

AN ORDINANCE TO REGULATE AND CONTROL THE STORAGE OF ANY DISMANTLED, PARTIALLY DISMANTLED OR INOPERABLE MOTOR VEHICLES OR PARTS THEREOF.

Section 1. It is hereby determined to be necessary for the public health, safety and welfare of the Township of Ridgeway, County of Lenawee, State of Michigan, to regulate and control the storage of dismantled, partially dismantled or inoperable motor vehicles or parts thereof.

Section 2. No person, firm or corporation shall permit any dismantled, partially dismantled or inoperable motor vehicle or parts thereof to remain on any premises in the Township of Ridgeway unless such premises are duly licensed under the provisions of the Ridgeway Township Junk Yard Ordinance, for a period of more than thirty (30) days consecutively. This section shall not apply to dismantled, partially dismantled or inoperable motor vehicles or parts thereof stored in a closed building or in an area approved for the storage of wrecked automobiles under the provisions of the Township Zoning Ordinance.

Section 3. The presence of any dismantled, partially dismantled or inoperable motor vehicle or parts thereof outdoors on any premises in the Township of Ridgeway not duly licensed under the Ridgeway Township Junk Yard Ordinance is hereby declared to be a public nuisance.

Section 4. Motor vehicle is hereby defined as any wheeled vehicle which is self-propelled or intended to be self-propelled. Inoperable motor vehicles are defined as motor vehicles which, by reason of dismantling, disrepair or other cause, are incapable of being propelled under their own power. Dismantled and partially dismantled motor vehicles are defined as motor vehicles from which some part or parts which are ordinarily a component of such motor vehicle has been removed or is missing. Any motor vehicle which does not bear a currently effective license issued by the State of Michigan, or which does not comply with the State Motor Vehicle Code as required for operation on the public highways of this state, shall be considered as inoperable motor vehicle.

Section 5. Any person, firm or corporation who shall violate or assist in the violation of any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment in the County Jail for a period of not exceeding ninety (90) days, or both, such fine or imprisonment. Every day such violation shall continue shall constitute a separate and distinct violation under the provisions of this Ordinance.

Section 6. The Township Board, by its duly constituted officers, the Prosecuting Attorney of Lenawee County, or the duly appointed attorney for the Township of Ridgeway may cause Complaint to be made for the violation of the provisions hereof.

Section 7. In addition, the Township Board, by its duly constituted officers, or any resident or property owner of the Township may institute appropriate court proceedings to enjoin, abate and remove any motor vehicle that violates the provisions of this Ordinance. The Township of Ridgeway is hereby authorized to remove inoperable vehicles with such remover expenses to be assessed to the property owner.

Section 8. The remedies and penalties provided herein are cumulative and in addition to other remedies provided by law.

Section 9. If any section, provision or clause of this Ordinance, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect any remaining portion of application of this Ordinance which can be given effect without the invalid portion or application.

Section 10. The provisions of this Ordinance are hereby declared to be immediately necessary for the preservation of the public health, safety and welfare and are hereby ordered to take immediate effect and be enforced from and after the earliest date allowed by law, and this Ordinance is hereby ordered to be published in the manner allowed by law.

Section 11. This Ordinance shall take effect on March 20, 1975. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

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## TITLE, PURPOSES AND LEGAL CLAUSES

## SECTION 1.01 Title

This Ordinance shall be known and may be cited as;

"The ZONING ORDINANCE OF RIDGEWAY TOWNSHIP"

## SECTION 1.02 REPEAL OF ORDINANCE

The Ridgeway Township existing Zoning Ordinance adopted on July 5, 1961 on all amendments thereto are hereby repealed effective coincident with the effective date of this Ordinance, provided, however, all violations of the aforesaid Ordinance dated July 5, 1961, and amendments thereto, occurring prior to the effective date of this Ordinance may be prosecuted to completion notwithstanding this section.

## SECTION 1.03 PURPOSES

- (a) Promoting and protecting the public health, safety and general welfare.
- (b) Protecting the character and the stability of the agricultural, recreational, residential, commercial and other areas within the Township and promoting the orderly and beneficial development of such areas.
- (c) Regulating the intensity of use of land and lot areas and determining the area of open spaces surrounding buildings and structures necessary to provide adequate light and air to protect the public health and convenience of access to property.
- (d) Lessening and avoiding congestion on the public highways and streets.
- (e) Providing for the needs of agriculture, recreation, residence, commerce and other land uses in future growth.
- (f) Fixing reasonable standards to which buildings and structures shall conform.
- (g) Prohibiting uses, buildings or structures which are incompatible with the character of development or the uses, buildings or structures permitted within specified zoning districts.
- (h) Preventing such additions to or alterations or remodeling of existing buildings or structures in such a way as to avoid the regulations and limitations imposed hereunder.
- (i) Protecting against fire, explosion, noxious fumes and odors, dust, smoke, glare, noise and other nuisances and hazards in the interest of the public health, safety and general welfare.
- (j) Preventing the overcrowding of land and undue concentration of buildings and structures so far as is possible and appropriate in each zoning district by regulating the use and bulk of buildings in relation to the land surrounding them.
- (k) Conserving the taxable value of land, buildings and structures throughout the township.

- (l) Providing for the completion, extension, substitution or elimination of non-conforming uses.
- (m) Creating a Board of Appeals and defining the powers and duties thereof.
- (n) Designating and defining the powers and duties of the official or officials in charge of the administration and enforcement of this Ordinance.
- (o) Providing for the payment of fees for building permits.
- (p) Providing penalties for the violation of this Ordinance.

#### SECTION 1.04 VALIDITY AND SEVERALTY CLAUSE

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not effect any other provisions of this Ordinance not specifically included in said ruling.

If any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular land, parcel, lot, district, use, building or structure, such ruling shall not effect the application of said provision to any other land, parcel, lot, district, use, building, or structure not specifically included in said ruling.

#### SECTION 1.05 CONFLICT WITH OTHER LAWS

- (a) Where any condition imposed by any provision of this Ordinance upon the use of any lot, building or structure is either more restrictive or less restrictive than any comparable condition imposed by any other provision of this Ordinance or by the provision of an ordinance adopted under any other law, the provision which is more restrictive or which imposes a higher standard or requirement shall govern.
- (b) This Ordinance is not intended to abrogate or annul any easement, covenant or other private agreement provided that where any provision of this Ordinance is more restrictive, or imposes a higher standard or requirement, that such easement, covenant or other private agreement, the provision of this Ordinance shall govern.

#### SECTION 1.06 PERIOD OF EFFECTIVENESS

This Ordinance shall remain in full force and effect henceforth unless repealed.

REPEAL AND SAVING CLAUSE: Effective on the effective date of this ordinance, the Township Zoning Ordinance, enacted in 1961, is repealed. The repeal of said Ordinance shall not have the effect to release or relinquish any penalty, forfeiture, or liability incurred under said Ordinance or any part thereof, and such Ordinance and all parts thereof, shall be treated as still remaining in force for the purpose of instituting or sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture or liability.

#### SECTION 1.07 EFFECTIVE DATE

This Ordinance was adopted by the Township Board of the Township of Ridgeway Lenawee County, Michigan, at a meeting held on the 4th day of March 1975 and ordered published in the Tecumseh Herald, a newspaper having general circulation in said Township, as required by Act 191 of the Public Acts of 1939, as amended.

Arlyne Banks

TOWNSHIP CLERK

## SECTION 2.01 PURPOSE

It is the purpose of this Article to provide the procedures for the administration of the Ordinance, issuance of permits, inspection of properties, collection of fees, handling of violators and enforcement of the provisions of this Ordinance and amendments thereto.

