the State Department of Social Services. Such organizations shall be further defined as follows:

- a. CHILD CARE CENTER or DAY CARE CENTER means a facility, other than a private residence, receiving more than six preschool or school age children for group care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility that provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. CHILD CARE CENTER or DAY CARE CENTER does not include a Sunday school conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.
- b. FOSTER FAMILY HOME is a private home in which one but not more than four minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- c. FOSTER FAMILY GROUP HOME means a private home in which more than four but less than seven children, who are not related to an adult member of the household by blood, marriage or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- d. FAMILY DAY CARE HOME means a private home in which one but less than seven minor children are received for care and supervision for periods of less than 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. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
- e. GROUP DAY CARE HOME means a private home in which more than six but not more than 12 children are given care and supervision for periods of less than 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. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

Church. See Institution, Religious.

- Clinic.** An establishment housing facilities for medical, dental or psychiatric diagnosis and treatment, exclusive of major surgical procedures, for sick, ailing and injured persons who are not kept overnight on the premises.
- Club.** A nonprofit association of persons who are bona fide members, paying regular dues and are organized for some common purpose, but not a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.
- Commercial School.** A school or facility offering training to perform any of the uses by right in the district in which a Commercial School is permitted either by right or by special use permit. A Commercial School is a distinct use, not to be confused with an Institution, Educational.
- Common land.** A parcel or parcels of land with the improvements thereon, the use, maintenance and enjoyment of which are intended to be shared by the owners and or occupants of individual building units in a subdivision or a planned unit development.
- Common open space.** An unoccupied area within a planned unit development which is reserved primarily for the leisure and recreational use of all the planned unit development residents, owners and occupants, and generally owned and maintained in common by them, often through a homeowners' association.
- Condominium Act.** Michigan Public Act 59 of 1978, as amended.
- Condominium project.** Equivalent to "Subdivision" as used in this Ordinance.
- Condominium subdivision plan.** The site, survey and utility plans, and sections showing the existing and proposed structures and improvements including the location thereof on the land. The plan shall follow and show all aspects as required under the Condominium Act.
- Condominium unit.** That portion of the condominium project designed and intended for separate ownership as described in the Master Deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use.
- Condominium unit site.** The area designating the perimeter within which the condominium unit must be built. After construction of the condominium unit, the balance of the condominium unit site shall become a limited common element. The term "condominium unit site" shall be equivalent to the term "lot", for purposes of determining compliance of a site condominium subdivision with provisions of the Ordinance pertaining to minimum lot size, minimum lot width, maximum lot coverage and maximum floor area ratio.
- Contractors.** General contractors and builders engaged in the construction of buildings, either residences or commercial structures as well as heavy construction contractors engaged in activities such as paving, highway construction, and utility construction.
- Construction.** The building, erection, alteration, repair, renovation, demolition or removal of any building, structure or structural foundation; or the physical excavation, filling and grading of any lot other than normal maintenance.
- Conservation Area.** Any parcel or area of undeveloped land through deeds or other legal means.

- Convenience store with gasoline sales.** An establishment that retails convenience food items which occupy fifty (50) square feet or greater of the sales area in conjunction with gasoline sales.
- Cottage Industry.** An establishment primarily engaged in the on-site production of goods by hand manufacturing which involve only the use of hand tools or which have a limited impact on adjoining development by virtue of either low development densities or more stringent review and standards. Examples of Cottage Industries include: mail order businesses, custom manufacturing, or light automotive and equipment repair.
- Country Club.** A club organized and operated primarily for social and outdoor recreation purposes, including incidental accessory uses and structures.
- Deceleration lane.** An added roadway lane that permits vehicles to slow down and leave the main vehicle stream before turning.
- Density.** The number of dwelling units situated on or to be developed per net or gross acre of land.
- Detention facility, storm water.** A facility designed for holding storm water runoff for a short period of time and then releasing it to the natural watercourse where it returns to the hydrologic cycle.
- 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.
- Division.** See "Land Division"
- Drainage ways and streams.** Existing permanent or intermittent water courses.
- Drive through/Drive-in business.** A business establishment so developed that its retail or service character is wholly or partially dependent on providing a driveway approach and service windows or facilities for vehicles in order to serve patrons while in the vehicle.
- Driving Range.** See Golf Course.
- Driveway.** An improved or unimproved path or road extending from a public or private road or right-of-way to a single building, dwelling or structure, and intended to provide ingress and egress primarily for the occupants.
- Dwelling, multiple family.** A building containing three (3) or more dwelling units designed for exclusive use and occupancy by three (3) or more families.
- Dwelling, single family.** A building designed for exclusive use and occupancy as a dwelling unit by one (1) family.
- Dwelling, two family.** A building containing two separate dwelling units designed for residential use and connected by either a common wall or an attached garage area.
- Dwelling:** Any building or portion thereof usable exclusively for residential purposes with one or more habitable rooms occupied or intended for occupancy with facilities for living, sleeping, cooking and/or eating. A dwelling is classified as one of the following:

- a. **SINGLE-FAMILY DWELLING:** A building containing not more than one dwelling unit designed for residential use.
- b. **TWO-FAMILY DWELLING (Duplex):** A building containing no more than two separate dwelling units designed for residential use
- c. **MULTIPLE-FAMILY DWELLING:** A building containing three or more dwelling units designed for residential use
- d. **GROUP DWELLINGS (Congregate Living):** A building or group of buildings, designed and used for residential habitation where joint and/or separate sleeping rooms share common living, kitchen, eating and bathroom facilities, housing persons unrelated by blood or marriage.

Dwelling unit, attached. A dwelling unit attached to one or more dwelling units by common major structural elements.

Dwelling unit, detached. A dwelling unit which is not attached to any other dwelling unit by any means.

Easement. A grant of one or more of the property rights by a property owner to the public, or another person or entity.

Elevator, Grain and Seed. See Wholesale Agricultural Product Storage.