## SECTION 2.02 ADMINISTRATION

The provisions of this Ordinance shall be administered by the Township Planning Commission and the Township Board in accordance with the State of Michigan Township Rural Zoning Act, Act 184 of the Public Acts of 1943 as amended.

The Township Board shall be responsible to update the Township Zoning map and keep it current.

The Township Board shall employ a Building Inspector to act as its officer.

The Township Board shall employ a Building Inspector to act as its officer to effect proper administration of this ordinance. The individual selected, the terms of employment, and the rate of compensation shall be established by the Township Board. For the purpose of this ordinance, the Building Inspector shall have the powers of a police officer.

In the absence of the building inspector, the Township Clerk or other Township officer as designated by the Township Board, shall assume all the powers and duties of the building inspector.

## SECTION 2.03 DUTIES OF A BUILDING INSPECTOR

(a) Review all applications for building permits and approve or disapprove such applications based on compliance with the provisions of this ordinance and shall approve issuance of the permit if the use and the requirements of this ordinance are met.

(b) Receive all applications for conditional use permits; conduct field inspections, surveys and investigations, prepare maps, charts and other pictorial materials when necessary or desirable, and otherwise process applications so as to formulate recommendations; and notify the applicant, in writing of any decision of the Planning Commission.

(c) Receive all applications for appeals, variances, or other matters which the Zoning Board of Appeals is required to decide under this ordinance; conduct field inspections, surveys and investigation, prepare maps, charts and other pictorial materials when necessary or desirable, and otherwise process applications so as to formulate recommendations to the Zoning Board of Appeals for determination.

(d) Receive all applications for amendments to this ordinance, conduct field inspections, survey and investigation, prepare maps, charts and other pictorial materials when necessary or desirable, and otherwise process applications so as to formulate recommendations; report to the Planning Commission all such applications together with recommendations.



## Article 2 - Section 2.03 Duties of a Building Inspector - cont'd.

(e) The Building Inspector shall prepare and submit to the Township Board and Planning Commission a written record of all building permits issued during each month. The record shall state the owner's name, location of property, intended use and estimated cost of construction for each permit. The Building Inspector shall maintain and post monthly a list in the Township Hall of all building permits issued.

(f) Maintain written records of all actions taken by the Building Inspector.

(g) Be responsible for providing forms necessary for the various applications to the Building Inspector, Planning Commission, Township Board or Zoning Board of Appeals as required by this ordinance and shall be responsible for what information is necessary on such forms for the effective administration of this ordinance, subject to the general policies of the Township Board, Planning Commission and Zoning Board of Appeals.

## SECTION 2.04 BUILDING PERMIT

(a) Building Permit Requirements: A building permit is required for and shall be obtained after the effective date of this ordinance from the office of the Building Inspector or his agent by the owner or his agent for the following conditions:

(1) The construction, enlargement, alteration or moving of any dwelling, building or structure or any part thereof, being used or to be used for agricultural, residential, commercial, or industrial purposes.

(2) Agricultural buildings and structures to insure proper placement on a lot or parcel of land.

(3) Accessory buildings valued at less than \$1000 and portable structures necessary to an agricultural operation, shall not require a building permit as long as the placement of said buildings conform to the setback and height requirements of the district in which they are located.

(4) Repairs of a minor nature or minor alterations which do not change the use, occupancy, area, structural strength, fire hazard, fire protection, exits, light and ventilation of a building shall not require a building permit.

(b) Application for a Building Permit; Application for a building permit shall be made in writing upon a blank form furnished by the Building Inspector and shall state the name and address of the owner of the building and the owner of the land upon which it is to be erected, enlarged, altered, or moved. There shall be submitted with all applications for building permits two copies of a site layout or plot plan, showing:

(1) The location, shape, area and dimensions for the lot, lots or acreage.

(2) The location of the proposed construction upon the lot, lots or acreage affected.

(3) The dimensions, height and bulk of structures.

(4) The nature of the proposed construction, alteration, or repair and the intended use.

(5) The proposed number of sleeping rooms, dwelling units, occupants, employees, customers, and other uses.

(6) The present use of any structure affected by the construction or alteration.

## Article 2 - section 2.04 Building Permit - cont'd

- (7) The yard open area and parking space dimensions, if applicable.
- (8) The proposed design and construction standards of parking spaces, if applicable.
- (9) The number of loading and unloading spaces provided, if applicable.
- (10) Any other information deemed necessary by the Building Inspector to determine and provide for the enforcement of this ordinance. If the information shown on the site layout is in compliance with the above requirements and all other provisions of this ordinance, the Building Inspector shall issue a building permit upon payment of the required building permit fee.

(c) Voiding of Permit: Any building permit granted under this Section shall be null and void unless the development proposed shall have its first inspection within ninety (90) days from the date of the granting of the permit. The Building Inspector shall make every effort to notify the holder of a permit that is liable for voiding action before voidance is actually declared. The Building Inspector may suspend or revoke a permit issued in error or on a basis of incorrect information supplied by the applicant or his agent or in violation of any of the ordinances or regulations of the township.

(d) Fees, Charges and Expenses: The Township Board shall establish a schedule, of fees, charges and expenses, and a collection procedure, for building permits, appeals and other matters pertaining to the ordinance. The schedule of fees shall be posted in the Office of the Building Inspector, and may be altered or amended only by the Township Board. No permit, certificate, conditional use on approval, or variance shall be issued until such costs, charges, fees or expenses listed in this ordinance have been paid in full, nor shall any action be taken on proceedings before the Board of Appeals, until preliminary charges and fees have been paid in full.

(e) Inspection: The construction or usage affected by any building permit shall be subject to the following inspection:

- (1) At time of staking out of building foundation.
- (2) Upon completion of the work authorized by the permit.

It shall be the duty of the holder of every permit to notify the Building Inspector when construction is ready for inspection. Upon receipt of such notification for the first inspection, the Building Inspector shall determine whether the location of the proposed building as indicated by corner stakes, is in accordance with yard setbacks and other requirements of the Ordinance. The Building Inspector shall issue his written approval at the time of inspection if the building or proposed construction meets the requirements of this Ordinance. Should the Building Inspector determine that the building or structure is not located according to the site and construction plans filed, or is in violation of any provision of this ordinance, or any other applicable law, he shall so notify the holder of the permit, or his agent. Further construction shall be stayed until correction of the defects set forth has been accomplished and approved by the Building Inspector upon notice and request for re-inspection duly made.

## Article 2 - section 2.04 Building Permit - cont'd

Should a building permit holder fail to comply with the requirements of the Building Inspector at any inspection stage, the Building Inspector shall make report in writing such failure to the Township Clerk. The Building Inspector shall cause notice of such permit cancellation to be securely and conspicuously posted upon or affixed to the construction not conforming to the ordinance requirements and such posting shall be considered as service upon and notice to the permit holder, of cancellation thereof; and no further work upon said construction shall be undertaken or permitted until such time as the requirements of this ordinance have been met. Failure of the permit holder to make proper notification of the time for inspection shall automatically cancel the permit, requiring issuance of a new permit before construction may proceed.

## SECTION 2.05 VIOLATIONS

Any building or structure including tents and mobile homes, which are erected, constructed, reconstructed, altered, converted, maintained or used, or any use of land or premise which is begun, maintained or changed in violation of any provision of this Ordinance, are hereby declared to a nuisance per se.