Endangered species habitat. An area where a plant or animal listed as an endangered species by state or federal agencies naturally grows or lives, or identified habitat sites designated on the Michigan Natural Features Inventory.

Erected. Means built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for the construction. Excavation, fill drainage and the like shall be considered a part of erection.

Essential public services. The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith, (but not including buildings or substations) reasonable necessary for the furnishing of adequate service by each public utilities, or township departments or commissions for the public health, safety or general welfare.

Essential public service building. A building or structure principal to an essential public service, such as a drop-off station for residential recyclables, vehicle garages, telephone exchange buildings, electricity transformer stations or substations, gas regulator stations, radio and television towers, and cellular phone antennas.

Essential public service building storage yard. An outdoor storage area principal or accessory to an essential public service.

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

- Family:** A person living alone, or two or more persons related by blood, marriage, or adoption, customarily living together as a single housekeeping unit in a dwelling unit as distinguished from a group occupying a hotel, club, religious or institutional building, boarding or lodging house, or fraternity or sorority house.
- Family Day Care Home, See Child Care.** A private home in which not more than six (6) minor children are received for care and supervision for periods of less than 24 hours per 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.
- Farm.** The land, plants, animals, buildings, structures; including ponds used for agricultural or aquacultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products on a parcel of land.
- Farming** The use of land for tilling of the soil, raising of tree or field crops, or animal husbandry, as a source of significant income. See Generally Accepted Agricultural Management Practices (GAAMPs).
- Fence.** An accessory structure intended for use as a barrier to property ingress or egress, a screen from an objectionable vista or noise, and/or for decorative use.
- Filling.** The depositing or dumping of any matter onto, or into, the ground, except common household gardening and ground care.
- Financial services.** Establishments such as banks, savings and loan institutions, credit unions, brokerage houses, and similar establishments.
- Flood or flooding.** A temporary increase in the stage of a river or stream resulting in the inundation of lands not normally covered by water.
- Flood hazard area.** Land which on the basis of available floodplain information is subject to a one percent (1%) or greater chance of flooding in any given year.
- Flood Insurance Rate Map (FIRM.)** An official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- Flood Insurance Study.** The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, the water surface elevation of the base flood, and may include a Flood Hazard Boundary-Floodway Map.
- Floodplain.** The area of land area adjoining a river or stream that will be inundated by a 100-year flood.
- Floodway.** The channel of a river or stream and the portions of the floodplain adjoining the channel that are reasonably required to carry and discharge a 100-year flood.
- Floor area, usable.** That area to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways, stairways, and elevator shafts, or for utilities for sanitary facilities, shall be excluded from the computation of usable floor area. Usable floor area shall be measured from the interior faces of the exterior walls,

and total usable floor area for a building shall include the sum of the usable floor area for all floors.

Floor area, gross. The sum of the horizontal areas of each story of a building, measured from the interior faces of the exterior walls, and the centerlines of interior walls, exclusive of mechanical areas, elevator shafts, stairwells and vent shafts for more than one floor, and uninhabitable attics or basements having headroom of seven (7) feet or less.

Floor area, residential. The sum of the horizontal areas of each story of a dwelling unit, measured from the interior faces of the exterior walls, exclusive of areas of basements, unfinished attics, attached garages, carports, breezeways and enclosed or unenclosed porches.

Forestry – See Agriculture or Forestry.

Foster care home, family, See Child Care. A single-family dwelling occupied as such in which one (1) but not more than four (4) minor children, who are not related to an adult member of the family occupying the single-family dwelling by blood, marriage or adoption, are given care and supervision for twenty four (24) hours per day, unattended by a parent or legal guardian.

Foster care home, group, See Child Care. A single-family dwelling occupied as such in which more than four (4) but less than seven (7) minor children, who are not related to an adult member of the family occupying the single-family dwelling by blood, marriage or adoption, are given care and supervision for twenty four (24) hours per day, unattended by a parent or legal guardian.

Freeway Interchange. An area designed to provide for the ingress and egress of vehicular traffic to and from a freeway or other limited access highway.

Frontage. The total length along which a parcel of land fronts on a street, measured along the line where the property abuts the street right-of-way.

Garage. The part of a main building or an accessory building used primarily for the parking or storage of vehicles necessary in connection with the permitted use of the main building, where there is no vehicle servicing for compensation.

Garage Sale – See Home Sales.

Garbage. See Junk.

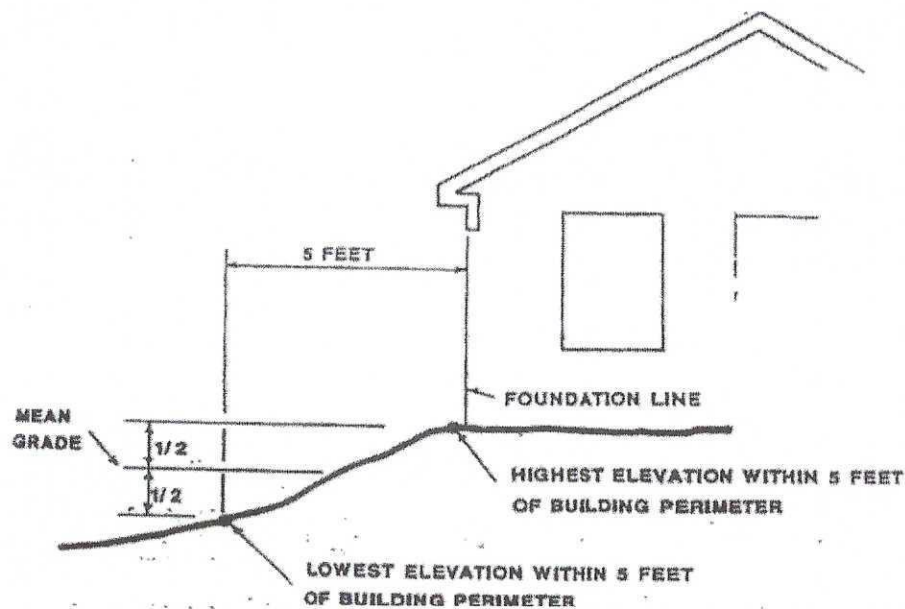
Garden center. An establishment with retail sales of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.