## SECTION 2.06 PENALTIES

Any person or the agent in charge of such building or land who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any provision of this ordinance or any amendment thereof, shall be fined upon conviction not more than one hundred (\$100) dollars, together with the cost of prosecution, or shall be punished by imprisonment in the county jail and not more than ninety (90) days for each offense, or may be both fined and imprisoned as provided herein. Each and every day during which any illegal erection, construction, reconstruction, alternation, maintenance or use continues shall be deemed a separate offense. The Township Board, the Township Planning Commission, the Township Building Inspector, the Board of Appeals, the Attorney of the Township or any owner or owners of real estate with the district in which such building, structure or land is situated may institute injunction, mandamus, abatement or any other appropriate action, actions or proceedings to prevent, enjoin, abate, or remove any said unlawful erection, construction, maintenance or use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

## ARTICLE 3

## ZONING BOARD OF APPEALS

## SECTION 3.01 BOARD OF APPEALS ESTABLISHED

There is hereby established a Board of Appeals, which shall perform its duties and exercise its powers as provided by Section 18, Act 184 of the Public Acts of 1943 as amended, in such a way that the objectives of this Ordinance shall be enforced, the public health and safety secured and substantial justice done.

## SECTION 3.02 MEMBERSHIP, TERMS OF OFFICE

The Board of Appeals shall consist of five members. The first member of such Board of appeals shall be the chairman of the Township Planning Commission for the terms of his office; the second member shall be a member of the Township board, appointed by the Township Board, of the term of his office; and the remaining members shall be appointed by the Township Board from among the electors residing in the unincorporated area of the Township to staggered terms, of three years other than those on the Township Board or Planning Commission. The Chairman of the Township Planning Commission shall act as Chairman of the Township Board of Appeals.

### SECTION 3.03 RULES OF PROCEDURE, MAJORITY VOTE

The Board shall adopt its own rules of procedure as may be necessary to properly conduct its meetings. The concurring vote of a majority of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the administrative official or to decide in favor of the applicant any matter upon which they are required to pass under this Ordinance or to effect any variation in this Ordinance.

### SECTION 3.04 MEETINGS

Meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board in its rules of procedure may specify.

### SECTION 3.05 PUBLIC MEETINGS AND MINUTES

All meetings of the Board of Appeals shall be open to the public. Minutes shall be recorded of all proceedings which shall contain evidence and data relevant to every case considered, together with vote and signature of each member and the final disposition of each case. The grounds of every determination shall be stated and such determination from which the appeal is taken. Such minutes shall accompany and be attached to the standard forms required of persons appealing as part of the Zoning Board of Appeals permanent records. Such minutes shall be filed in the office of the Township Clerk and shall be sent promptly to the applicant or appellant and to the Zoning Administrator. The Township Clerk may act as secretary to the Zoning Board of Appeals. The Township Attorney shall act as legal counsel for the Board and shall be present at all meetings upon the request of the Board. Other knowledgeable persons may also be utilized in an advisory capacity.

### SECTION 3.06 POWERS AND DUTIES

The Board of Appeals shall have powers to interpret the provisions of this Ordinance, to grant variances from the strict application of any provisions of this Ordinance.

### SECTION 3.07 VARIANCE

A variance from the terms of this Ordinance shall not be granted by the Board of Appeals unless and until:

- (a) A written application for a variance is submitted, demonstrating:
  - (1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.
  - (2) That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
  - (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
  - (4) That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other district shall be considered grounds for the issuance of a variance.



## Article 3 - Section 3.07 Variance - cont'd

(b) The Board of Appeals shall make findings that the requirements of the Ordinance have been met by the applicant for a variance.

(c) The Board of Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

(d) The Board of Appeals shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the Neighborhood, or otherwise detrimental to the public welfare.

(e) In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance, and punishable under SECTION 2.06 of this Ordinance.

(f) Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this ordinance in said district.

## SECTION 3.08 VOIDING OF AND REAPPLICATION FOR VARIANCE

The following provisions shall apply:

(a) Each variance granted under the provisions of this ordinance shall become null and void unless:

(1) The construction authorized by such variance or permit has been commenced within ninety (90) days after the granting of such variance and pursued diligently to completion.

(b) No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted for a period of three hundred and sixty-five (365) days from such denial, except on grounds of new evidence or proof of changed conditions found by the Board of Appeals to be valid.

## SECTION 3.09 PROCEDURE FOR APPEALING TO THE BOARD OF APPEALS

The following provisions shall apply:

(a) APPEALS, HOW TAKEN -- Appeals from the ruling of the Township Building inspector may be made to the Board of Appeals in the following manner:

(1) The person, firm or agent thereof making the appeal, shall file in writing to the Building Inspector, a letter stating what the specific appeal is and the reasons for said appeal.

(2) The Building Inspector submits the written appeal, along with all papers constituting the record from which the action appealed was taken, to the Zoning Board of Appeals.

(b) WHO MAY APPEAL - Appeals to the Board of Appeals may be taken by any person aggrieved or by an officer, department, board, agency or bureau of the Township, County, or State.

(c) FEE FOR APPEAL - A fee prescribed by the Township Board shall be submitted to the Building Inspector at the time of filing the letter of appeals. The appeals fee shall immediately be placed in the Township General Fund.

## Article 3 - Section 3.09 Procedure for Appealing to the Board of Appeals-cont'd

(d) EFFECT OF APPEAL: ESTRAINING ORDER - An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Township Board of Appeals, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by the Circuit Court, on application, on notice to the officer from whom the appeal is taken and on due cause shown.

(e) HEARING BY THE BOARD OF APPEALS; REQUEST; NOTICE; HEARING - When a request for appeals has been filed in proper form with the Board of Appeals, the Secretary, or Township Clerk shall immediately place the said request for appeal upon the calendar for hearing, and cause notice, stating the time, place, and object of the hearing to be served personally or by register return receipt mail at least ten (10) days prior to the date of such hearing upon the party or parties making the request for appeal.

(f) REPRESENTATION AT HEARING - Upon the hearing, any party or parties may appear in person or by agent or by attorney.

(g) DECISIONS OF THE BOARD OF APPEALS AND APPEALS TO THE CIRCUIT COURT - The Board of Appeals shall decide upon all appeals within a reasonable time and reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the Building Inspector from whom the appeal is taken. The Board of Appeals's decision of such appeals shall be in the form of a resolution containing a full record of the findings and determination of the Board of Appeals in each particular case and the signatures of each member of the Board of Appeals affixed thereon. Any persons having an interest affected by such resolution shall have the right to appeal to the Circuit Court on questions of law and fact.

#### ARTICLE 4 AMENDMENT PROCEDURE

##### SECTION 4.01 INITIATING AMENDMENTS AND FEES

The Township Board may from time to time on recommendation from the Planning Commission, amend, modify, supplement or revise the district boundaries or the provisions and regulations herein established whenever the public necessity and convenience and the general welfare require such amendment. Said amendment may be initiated by resolution of the Township Board, the Planning Commission, or by petition of one or more owners of property to be affected by the proposed amendment. Except for the Township Board, or the Planning Commission, the petitioner or petitioners requesting an amendment shall at the time of application pay the fee of two hundred (\$200) dollars, no part of which shall be returnable to the petitioner.

##### SECTION 4.02 AMENDMENT PROCEDURE

The procedure for making amendments to this Ordinance shall be as follows:

(a) Each petition for amendment initiated by one or more owners of property shall be submitted to the Township Board who shall refer it for recommended action to the Planning Commission.

## Article 4 - Section 4.02 - Amendment Procedure - cont'd

(b) After deliberations on any proposal, the Township Planning Commission shall conduct at least one hearing notice of the time and place of which shall be given by two publications in a newspaper of general circulation in the township, the first to be printed not more than thirty (30) nor less than twenty (20) days and the second no more than eight (8) days before the date of such hearing. The notices shall include the places and times at which the tentative text and any maps of the zoning ordinance may be examined.

(c) Upon completion of the public hearings provided above, the proposed amendment or supplement shall be submitted to the Lenawee County Metropolitan Planning Commission for review and recommendation. The petition shall then be returned to the Township Board by the Lenawee County Metropolitan Planning Commission for action in accordance with SECTION 10, Act 184, Public Acts of 1943.

(d) After receiving the proposed amendment, the Township Board may adopt the amendment with or without changes in accordance with the provisions and procedures of Act 184, the Public Acts of 1943.

(e) All provisions of this Article shall be subject to the provisions of the Township Rural Zoning Act, as the same may be from time to time amended, which Act is incorporated herein by reference.

## SECTION 4.03 CONFORMANCE TO COURT DECREE

Any amendment for the purpose of conforming a provision thereof to the decree of a court of competent jurisdiction shall be adopted by the Township Board and the amendments published without referring the same to any other board or agency.

ARTICLE 5  
GENERAL PROVISION

## SECTION 5.01 ESTABLISHMENT OF DISTRICTS

The Township is hereby divided into the following zoning district as shown on the Official Zoning Map, which together with all explanatory matter shown thereon, is hereby adopted by reference and declared to be a part of this Ordinance:

- AA-1 AGRICULTURAL DISTRICT
- AA-2 AGRICULTURAL DISTRICT
- RA LOW-DENSITY RESIDENTIAL DISTRICT
- RB MEDIUM DENSITY RESIDENTIAL DISTRICT
- NS NEIGHBORHOOD SERVICE COMMERCIAL
- LI LIGHT INDUSTRIAL DISTRICT

## SECTION 5.02 PROVISION FOR OFFICIAL ZONING MAP

These Districts, so established, are bounded and defined as shown on the map entitled:

"ZONING DISTRICT MAP OF RIDGEWAY TOWNSHIP"  
adopted by the Township Board, and which, with all notations, references and other information appearing thereon, is hereby declared to be a part of this Ordinance and of the same force and effect as if the District shown thereon were fully set forth by metes and bounds therein.

## Article 5 - General Provision - cont'd

## SECTION 5.03 CHANGES TO OFFICIAL ZONING MAP

If, in accordance with the procedures of this Ordinance and of Act 184, of the Public Acts of 1943, as amended, a change is made in a zoning district boundary, such change shall be made by the Building Inspector promptly after the ordinance authorizing such change shall have been adopted and published by the Township Board.

## SECTION 5.04 AUTHORITY OF OFFICIAL ZONING MAP

Regardless of the existence of purported copies of the Official Zoning map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Building Inspector shall be the final authority as to the current zoning status of any land, parcel, lot, district, use, building or structure in the Township.

## SECTION 5.05 REPLACEMENT OF OFFICIAL ZONING MAP

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made thereto, the Township Board may by ordinance adopt a new official zoning map which shall supersede the prior Official Zoning Map. The new official zoning map may correct drafting or other errors or omissions on the prior Official Zoning Map, but no such correction shall have the effect of amending the Zoning Ordinance or the prior official Zoning Map. The new official Zoning Map shall be identified by the signature of the Township Supervisor, attested by the Township Clerk, and bear the seal of the Township under the following words:

"This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Ridgeway Township". adopted on the 4th day of March, 1975 which replaces and supersedes the Official Zoning Map which was adopted on the 5th day of July, 1961.

## SECTION 5.06 INTERPRETATION OF ZONING DISTRICTS

Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules for interpretation shall apply.

(a) A boundary indicated as approximately following the centerline of a highway, street, alley, railroad or easement shall be construed as following such center-line.

(b) A boundary indicated as approximately following a recorded lot line, a bounding a parcel, section line, quarter-section line, or other survey line shall be construed as following such line.

(c) A boundary indicated as approximately following the corporate boundary line of a city, village, or township shall be construed as following such line.

(d) A boundary indicated as following the center-line of a stream, river, canal, lake or other body of water shall be construed as following such centerline.

(e) A boundary indicated as parallel to or an extension of a feature indicated in paragraphs A through E above shall be so construed

(f) A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.



## SECTION 5.07 APPLICATION OF REGULATIONS

The regulations established by this Ordinance within each zoning district shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each class of land or building, dwellings and structures throughout each district. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the Board of Appeals shall have power in passing upon appeals to vary or modify any rules, regulations or provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed, public safety secured and substantial justice done.

ARTICLE 6  
SUPPLEMENTAL REGULATIONS

## SECTION 6.01 PURPOSE

There are certain conditions concerning land uses that warrant specific regulations and standards in addition to the requirements of the zoning district in which they are located.

## SECTION 6.02 ACCESSORY BUILDING

(a) Where an accessory building is attached to the side or front of a principal building, such accessory building shall be considered part of the principal building for purposes of determining required yard dimensions, but if such accessory building is attached to the rear of the principal building in such a manner that it is completely to the rear of all portions of said building, it may be considered a detached accessory building for purposes of determining required rear yard dimensions.

(b) No detached accessory building shall be located nearer to a side lot line than the permitted distance for the principal building on the same lot, unless such accessory building shall be completely to the rear of all portions of the principal building, in which case it may be located no nearer than five (5) feet to any side lot line.

(c) No detached accessory building shall be located nearer than five (5) feet to any rear lot line, except that when such accessory building shall be a garage which is entered at right angles to any alley, it shall be located no nearer than twelve (12) feet to said rear lot line.

(d) No accessory building shall project into any front yard setback.

(e) No accessory building shall occupy more than thirty (30) per cent of the area of any rear yard.

(f) Where a corner lot adjoins a side boundary of a lot in any Residential District, no accessory building shall be located nearer to the side street lot line than the side yard setback of the principal building on said lot.

## SECTION 6.03 LOT-BUILDING RELATIONSHIP

Hereafter, every building erected, altered, or moved shall be located on a lot of record as defined herein, and except in the case of an approved multiple dwelling development, there shall be no more than one (1) principal building and its permitted accessory structures located on each lot in a Residential District.

#### SECTION 6.04 ACCESSORY

Building as Dwelling.

No building on the same lot as a principal building shall be used for dwelling purposes.

#### SECTION 6.05 BASEMENT AS DWELLINGS

No basement structure shall be used for occupancy unless a completed story is situated immediately above the basement structure and that the story is used as a dwelling.

#### SECTION 6.06 REQUIRED WATER SUPPLY AND SANITARY SEWERAGE FACILITIES

In addition to the requirements established by the Lenawee County Health Department, the following site development and use requirement shall apply:

(a) No structure for human occupancy or use shall hereafter be erected, altered, or moved unless it shall be provided with a safe, sanitary, and potable water supply and a safe effective means of collection, treatment, and disposal of wastes.

(b) No drain field for a septic tank system shall be located nearer than one hundred fifty (150) feet from the normal high water line of any surface body of water nor located in an area where the ground surface is less than four (4) feet above the normal high water table level.

#### SECTION 6.07 GREEN BELT BUFFER

Prior to the commencement of construction of any structure or building in a Commercial District or Industrial District where such property abuts, adjoins, or is adjacent to a residential zone, a green belt shall be established. However, where permitted elsewhere in this ordinance, an opaque wall or fence may be built in lieu of a greenbelt. A greenbelt, minimum width of twenty (20) feet, which shall be completed within six (6) months from the date of final inspection and shall thereafter be maintained with permanent plant materials.

#### SECTION 6.08 ACCESS TO A STREET

Any lot of record created prior to the effective date of this ordinance without any frontage on a public street or way shall not be occupied except where access to a public street or way is provided by a public or private easement or other right-of-way no less than twenty (20) feet in width. Public access to commercial, industrial, or recreational uses shall not be designed so as to pass through the residential neighborhoods. A private road which serves more than one separately held parcel, or more than one dwelling, or more than one commercial or industrial activity shall be constructed to Lenawee County Road Commission standards, provided that while such road remains private, hard surfacing will not be required.