Glare. The effect produced at the lot line by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Golf Course. A tract of land for playing golf, improved with trees, greens, fairways, hazards, and which may include clubhouses or shelters.

- a. **PITCH AND PUTT COURSE:** A facility providing a private or public golf recreation area designed for executive play rules along with accessory golf support facilities but excluding miniature golf.

- b. **9-HOLE COURSE:** A facility of 9 regulation holes providing a private or public golf recreation area designed for regulation play rules along with accessory golf support facilities but excluding miniature golf.
- c. **18-HOLE COURSE:** A facility of 18 regulation holes providing a private or public golf recreation area designed for regulation play rules along with accessory golf support facilities but excluding miniature golf.
- d. **MINIATURE GOLF COURSE:** A theme-oriented recreational facility, typically comprised of nine or 18 putting greens, each with a "cup" or "hole," where patrons in groups of one to four pay a fee to move in consecutive order from the first hole to the last.
- Grade, average (mean).** The arithmetic average of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a building or structure.



Grade, finished. The lowest point of elevation between the exterior wall of the structure and a line five (5) feet from the exterior wall of the structure.

Grade, natural. The elevation of the ground surface in its natural state, before construction begins.

Greenbelt. A strip of land which shall be of sufficient width and density of planting materials to screen adjacent properties from view.

Greenhouse. See Nursery, Plant

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 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.

Home occupation. An occupation or profession carried on by an occupant of a dwelling unit as a secondary use that is clearly subservient to the use of the dwelling for residential purposes.

Home Sales. A sale of personal property conducted at a residential dwelling on a temporary basis. Home sales include garage sales, yard sales, porch sales, basement sales, and the like.

Hospital. See Institution, Health Care

Hotel or Motel. Any establishment in which individual cabins, courts, rooms, suites or similar structures or units are rented to transients for temporary periods of time. A "hotel" shall include tourist cabins and homes and motels, but shall not include bed and breakfast establishments. A hotel shall not be considered or construed to be a multiple family dwelling.

Improved Area. A road surface that is part of a private road and that meets or exceeds the standards of the Saginaw County Road Commission for an aggregate base course road.

Indoor recreation establishment. A privately owned facility designed and equipped for the conduct of sports, amusement or leisure time activities and other customary recreational activities indoors (within an enclosed building) and operated as a business and open for use by the public for a fee, such as fitness centers, bowling alleys, indoor softball, and racquetball and tennis clubs.

Institution, Educational. A school for kindergarten through twelfth grade or any colleges or universities authorized by the State to award degrees.

Institution, Human Care. A public or private facility for physical, as opposed to mental, care. A human care institution may include hospitals, convalescent, assisted care facilities and nursing homes. It does not include state licensed residential facilities for 6 or fewer people in one facility or home, or substance abuse rehabilitation facilities.

Institution, Rehabilitation. A public or private facility for mental or substance abuse rehabilitation. A rehabilitation institution may include inpatient or outpatient hospitals, halfway houses, and similar facilities.

Institution, Religious. A structure or place in which worship, ceremonies, rituals and education pertaining to a particular system of beliefs are held.

Institution, Social. Any profit or nonprofit use or facility in which activities for pleasure or philanthropy are carried out. Such institutions may include service clubs, scout organizations, hobby clubs and veteran's organizations, churches, schools, hospitals, convalescent or nursing homes, public or quasi-public non-profit uses, community facilities, retreats, parks and playgrounds.

Intensive Livestock Operations. See the Michigan Generally Accepted Agricultural Management Practices. [GAAMPS](#)

Junk. Any scrap, waste, worn out, discarded material or debris collected or stored for destruction or disposal.

Junkyard or recycling yard. Any land or building used for commercial storage and/or sorting, recycling, or sale of paper, rags, scrap metals, salvaged building materials, other scrap or

discarded materials, or for the dismantling, storage or salvaging of automobiles or other vehicles not in running condition, or of machinery or parts thereof, but not including a dump.

Kennel. Any land, building or structure where four (4) or more cats and/or dogs over six (6) months of age housed, bred or sold as a source of income.

Laboratory.

- a. Medical or dental: A laboratory that provides analytical or diagnostic services to physicians and dentists. No fabrication is conducted on the premises except the custom fabrication of dentures or surgical supports.
- b. Experimental: A building or part of a building devoted to the testing and analysis of any product or animal.

Land Division (also "Division"). Land Division means the partitioning or splitting of a parcel or tract of land that results in one or more parcels of less than 40 acres, and that meets the requirements of the Land Division Act, PA 288 of 1967, as amended.

Livestock: Domesticated animals intentionally reared in an agricultural setting to make produce such as food or fiber, or for its labor. Livestock does not include poultry or farmed fish.

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

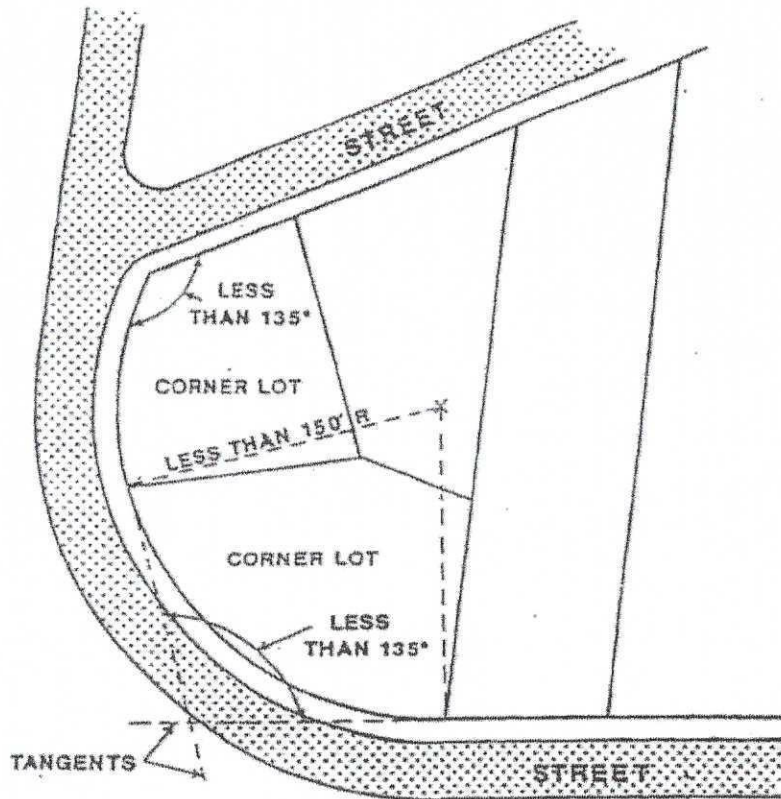
Lot. A parcel of land separated from other parcels of land by description on a recorded plat or by metes and bounds description, including a condominium unit site in a site condominium subdivision; having frontage upon a public or private street and having sufficient size to comply with the requirements of the Ordinance for; minimum area, setbacks, coverage, and open space. A lot may or may not be specifically designated as part of the public record.

Lot area. The total horizontal area included within lot lines. Where the front lot line is the centerline of a public street, the lot area shall not include that part which is in the public right-of-way.

Lot area, net buildable. The net lot area less areas devoted to floodplains or surface water bodies; water bodies being defined as areas greater than five (5) acres in size (either before or after project implementation) which are periodically or permanently covered with water.

For Planned Unit Developments, net buildable lot area is the net lot area less area devoted to water bodies; water bodies being defined as areas greater than five (5) acres in size (either before or after project implementation) which are periodically or permanently covered with water. However, in determining the overall density for the residential component of a Planned Unit Development, State regulated wetlands and non-State regulated wetlands may be included -see definition for density.

Lot, corner. A lot where the interior angle of two adjacent sides at the intersection of two streets is less than one hundred and thirty five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the curve is of less radius than one hundred and fifty (150) feet, and tangents to the curve, at the two points where the side lot lines meet the curve, form an interior angle of less than one hundred and thirty-five (135) degrees.

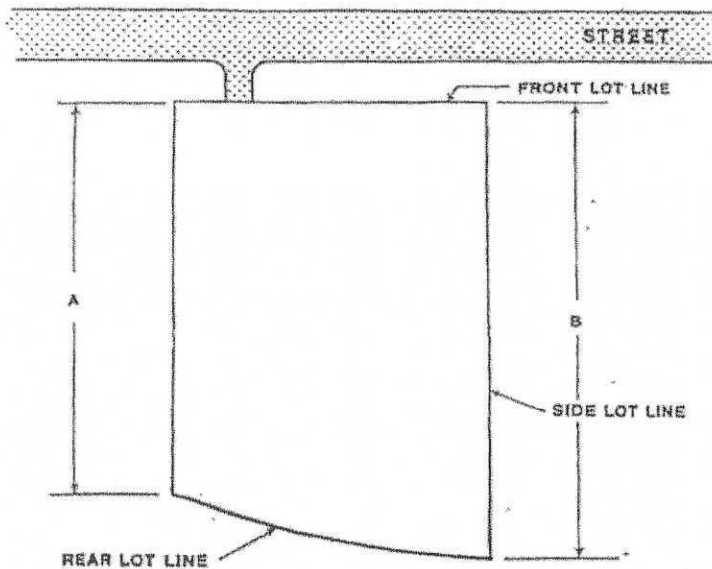


Lot coverage. A part or percentage of a lot occupied by buildings or structures.

Lot depth. The arithmetic mean of the shortest and longest distances from the front lot line to the rear lot line.

Lot frontage. The length of the front lot line.

Lot, interior. A lot other than a corner lot which, with the exception of a "through lot," has only one lot line fronting on a street.



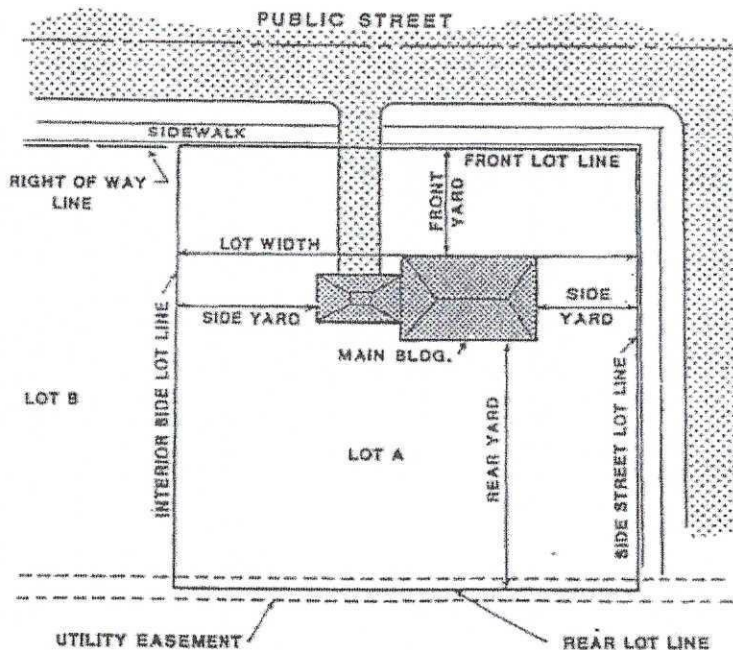
$$\text{LOT DEPTH} = \text{DISTANCE A} + \text{DISTANCE B}$$



Lot line. The line bounding a lot, parcel, or general common element if there is no limited common element, which separates the lot, parcel, or general common element if there is no limited common element, from another lot, parcel, general common element if there is no limited common element, existing street right-of-way, approved private road easement, or ordinary high water mark.