#### SECTION 6.09 VISIBILITY AT INTERSECTIONS

No fence, wall, hedge, screen, sign, structure, vegetation or planting shall be higher than three (3) feet above street grade on any corner lot or parcel in any zoning district requiring front and side yards within the triangular area formed by the intersecting street right-of-ways lines and a straight line joining the two street lines at points which are thirty (30) feet distant from the point of intersection, measured along the street right-of-way lines.

#### SECTION 6.10 STREET CLOSURES

Whenever any street, alley or other public way is vacated by official action, the zoning district adjoining each side of such public way shall automatically be extended to the center of such vacation, and all area

## Article 6 - Section 6.10 Street Closures - cont'd

included therein shall henceforth be subject to all appropriate regulations of that district within which such area is located.

## SECTION 6.11 HEIGHT REGULATIONS

The height requirements established by this ordinance shall apply uniformly in each zoning district to every building and structure except that the following structures and appurtenances shall be exempt from the height requirements of this ordinance; spires, belfries, penthouses and domes not used for human occupancy; chimneys; ventilators; skylights; water tanks, bulkheads, utility poles; power lines; radio and television broadcasting and receiving antennae, silos; parapets; and other necessary mechanical appurtenances; provided their location shall conform where applicable to the requirements of the Federal Communications Commission, the Civil Aeronautics Administration, and other public authorities having jurisdiction.

## SECTION 6.12 FENCES, WALLS AND SCREENS

Within the limits of a side or front yard space of a lot within a residential district, no fence, wall, other than necessary retaining wall, or other screening structure excluding shrubery, shall be higher than five (5) feet. No such fence or wall located within a rear yard shall exceed eight (8) feet in height.

## SECTION 6.13 SHORELINE EXCAVATION AND DREDGING

No persons shall alter, change, transform, or otherwise vary the edge, bank or shore of any lake, river or stream except in conformance with the following:

(a) As provided in the inland Lakes and Streams Act, Act 291 of the Public Acts of 1965, as amended, and in accordance with the requirements of the Michigan Department of Natural Resources.

(b) If any edge, bank or shore of any lake, river or stream is proposed to be altered in any way by any person, such person shall submit to the Planning Commission all data, exhibits and information as required by the Department of Natural Resources.

## SECTION 6.14 ESSENTIAL SERVICES

For purposes of this Ordinance the following provisions shall apply:

(1) The surface of land used for pipe line right-of-ways shall be restored and maintained as near as possible to its original condition prior to the construction of the pipe line. Top soil shall be filled and replaced.

(2) Essential services shall be exempt from lot area requirements in the Agricultural, Industrial.

## SECTION 6.15 SWIMMING POOLS

All swimming pools shall conform to the requirements of the County Health Department. Swimming pools to be constructed or which are already constructed shall be enclosed by a fence, wall or other structure which shall be at least 4 feet in height as measured from the outside. Any opening under the bottom of the fence shall not be more than 4 inches in height. A fence or wall enclosure shall be of a type that impedes climbing by small children and shall be equipped with a gate that is a self-closing and latching type with the latch on the pool side of the gate. Said entrance way shall lead to the shallow end of the pool. If the

## Article 6 - Section 6.15 Swimming Pools - cont'd

entire premises is enclosed by a fence or wall, this requirement may be waived.

## SECTION 6.16 CONTINUED CONFORMANCE WITH REGULATIONS

The maintenance of yards, open spaces, lot areas, height and bulk limitations, fences, walls, clear vision areas, parking and loading spaces, and all other requirements for a building or use specified within this ordinance shall be a continuing obligation of the owner of such building or property on which such building or use is located.

ARTICLE 7  
NONCONFORMING BUILDINGS AND USES

## SECTION 7.01 NONCONFORMING USES OF LAND

Where, at the effective date of adoption or amendment of this Ordinance, lawful use of land exists that is made no longer permissible under the terms of this Ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

(a) No such nonconforming use shall be enlarged or increased to occupy a larger area, nor moved in whole or in part to any other portion of the lot or parcel occupied at the effective date of adoption or amendment of this Ordinance.

(b) Any nonconforming use of land abandoned for a period of more than ninety (90) days shall subsequently conform to the requirements of this Ordinance.

## SECTION 7.02 NONCONFORMING USES OF BUILDINGS

Where a lawful building exists at the effective date of this Ordinance, or amendment thereto, that could not be built under this Ordinance by reason of its location on the lot, lot coverage, height, yard or other characteristics, such structure may be continued, subject to the following:

(a) Any structure existing at the effective date of this Ordinance, devoted to a use not permitted by this Ordinance in the district in which it is located shall not be altered, enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

(b) When a nonconforming use of a building is vacated or abandoned for six (6) consecutive months, the building shall not be used thereafter except in conformance with the regulations of the district in which it is located.

## SECTION 7.03 NONCONFORMING BUILDINGS

Where a lawful structure exists at the effective date of adoption or amending of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

(a) No such structure may be enlarged or altered in a way which increases its nonconformity.



## Article 7 - Section 7.03 Nonconforming Buildings - cont'd

(b) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

(c) Should such structure be destroyed by any means to an extent of more than fifty per cent (50%) of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance. Such repairs shall be initiated within ninety (90) days.

## SECTION 7.04 ILLEGAL NONCONFORMING USES AND BUILDINGS

Those alleged nonconforming uses of land, uses of buildings and buildings which cannot be proved conclusively to have been existing prior to the effective date of this Ordinance, or any amendment thereto, shall be declared illegal nonconforming uses of land, nonconforming uses of buildings and nonconforming buildings and shall be discontinued upon written notification from the Building Inspector.

ARTICLE 8  
SIGN REGULATIONS

## SECTION 8.01 GENERAL SIGN REGULATIONS

No sign shall be erected at any location, where by reason of the position, size, shape, color, movement or illumination, it may interfere with, obstruct the view of, be confused with any authorized traffic sign, signal, or device so as to interfere with, mislead, or confuse traffic. Consideration of traffic visibility and injurious effects on adjacent properties is essential. All signs shall be designed, constructed, and maintained so as not to change the essential character of such area.

## SECTION 8.02 PERMITTED SIGNS IN "AA" DISTRICT

In "AA" Districts only one (1) sign of each of the following types shall be permitted on each lot or parcel unless otherwise specified herein. The following signs are permitted.

(a) A non-illuminated sign advertising the sale or rental of the building or premises not exceeding six (6) square feet in area and placed no nearer to the street line than one-half the required front yard depth.

(b) Non-illuminated trespassing, safety, directional, caution or announcement signs each not exceeding two (2) square feet in area.

(c) A non-illuminated sign announcing a home occupation, service, or produce offered on the premises, provided that such a sign shall not exceed twelve (12) square feet in area; and shall be located no closer to the street line than one-half (1/2) the required frontage yard.

(d) A sign or bulletin board identifying a church, school, park or other authorized use not to exceed twelve (12) square feet in area and placed no nearer than fifteen (15) feet to any property line. Such sign may be illuminated by a non-flashing reflective light and the source of illumination shall not be visible.

## Article 8 - Sign Regulations - cont'd

## SECTION 8.03 PERMITTED SIGNS IN RESIDENTIAL DISTRICTS

In any residential district only one (1) sign of each of the following types shall be permitted on each lot or parcel unless otherwise specified herein. The following signs are permitted.

(a) A non-illuminated sign advertising the sale or rental of the building or property not exceeding six (6) square feet in area and placed no nearer to the street line than one-half of the required front yard depth.

(b) A non-illuminated sign announcing a home occupation or service that is offered on the premises provided that such sign shall not exceed two (2) square feet in area and shall be attached flat against a building wall.

(c) One sign advertising a recorded subdivision or development not to exceed eighteen (18) square feet in area and placed no closer to any street right-of-way than one-third ( $1/3$ ) the minimum authorized front yard depth, such sign shall be removed within one year after the sale of ninety (90) percent of all lots or units within said subdivision or development.