Lot lines:

- a. **Front lot line:** In the case of an interior lot, abutting upon one (1) public or Private street, the front lot line shall mean the line separating such lot from such Right-of-way.
- b. **Rear lot line:** That lot line which is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, a line at least ten (10) feet in length, entirely within the lot, and generally parallel to and most distant from the front lot line.
- c. **Side lot line:** Any lot line not a front or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
- d. **Through lot:** In the case of a lot fronting on right-of-way on two or more sides, or other case in which the above definitions do not apply, the Zoning Administrator shall designate front, rear and side lot lines, based on the following considerations:
 - 1) location and orientation of existing or proposed buildings on the lot in question, in relation to existing buildings on properties in the same general neighborhood.
 - 2) location and effect of vegetation, water, or other natural features affecting location of buildings or structures on the lot in question.



Lot, nonconforming. A lot of record which does not meet the dimensional requirements of this Ordinance.

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.

Lot, through (also "double frontage lot"). An interior lot having frontage on two (2) more or less parallel streets.

Lot width. The horizontal distance between side lot lines measured parallel to the front lot line at the front setback line.

Manufactured home. A mobile home, residential building, dwelling unit, dwelling room or rooms, or a building component which is designed for long term residential use and is wholly or substantially constructed at an off-site location, transported to a site and erected.

Manufacturing. The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing. The manufacturing or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.

Medical clinic. See Institutions, Human Care.

Miniature Golf. See Golf Course.

Mining. See Natural Resource Extraction.

Mini-warehouse (also "self-storage warehouse"). A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers strictly for the storage of a customer's non-hazardous goods or wares.

Mobile home. A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained in the structure. "Mobile home" does not include a recreational vehicle or motor home.

Mobile home park. A parcel or tract of land under the control of a person upon which three 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 for use incident to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

Mobile home site or space. A portion of the mobile home park set aside and clearly designated for use by a specific mobile home.

Motel. See Hotel.

Motor home. A self-propelled, licensed vehicle prefabricated on its own chassis, intended for recreational activities and temporary occupancy.

Natural Resource Extraction. The removal of rock, sand, soil, or fill material below the average grade of the surrounding land and/or road grade, whichever is highest. This does not include alterations for farming or gardening purposes.

Non-Conforming use. The use of a building or of land lawfully existing at the time this Ordinance or amendments became effective but which does not conform with the use regulations of the district in which it is located.

Non-Conforming lot of record ("Substandard lot"). A lot lawfully existing at the time this Ordinance or amendments became effective, and which fails to meet the minimum area requirements of the zoning district in which it is located.

Non-Conforming structure. A structure, or portion thereof, lawfully existing at the time this Ordinance or amendments became effective and which fails to meet the minimum requirements of the zoning district in which it is located.

Nuisance. Any unneeded source of annoyance, especially a continual or repeated invasion of a use or activity that invades the property line of another so as to cause harm to the owner or resident of that property.

Nursery, plant. A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for wholesale or retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of the Ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

Obscuring screen. A visual barrier between adjacent areas or uses. The screen may consist of structures such as a wall, fence, or earthen berm, as specified in this Ordinance.

Off Road Vehicle Facility. A track or area to accommodate any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, swampland, or other natural terrain, except that such terms exclude (a) registered motorboats, (b) military, fire, emergency, and law enforcement vehicles when used for emergency purposes.

Office: A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government.

Offset. The distance between the centerlines of driveways or streets across the street from one another.

Off-street parking. An area providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, so as to provide access for entrance and exit for the parking of more than two (2) vehicles.

Open air business. A retail sales establishment operated substantially in the open air and outside of any enclosed building.

Open Space, Public. Any primarily undeveloped land, intended for passive recreational pursuits, within the jurisdiction and control of a governmental agency.

Outdoor recreation establishment. A privately owned facility designed and equipped for the conduct of sports, amusement or leisure time activities and other customary recreational activities outdoors (outside of an enclosed building) and operated as a business and open for use by the public for a fee such as tennis courts, archery ranges, golf courses, miniature golf courses, golf driving ranges, and children's amusement parks.

Parapet wall. An extension of a building wall above the roof which may serve to screen roof-mounted mechanical equipment.

Parcel. A lot described by metes and bounds or described in a recorded plat.

Park, Public. Any developed park, playground, beach, outdoor swimming pool, intended for active recreational pursuits, within the jurisdiction and control of governmental agency.

Parking space (stall). A designated area of definite length and width for parking of motor vehicles.

Personal Service Establishment. Establishments primarily engaged in providing services involving the care of a person or his or her apparel.

Planned unit development. A form of land development comprehensively planned as an entity via a unitary site plan which permits flexibility in building, siting, usable open spaces, and the preservation of significant natural features. Such a development may contain a mix of housing types and non-residential uses.

Planning Commission. The Brady Township Planning Commission as duly created under Act 33 of the Public Acts of 2008, as amended.

Plat . A map of a subdivision of land.

Ponds and lakes. Natural or artificial impoundments that retain water year round.

Principal building or structure. A building or structure in which is conducted the principal use of the lot upon which it is situated.

Principal use. The main use to which the premises are devoted and the principal purpose for which the premises exist.

Principal use, permitted. A use permitted in each zoning district by right.

Private club. An organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.

Private Road. Any undedicated path, trail, or road that provides or is intended to provide the primary means of ingress and egress to two (2) or more parcels, principal buildings, dwelling units, structures, or combination thereof.

Production of Fur Bearing Animals. See Farming.

Professional Services. Services offered to the general public such as law, medicine, engineering, accounting, and architecture.

Public and semi-public institutional buildings, structures and uses. Buildings, structures, and uses of governmental agencies and non-profit organizations including but not limited to office buildings, municipal parking lots, post offices, libraries, and community centers.

- Public utility.** Any person, municipal department, board or commission duly authorized to furnish and furnishing under state or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.
- Radioactive materials.** Materials defined as radioactive under Michigan Department of Environmental Quality regulations for transportation of radioactive materials or under Saginaw County Health Department regulations, whichever is determined to be applicable.
- Recreation Area.** See Campground.
- Recreation, Commercial Indoor:** A commercial recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletics and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, and tennis court.
- Recreation, Outdoor:** Recreational uses conducted almost wholly outdoors, including golf driving ranges (not associated with a golf course), miniature golf, firing ranges, water parks, amusement parks, and similar uses.
- Recreation, Private:** Recreational, playgrounds and parks activities that are not open to the general public and for which a fee may or may not be charged.
- Recreational vehicle.** A vehicle intended and designed primarily for recreational use, such as motor homes, camper trailers, boats, snowmobiles, off-road and all terrain vehicles, and similar vehicles or trailers. The term "recreational vehicle" shall not include motorcycles or motorbikes or other similar means of transportation intended primarily for daily on-street use.
- Restaurant.** A structure in which the principal use is the preparation and sale of food and beverages.
- Retail business** Any building or structure in which goods, wares, or merchandise are sold to the consumer for direct consumption and not for resale.
- Right-of-way.** A street, alley or other thoroughfare or easement permanently established for passage of persons or vehicles and under the legal authority of the agency having jurisdiction over the right-of-way.
- Road Side Stand.** A structure erected for the display and sale of agricultural products and may or may not be located where the principal use is agricultural.
- Rubbish.** See Junk.
- Salvage.** Material to be used for further use, recycling, or sale.
- Salvage yard.** Any principal or accessory use where salvage or its component parts are bought and sold, exchanged, stored, baled, packed, disassembled, separated, or handled, including but not limited to: scrap iron and other metals, paper, rags, rubber tires and bottles. A "salvage yard" includes automobile wrecking yards and includes any outdoor area for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings. The term "salvage yard" does not include drop-off stations for residential recyclable materials.

- Screen.** A structure such as a fence or wall, providing enclosure and a visual barrier between the area enclosed and the adjacent property.
- Setback, required.** The required minimum horizontal distance between a front, rear, or side lot line and a building line. Separate definitions for condominium projects are listed under "condominium setbacks."
- Setback, parking lot.** The minimum horizontal distance between the street right-of-way or property line and the near edge of a parking lot, excluding necessary and/or approved driveways, frontage roads and landscaping areas.
- Sewage Treatment and Disposal.** A facility designed for the collection, removal, treatment, and disposal of waterborne sewage generated within a given service area.
- Sexually Oriented Business.** An inclusive term used to describe collectively: adult cabaret, adult motion picture theater; adult media store; bathhouse; massage shop; modeling studio and/or sex shop. This collective term does not describe a specific land use and should not be considered a single-use category.
- Shooting Range.** An area or structure specially designed for the safe discharge and use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm for the purpose of sport shooting or military/law enforcement training.
- Shopping center.** A commercial enterprise that is planned and developed as a unit, and which includes a group of retail businesses. Off-street parking is provided for the shopping center as a whole, as opposed to providing separate areas for individual businesses.
- Sight distance.** The length of roadway that is visible to the driver. Sight distance is generally related to the distance or time (perception/reaction time) sufficient for the driver to execute a maneuver (turn from driveway or side street, stop or pass) without striking another vehicle or object in the roadway.
- Sign.** A sign is the use of any words, numerals, figures, devices, designs, or trademarks which constitute a name, identification, description, display, or illustration which is affixed or applied to or represented directly or indirectly upon a building structure, or zoning lot, and which directs attention to an object, product, service, activity, person, institution, organization, or business. Various types of signs and their components are further defined as follows:
- a. A name identification, description, display or illustration that is affixed to or represented directly or indirectly upon a building, structure or piece of land and which is intended to direct attention to an object, product, place, activity, person, institution, organization or business. However, a "sign" shall not include a sign located completely within an enclosed building.
 - b. For the purpose of this Ordinance, the following sign or sign-related terms are here defined:
 - 1) **AREA, OR SURFACE AREA, OF SIGN:** Measurement of a sign includes the entire area within a circle, triangle, or parallelogram enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. This excludes the necessary supports or uprights on which the sign is placed but includes any sign

tower. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back-to-back and are at no point more than two (2') feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area. In the case of a sphere, the total area of the sphere shall be divided by four (4) to determine the maximum permitted sign area. The height of a sign shall be measured from the average grade of the lot at the setback line. If a sign includes a numeric address, the portion of the sign containing the address numbers shall not be counted toward the total square footage of the sign.

- 2) **ABANDONED SIGN:** If a sign advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer being offered or conducted at that site for a period of (14) fourteen days, that sign shall be considered abandoned.
- 3) **BANNER:** Either a Temporary Sign or Portable Sign, depending on how it is used.
- 4) **CONSTRUCTION SIGNS:** A temporary signs in place on a construction site indicating a building and/or leasing activity.
- 5) **DIRECTIONAL SIGNS:** Signs posted to show direction of traffic flow through the property.
- 6) **ELECTRIC SIGN:** Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.
- 7) **ELECTRONIC MESSAGE BOARD:** Changeable copy/image signs in which the copy/image consists of an array of lights activated and deactivated.
- 8) **FREESTANDING SIGNS:** Signs that are supported from the ground by a structure and are not attached to a building. Types:
- 9) **ELEVATED SIGN:** A sign elevated high above ground level, typically on a pole or other structure.
- 10) **GROUND SIGN:** A sign low to the ground and typically used to identify large buildings, institutions and real estate developments.
- 11) **ILLUMINATED SIGN:** A sign that provides artificial light directly or through any transparent or translucent material.
- 12) **INTEGRAL SIGN:** Names of buildings or farm, date of erection, monumental citations, commemorative tablets and the like when made an integral part of the walls of the structure (or roof for farm buildings).
- 13) **JOINT SIGN:** A sign that gives direction and identification to a group of adjacent businesses whether or not under single management.
- 14) **LOCATION:** A lot, premise, building, wall or any place whatsoever upon which a sign is located.
- 15) **MARQUEE:** An identification sign attached to or made a part of a marquee, canopy, or awning projecting from and supported by the building.