(d) One sign identifying a multiple-family building, sub-divisions or development not having commercial connotations, not to exceed eighteen (18) square feet in area and placed no closer to any street right-of-way line than one third ( $1/3$ ) the minimum authorized front yard depth.

(e) A sign or bulletin board identifying a church, school or other authorized use not to exceed twelve (12) square feet in area and placed no nearer than fifteen (15) feet to any property line. Such sign may be illuminated by a non-flashing reflected light and the source of illumination shall not be visible.

## SECTION 8.04 PERMITTED SIGNS IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS

A sign in any Commercial or Industrial District is permitted only where it advertises a business occupying the same lot of land upon which the sign is erected. Signs shall conform to the building set-back and height requirements, except for, and in addition to, the requirements provided below:

(a) In any Commercial or Industrial District a sign may be affixed flat against the wall of the building, or may project therefrom not more than forty-eight (48) inches, provided that such signs do not project over a sidewalk or public right-of-way. Projecting signs shall be at least twelve (12) feet above finished grade. The total sign area shall not exceed one (1) square foot for each foot in length or height of the wall, whichever is greater, to which it is affixed. No such sign shall extend more than four (4) feet in height above the building to which it is affixed.

(b) One free-standing identification sign may be erected for a shopping center or other integrated group of stores or commercial buildings. The area for said sign shall be based on one (1) square foot for each foot of building frontage, however, it shall not exceed two hundred (200) square feet in area, nor be closer to the front, side or rear property line than one-third ( $1/3$ ) the distance of the required building set-back.

Article 8 Sign Regulations-Section 8.04 Permitted signs in the  
Commercial and Industrial Districts - cont'd.

(c) One free-standing identification sign may be erected for each separate enterprise situated on an individual lot not located within a shopping center. Such sign shall not exceed eighty (80) square feet in area, except in the "NS" Neighborhood Service Commercial District. Such sign shall not exceed thirty-six (36) square feet in area, nor be closer to the front, side or rear property line, than one-third ( $1/3$ ) the distance of the required building setback.

(d) All signs may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or hazard to traffic or conflict with traffic control signs or lights. No illumination involving movement by reason of the lighting arrangement or other devices shall be permitted.

SECTION 8.05 OUTDOOR ADVERTISING SIGNS

Outdoor advertising signs (billboards) shall be permitted under the following conditions:

(a) Outdoor advertising signs (billboards) are permitted only in the Commercial and Industrial Districts.

(b) Outdoor advertising signs are required to have the same setback as other principal structures or buildings in the zone in which they are situated.

(c) Where two (2) or more outdoor advertising signs are along the frontage of a single street or highway they shall not be less than one thousand (1000) feet apart. A double face, (back to back) or a V-type structure shall be considered a single sign.

(d) The total surface area, facing in the same direction of any outdoor advertising sign shall not exceed two hundred (200) square feet.

(e) No outdoor advertising sign shall be erected on the roof of any building, nor have one sign above another sign.

(f) Outdoor advertising signs may be illuminated by reflected light only, provided the source of light is not directly visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights. No illumination involving movement by reason of the lighting arrangement or other devices shall be permitted.

(g) Outdoor advertising signs shall be designed, constructed, operated, maintained, and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that a use will not change the essential character of the same area.

(h) Outdoor name or identification signs are exempt from the provisions of this section provided that all such signs shall be flush with the building wall or roof.

SECTION 8.06 SIGNS FOR GASOLINE SERVICE STATIONS

Notwithstanding other provisions of this Ordinance, one (1) permanently installed sign shall be permitted on each street frontage, installed so that a clear view of street traffic by motorists or pedestrians may not be obstructed in any way to a height of sixteen (16) feet other than necessary supports, and not exceeding twenty-five (25) square feet in area.

Article 8 Sign Regulations - Section 8.06 Signs for Gasoline  
Service Stations - cont'd

A sign or legend may also be placed flat on the main building or fuel pump canopies.

SECTION 8.07 ELIMINATION OF NONCONFORMING SIGNS

All signs and billboards erected after the effective date of this Ordinance shall conform to the regulations as set forth in this Ordinance and its amendments. Any existing sign or billboard not conforming shall be deemed a nonconforming use, and shall either be made to conform or shall be removed by the owner within three (3) years from the effective date of this Ordinance. If the owner of said sign fails to remove such nonconforming sign or billboard it shall be deemed a violation and the property owner shall be charged with a violation and subject to the provisions of this Zoning Ordinance.

ARTICLE 9  
PARKING AND LOADING REQUIREMENTS

SECTION 9.01 OFF-STREET PARKING

In all districts, in connection with industrial, business, institutional, agricultural, recreational, residential, or other use, there shall be provided at the time any building is erected, or uses established, enlarged or increased in capacity, off-street parking spaces for automobiles with the requirements herein specified.

(a) Plans and specifications showing required off-street parking spaces, including the means of access and interior circulation, for the above uses, shall be submitted to the Building Inspector for review at the time of application for a building permit. Required off-street parking facilities shall be located on the same lot as the principal building or on a lot within three hundred (300) feet thereof except that this distance shall not exceed one-hundred fifty (150) feet for single family and two family dwellings. This distance specified shall be measured from the nearest point of the parking facility to the nearest point of the lot occupied by the building or use that such facility is required to serve.

(b) No parking area or parking space which exists at the time this Ordinance becomes effective or which subsequent thereto is provided for the purpose of complying with the provisions of this Ordinance shall thereafter be relinquished or reduced in any manner below the requirements established by this Ordinance, unless additional parking area or space is provided sufficient for the purpose of complying with the provisions of this Ordinance within three hundred (300) feet of the proposed or existing uses for which such parking will be available.

(c) Parking of motor vehicles, in residential zones, shall be limited to passenger vehicles, one (1) non-residential type recreational vehicle per dwelling unit, and not more than one commercial vehicle of the light delivery type, not to exceed three-fourths ( $3/4$ ) ton shall be permitted per dwelling unit. The parking of any other type of commercial vehicle, or bus, except for those parked on school or church property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance.

(d) Each off-street parking space for automobiles shall not be less than two hundred (22) square feet in area, exclusive of access drives or aisles, and shall be of usable shape and condition. There shall be provided a minimum access drive of ten (10) feet in width, and where a turning radius is necessary, it will be of such an arc as to reasonably allow an unobstructed flow of vehicles. Parking aisles for automobiles shall be of sufficient width to allow a minimum turning movement in and out of a parking space. The minimum width of such aisle shall be:

(1) For ninety (90) degree or perpendicular parking the aisle shall not be less than twenty-two (22) feet in width.

(2) For sixty (60) degree parking the aisle shall not be less than eighteen (18) feet in width.

(3) For forty-five (45) degree parking the aisle shall not be less than thirteen (13) feet in width.

(4) For parallel parking the aisle shall not be less than ten (10) feet in width.

(e) Off-street parking facilities, required for churches may be reduced by fifty (50) per cent where churches are located in nonresidential districts and within three hundred (300) feet of usable public or private off-street parking areas. Off-street parking facilities for trucks at restaurants, service stations and other similar and related uses shall be of sufficient size to adequately serve trucks and not interfere with other vehicles that use the same facilities. Such truck spaces shall not be less than ten (10) feet in width and fifty-five (55) feet in length.

(f) Every parcel of land hereafter used as a public or private parking area shall be developed and maintained in accordance with the following requirements:

(1) All off-street parking spaces shall not be closer than five (5) feet to any property line, except where a wall, fence or compact planting strip exists as a parking barrier along the property line.

(2) All off-street parking areas shall be drained so as to prevent drainage to abutting properties and shall be constructed of materials which will have a dust-free surface resistant to erosion.

(3) Any lighting fixtures used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining premises and streets.

(4) Any off-street parking area providing space for five (5) or more vehicles shall be effectively screened on any side which adjoins or faces property adjoining a residential lot or institution by a wall, fence, or compact planting not less than four (4) feet in height. Plantings shall be maintained in good condition and not encroach on adjoining property.

(5) All off-street parking areas that make it necessary for vehicles to back out directly into a public road are prohibited, provided that this prohibition shall not apply to off-street parking areas of one or two-family dwellings.

(6) Combined parking facilities are allowed when two or more uses occur on one property or when a building (s) on one property contain two or more uses provided that the permanent allocation of the required number of parking spaces shall be the sum of the requirements for the various uses and computed in accordance with this Ordinance. Parking facilities for one use shall not be considered as providing the required parking facilities for

any other use, except churches.

(g) Any sign intended to advertise parking or loading facilities shall be constructed in accordance with the regulations specified in Article 8.

(h) A business involving the repair, service, sale or display of vehicles is prohibited in areas used for parking or loading.

(i) For the purposes of determining off-street parking requirements the following units of measurement shall apply:

(1) FLOOR AREA: In the case of uses where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the gross floor area, except that such floor area need not include any area used for incidental service storage installations of mechanical equipment, penthouses, housing ventilators and heating systems and similar uses.

(2) PLACES OF ASSEMBLY: In stadiums, sport arenas, churches, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each eighteen (18) inches of such seating facilities shall be counted as one (1) seat. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.

(3) FRACTIONS: When units of measurement determining the number of required parking spaces result in requirement of a fractional space. Any fraction up to and including one-half (1/2) shall require one (1) parking space.

(4) The minimum required off-street parking spaces shall be set forth as follows:

#### USE PARKING SPACE REQUIREMENTS - AUTOMOBILE OR MACHINERY - SALES AND SERVICE GARAGES

One (1) space for each two hundred (200) square feet of showroom floor area plus two (2) spaces for each service bay plus one (1) space for each two (2) employees on the maximum shift.

#### BANKS, BUSINESS AND PROFESSIONAL OFFICES

Two (2) parking spaces for each 200 square feet of floor area plus one (1) parking space for each employee working within the building.

#### BARBER SHOPS AND BEAUTY PARLORS

Two (2) spaces for each chair plus one (1) space for each employee.

#### BOARDING AND LODGING HOUSES, FRATERNITIES

Two (2) parking spaces for each three (3) beds.

#### BOWLING ALLEYS

Five (5) parking spaces for each alley plus one (1) space for each employee per shift.

CHURCHES, AUDITORIUMS, STADIUMS, SPORTS ARENAS,  
THEATERS, DANCE HALLS, ASSEMBLY HALLS other than schools

One (1) space for each four (4) seats, or for each four (4) persons permitted in such edifice as stated by the fire marshall.

CLINICS

Four (4) spaces for each doctor plus one (1) space for each employee per shift.

CONVALESCENT HOME, ORPHANAGE, OR SIMILAR USE

One (1) parking space for each four (4) beds plus one (1) space for each two (2) employees, including nurses, per shift.

DRIVE-IN BANKS, CLEANERS AND SIMILAR BUSINESSES

Storage space for five (5) cars between the sidewalk area and the service window and one (1) parking space for each two (2) employees.

DRIVE-IN EATING ESTABLISHMENTS

Ten (10) parking spaces, plus one (1) parking space for each twenty (20) square feet of floor area.

DWELLINGS (Single and Two Family)

Two (2) parking spaces for each family dwelling unit.

DWELLINGS (Multiple-Family)

Two (2) parking spaces per dwelling unit.

FUNERAL HOMES AND MORTUARIES

Four (4) spaces for each slumber room or one (1) space for each fifty (50) square feet of floor area, whichever is greater, plus one (1) space for each fleet vehicle.

FURNITURE, APPLIANCE STORES, HOUSEHOLD EQUIPMENT AND  
FURNITURE REPAIR SHOPS

One (1) space for each four hundred (400) square feet of floor area.

GASOLINE FILLING AND SERVICE STATIONS

One (1) parking space for each repair and service stall, plus one (1) space for each employee on a per shift.

GENERAL OFFICE BUILDING

One (1) parking space for each 400 square feet of gross floor area excluding auto parking within or on the building, plus one (1) parking space per two (2) employees per shift.

HOSPITALS

One (1) space for each bed plus one space for each two employees.



Article 9 Parking and Loading Requirements  
Section 9.01 Off-Street Parking - cont'd

HOTELS, MOTELS, LODGING, HOUSES, TOURIST & BOARDING HOMES

One (1) space for each living unit plus one (1) space for each two (2) employees per shift.

LIBRARIES, MUSEUMS, POST OFFICES

One (1) parking space for each 800 square feet of floor area plus one (1) parking space for each two (2) employees per shift.

LIVESTOCK AUCTION

Two (2) square feet of parking area for each one (1) square foot of buildings, pens, and all enclosed area on the premises of the auction facility.

MANUFACTURING, FABRICATING, PROCESSING & BOTTLING PLANTS,  
RESEARCH AND TESTING LABORATORIES

One (1) space for each two (2) employees on maximum shift.

RESTAURANTS, BEER PARLORS, TAVERNS, NIGHT CLUBS AND PRIVATE CLUBS

One (1) parking space for each four (4) patron seats, plus one (1) parking space for each two (2) employees per shift.

RETAIL STORES, EXCEPT AS OTHERWISE SPECIFIED HEREIN

One (1) parking space for each 150 square feet of floor area excluding auto parking space within or on the building.

ROADSIDE STANDS

Five (5) parking spaces, plus one (1) parking space for each twenty-five (25) square feet of floor area.

SCHOOLS, PRIVATE OR PUBLIC ELEMENTARY & JUNIOR HIGH SCHOOLS

One (1) space for each employee normally engaged in or about the building or grounds plus one (1) space for each thirty (30) students enrolled.

SENIOR HIGH SCHOOL & INSTITUTIONS OF HIGHER LEARNING,  
PRIVATE OR PUBLIC

One (1) parking space for each employee (including teachers and administrators) plus one (1) for each ten (10) students in addition to the requirements of the auditorium.

SELF-SERVICE LAUNDRY OR DRY CLEANING STORES

One (1) space for each two (2) washing and-or dry cleaning machines.

SUPER MARKET, SELF-SERVICE FOOD & DISCOUNT STORES

Two (2) spaces for each two hundred (200) square feet of floor area plus one (1) space for each two (2) employees per shift.

Article 9 Parking and Loading Requirements  
Section 9.01 Off-Street Parking - cont'd

WHOLESALE ESTABLISHMENTS AND WAREHOUSES

One (1) space for each four hundred (400) square feet floor area plus one (1) space for each two (2) employees.

(5) Where a use is not specifically mentioned the parking requirements of a similar or related use shall apply.

SECTION 9.02 LOADING-UNLOADING REQUIREMENTS

In connection with every building or part thereof hereafter erected, except single and two-family dwelling unit structures, there shall be provided on the same lot with such buildings, off-street loading and unloading spaces for uses which customarily receive or distribute material or merchandise by vehicle.

(a) Plans and specifications showing required loading and unloading spaces including the means of ingress and egress and interior circulation shall be submitted to the Building Inspector for review at the time of application for a building permit for the erection or enlargement of a use or a building or structure.

(b) Each off-street loading-unloading space shall not be less than the following:

(1) In a Residential District a loading-unloading space shall not be less than (10) feet in width and twenty-five (25) feet in length and, if a roofed space, not less than fourteen (14) feet in height.

(2) In any Commercial or Industrial District a loading-unloading space shall not be less than ten (10) feet in width and fifty-five (55) feet in length, and if a roofed space, not less than fifteen (15) feet in height.