- 16) **MERCHANDISING SIGNS:** Signs identifying products or services available at the establishment and their prices. This is a descriptive term. Regulation depends on whether the sign is permanent, portable, temporary, a sign cover or a safety concern.
- 17) **MONUMENT or GROUND MOUNTED:** A freestanding sign where the base of the sign structure is on the ground or integrated into landscaping or other solid structural features other than support poles.
- 18) **MULTI-TENANT SIGNS:** Wall, ground or freestanding signs for unified developments, such as shopping centers and office parks, shall identify only the development, individual tenants or establishments.
- 19) **NONDWELLING USE SIGN:** A sign located on a parcel that does not have a dwelling as its principal structure and is located in a residential district. Examples of the uses that may be associated with nondwellings in these districts include but are not limited to subdivisions, schools, religious institutions, historic structures, public buildings, cemeteries, agricultural operations and agricultural retail facilities.
- 20) **POLITICAL SIGNS/POSTERS:** Signs intended for use in promoting either a candidate for public office or proposal or similar issue that will be placed before the public to vote.
- 21) **PORTABLE SIGNS:** Portable Signs are those signs that are designed to be transported. Examples of signs designed to be transported include, but are not limited to, signs on a trailer or trailer frame and designed to be transported by means of wheels; signs converted to "A" or "T" frames that sit on the ground or lean against a permanent structure; menus and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in normal day-to-day operation of the business. Portable Signs may be a printed banner, changeable copy or portable LED messaging units. If a sign more accurately fits the definition of a Temporary Sign, it shall not be considered portable for the purposes of this Sign Ordinance.
- 22) **REAL ESTATE SIGNS:** Signs intended for temporary use in promoting the sale of real estate, with or without structures.
- 23) **ROOF LINE:** This shall mean either the high point of the roof or the top of the parapet, whichever forms the top line of the building silhouette and where a building has several roof levels; this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.
- 24) **ROOF SIGNS:** Signs placed on the roofs of buildings, supported by the roof and within the lines of exterior walls. If a wall extends above a roofline and supports a sign, it shall be considered a Wall Sign and not a Roof Sign in this Ordinance.
- 25) **SETBACK:** A distance measured from the outer boundary of a parcel in which erection of a sign is not permitted. A Front Setback is measured from the edge of the right-of-way of any abutting roadway. A Rear Setback is measured from the property line opposite the roadway. A Side Setback is measured from any other abutting property line. Corner lots shall require two front setbacks, but only one rear setback.

- 26) **SIGN COVER:** Signs are defined as "Sign Cover" ONLY when they are located on permitted signs and cover up the content of the permitted sign. This includes a display sign, banner or other advertising device, with or without a structural frame, constructed of nondurable materials and intended for a limited period of use.
- 27) **STREET BANNERS.** Fabric signs suspended across public streets advertising a public entertainment or event. The location and contents of each street banner must be specially approved by the County of Tuscola.
- 28) **SUBDIVISION SIGN:** A sign intended as identification for a Residential subdivision.
- 29) **TEMPORARY SIGN:** A display sign, banner or other advertising device, with or without a structural frame, intended for a limited period of use. Signs are defined as temporary when they are attached to a permanent structure, including but not limited to a building, light pole, trees, bushes, or fences. If a sign more accurately fits the definition of a Portable Sign, it shall not be considered temporary for the purposes of this Sign Ordinance.
- 30) **WALL SIGNS:** Signs permanently attached to the exterior wall of a building and projecting out from such walls no more than fourteen (14) inches. The area of the Wall Sign includes that area within a continuous line enclosing all letters and graphic symbols of the sign.
- 31) **WINDOW SIGNS:** Signs hung outside of a window and within the framework of any window of a business or residence.

Site Plan. A scaled drawing or set of drawings that illustrate existing conditions and that contain the elements required by this Ordinance as applicable to a proposed development to ensure compliance with zoning provisions.

Special land use. A use of land that is permitted within a particular zoning district only if the applicable standards have been met. A special land use requires that a special use permit be obtained.

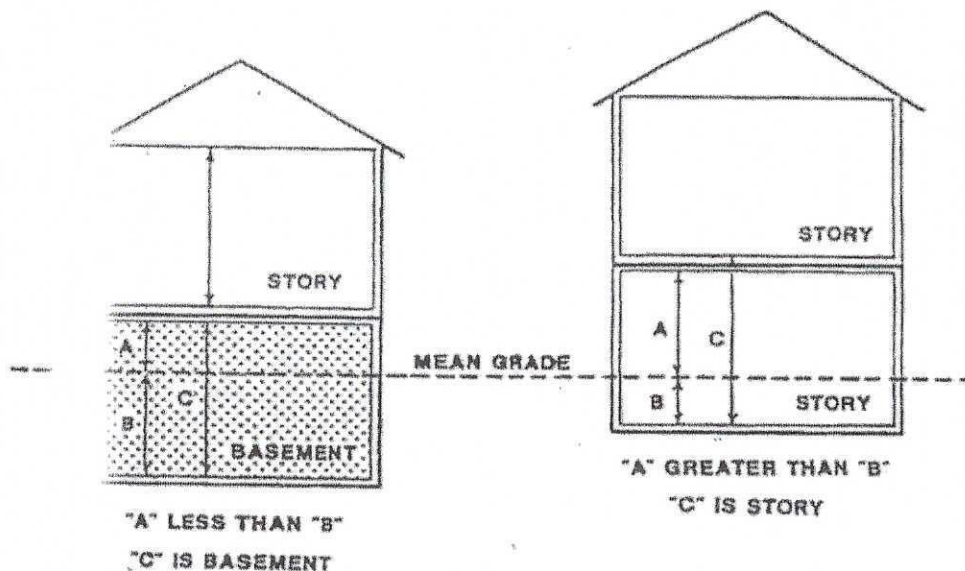
Specified Anatomical Areas. See "Everything You always wanted to know about Regulating the Sex Business" by Eric Damian Kelly and Connie Cooper, APA PAS Report 495/496. [American Planning Association](#)

Specified Sexual Activities. See "Everything You always wanted to know about Regulating the Sex Business" by Eric Damian Kelly and Connie Cooper, APA PAS Report 495/496. [American Planning Association](#)

Stable, private. An accessory building in which horses are kept for private use and not for remuneration, hire, or sale.

Stable, Riding (also "commercial stable"). An accessory building in which horses are kept for remuneration, hire, or sale, including any stable that is incidental to the operation of a club, association, ranch, or similar establishment.

Story. That portion of a building between a floor and the floor or roof next above it. A basement shall be counted as a story if its ceiling is over four (4) feet above the average adjoining ground surface.



Street, Public. A public thoroughfare which affords the principal means of access to abutting property.

Structure. Anything constructed, assembled or erected, the use of which requires location on the ground or attachment to something having location on or in the ground; this term shall include fences which are more than 50% solid, tanks, towers, dish antennae, advertising devices, tents, wagons, trailers, dining cars, or similar structures on wheels or other support used for business or living purposes. The word "structure" shall not apply to wires and their supporting poles or frames or electrical or telephone utilities or to service utilities below the ground.

Structural Alterations. Any changes 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 or any expansion or addition to the floor space of a building by the addition of bearing walls, columns, beams or girders.

Substantial improvement. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either,

- a. before the improvement or repair is started, or
- b. 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

- a. 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

- b. any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

Tavern. See Bar.

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

Towing Operations. An establishment that provides for the removal and temporary storage (7 days) of vehicles but does not include disposal, permanent disassembly, salvage or accessory storage of inoperable vehicles.

Truck Terminal. A place where transfer between modes of transportation takes place or a terminating point where goods are transferred from a truck to a storage area or to other trucks, or picked up by other forms of transportation.

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

Variance. A relaxation or modification of the requirements of this Ordinance as authorized by the Board of Zoning Appeals under the provisions of this Ordinance and PA 110 of 2006, as amended.

Vehicle. Any device in, upon, or by which any person or property is or may be transported or drawn upon any street, highway, excepting devices exclusively moved by human power or used exclusively upon stationary rails or tracks.

Vehicle Dealer. Someone who engages in buying and selling five (5) or more vehicles within a 12-month period. This also includes dealing in salvageable parts from five or more vehicles, or processing five or more vehicles into scrap. Dealers must be licensed by the state.

Veterinary Clinic. A building, or any portion thereof, used for the medical treatment of domesticated animals by a Doctor of Veterinary Medicine and his or her employees, and including exterior or interior kennels or overnight lodging facilities for animals.

Wetland, regulated. Certain wetlands regulated by the Michigan Department of Environmental Quality under the provisions of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended.

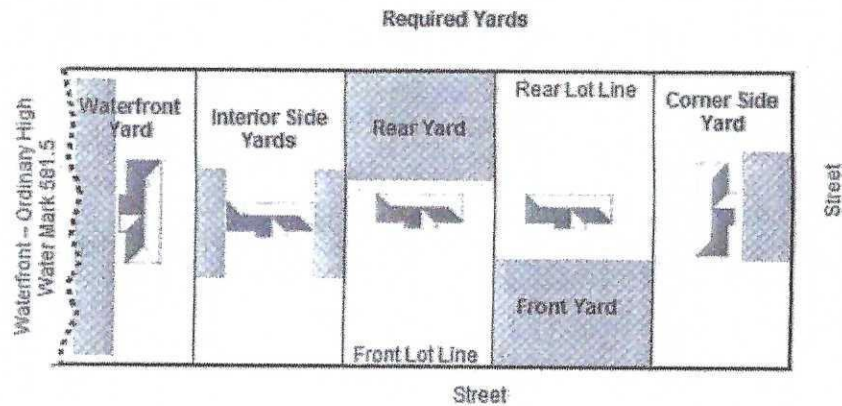
Wholesale. Establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wireless Communication Facility. Any device, including cellular towers, used for transmitting and receiving radio waves, microwaves, and other similar frequencies.

Wind Power Generating Facilities. Wind generating facilities which generate original power on site to be transferred to a transmission system for distribution to customers. The definition of wind power generating facilities shall not include individual wind power generating facilities erected and used primarily for private use.

Yard.

- a. A space open to the sky and unoccupied or unobstructed, except by encroachments specifically permitted by this Ordinance, on the same lot with a building or structure. A required yard is measured between the applicable lot line and the nearest foundation line of a building or structure.
- b. **Front yard:** A yard extending across the full width of the lot, the depth of which is the distance between the front lot line and foundation line of the building or structure. In the case of a waterfront lot, the yard on the water side shall be the front yard.
- c. **Rear yard:** A yard extending across the full width of the lot, the depth of which is the distance between the rear lot line and rear foundation line of the main building.
- d. **Side yard:** A yard between the foundation line of the main building and the side lot line extending from the front yard to the rear yard



Zoning Act. The Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

Zoning Administrator. An individual appointed by the Brady Township Board delegated to administer the Brady Township Zoning Ordinance.

Zoning Board of Appeals. The Brady Township Zoning Board of Appeals created under PA 110 of 2006, as amended.

Zoning District. A portion of the incorporated area of the township within which certain regulations and requirements, or various combinations thereof apply under the provisions of the Zoning Ordinance.