(c) Subject to the limitations of the next paragraph, a loading-unloading space may occupy all or any part of any required side or rear yard; except the side yard along a side street in the case of corner lot, in no event shall any part of a required front yard be occupied by such loading space.

(d) Any loading-unloading space shall not be closer than fifty (50) feet to any other lot located in any residential district unless wholly within a completely enclosed building or unless enclosed on all sides by a wall, fence or compact planting not less than six (6) feet in height.

(e) In the case of mixed uses, on one lot or parcel the total requirements for off-street loading-unloading facilities shall be the sum of the various uses computed separately.

(f) All off-street loading-unloading facilities that make it necessary to back out directly into a public road shall be prohibited.

(g) Off-street loading space and access drives shall be paved, drained, lighted, and shall have appropriate bumper or wheel guards where needed and any light used for illumination shall be so arranged as to reflect the light away from the adjoining premises and streets.

(h) Off-street loading-unloading requirements for residential (excluding single-family dwellings), hotels, hospitals, mortuaries, public assembly, offices, retail, wholesale, industrial or other uses similarly involving the receipt or distribution by vehicles, the uses having over five

## Section 9.02 Loading-Unloading Requirements - cont'd.

thousand (5,000) square feet of gross floor area shall be provided with at least one (1) off-street loading-unloading space, and for every additional twenty thousand (20,000) square feet of gross floor space, or fraction thereof, one (1) additional loading-unloading space, the size of such loading-unloading space subject to the provisions of this Ordinance.

(i) Where a use is not specifically mentioned, the requirements or a similar or related use shall apply.

ARTICLE 10  
CONDITIONAL USES

## SECTION 10.01 PURPOSE

The formulation and enactment of this zoning ordinance is based upon the division of the Township into districts, each of which are permitted specified uses which are mutually compatible. In addition to such permitted compatible uses, however, it is recognized that there are certain other uses which may be necessary or desirable to allow in certain locations in certain districts but which on account of their actual or potential impact on neighboring uses or public facilities need to be carefully regulated with respect to their location for the protection of the Township. Such uses, on account of their peculiar locational need or the nature of the service offered, may have to be established in a district in which they cannot be reasonably allowed as a permitted use.

## SECTION 10.02 AUTHORITY TO GRANT PERMITS

The Township Board with recommendations from the Township Planning Commission shall have the authority to grant conditional use permits, subject to such conditions of design and operation, safeguards and time limitations as it may determine for all conditional uses specified in the various district provisions of this Ordinance.

## SECTION 10.03 APPLICATION AND FEE

Application for any conditional use permit permissible under the provisions of this ordinance shall be made to the Township Board by filling in the official conditional use permit application form, submitting required data, exhibits and information; and deposition one hundred (100) dollars, if a special meeting is required of any governmental body or agency. No part of such fee shall be returnable to the applicant.

## SECTION 10.04 DATA, EXHIBITS &amp; INFORMATION REQUIRED IN APPLICATIONS

An application for a conditional use permit shall contain the applicant's name and address in full, a notarized statement that the applicant is the owner involved or is acting on the owner's behalf, the address of the property involved, an accurate survey drawing of said property, showing the existing and proposed location of all buildings and structures thereon, and types thereof, and their uses and a statement and supporting data exhibits, information, and evidence regarding the required findings set forth in this ordinance.

## SECTION 10.05 PUBLIC HEARING

The Township Planning Commission may hold a public hearing, or hearings, upon any application for a conditional use permit, notice of which shall be given by two (2) publications in a newspaper of general circulation in the Township, the first to be printed not more than 30 days nor less than 20 days and the second not more than eight (8) nor less than one (1) day before the date of such hearing.

## SECTION 10.06 REQUIRED STANDARDS AND FINDINGS FOR MAKING DETERMINATIONS

The Planning Commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and shall find and record adequate data, information and evidence showing that such a use on the proposed site, lot or parcel;

(a) Will be harmonious with and in accordance with the general objectives, intent and purposes of this ordinance.

(b) Will be designed, constructed, operated, maintained and managed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.

(c) Will be served adequately by essential public facilities and services, such as: highways, streets, police and fire protection, drainage structures, refuse disposal or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.

(d) Will not be hazardous or disturbing to existing or future neighboring uses.

(e) Will not create excessive additional requirements at public cost for public facilities and services.

## SECTION 10.07 JUNK YARDS AND INOPERATIVE VEHICLES

In addition to and as an integral part of development, the following provisions shall apply:

(a) Junk yards shall be established and maintained in accordance with all applicable State of Michigan Statutes.

(b) It is recognized by this ordinance that the location in the open of such materials included in this ordinance's definition of "Junk Yard" will cause the reduction of the value of adjoining property. To the end that the character of the district shall be maintained and property values conserved, an opaque fence or wall at least seven (7) feet in height, and not less in height than the materials located on the lot on which a junk yard shall be operated, shall be located on said lot no closer to the lot lines than the yard requirements for buildings permitted in this district. All gates, doors, and access ways through said fence or wall shall be of solid, unpierced material. In no event shall any materials included in this ordinance's definition of "Junk Yard" be located on the lot on which a junk yard shall be operated in the area between the lines of said lot and the opaque fence or wall located on said lot. Any material not so enclosed may be removed by the Township at lot owners expense.

(1) In addition to the foregoing requirements, the Planning Commission may require a green-belt in accordance with the provisions of ARTICLE 6.

## Article 10 Conditional Use

## Section 10.07 Junk Yards and Inoperative Vehicles - cont'd

(c) All traffic ingress or egress shall be on major streets, and there shall be not more than one (1) entrance way to the lot on which a junk yard shall be operated from each public road on which said lot abuts.

(d) On the lot on which a junk yard shall be operated, all roads, driveways, parking lots, and loading and unloading areas within any yard shall be paved, or chemically treated so as to limit on adjoining lots and public roads the nuisance caused by windborne dust.

## SECTION 10.08 MOBILE HOME PARK

## (A) SIGNS

1. One (1) identification sign, approved in conjunction with the final site plan approval of the mobile home park. In no case shall such sign be larger than fifty (50) feet in surface area nor have any moving parts, nor stand higher than fifteen (15) feet from the ground to the top of the sign. Such signs shall be no closer to the public right-of-way line than twenty (20) feet.

2. Not more than one (1) entry and one (1) exit sign at each access drive onto the public right-of-way, approved in conjunction with the final site plan approval of the mobile home park. In no case shall the sign be larger than two (2) square feet in surface area, nor have any moving parts, nor stand higher than five (5) feet from the ground to the top of the sign.

## (B) ACCESS

All mobile home parks shall have access to a paved County Primary road as designated by the Lenawee County Road Commission, and/or a paved State Primary road, by directly abutting thereon.

## (C) PARKING, STREETS AND WALKS.

All roads, driveways and motor vehicle parking spaces shall be paved and constructed so as to handle all anticipated peak loads and shall be adequately drained and lighted for safety and ease of movement of pedestrians and vehicles. All roads and driveways shall have curbing and gutters. All road maintenance in the mobile home park and snow removal shall be the responsibility of the park operator.

1. There shall be provided at least two (2) automobile parking spaces for each mobile home site, these spaces shall have a minimum dimension of ten (10) feet by twenty (20) feet.

2. Minimum widths of roadways (curb face to curb face) shall be as follows:

| <u>Motor Vehicle Parking</u>         | <u>Traffic Use</u> | <u>Minimum Pavement Width</u> |
|--------------------------------------|--------------------|-------------------------------|
| a. Parking Prohibited                | 2 way road         | 22 feet                       |
| b. Parallel Parking on one side only | 1 way road         | 22 feet                       |
| c. Parallel Parking on two sides     | 1 way road         | 28 feet                       |
| d. Parallel Parking on two sides     | 2 way road         | 38 feet                       |

3. When a Cul-de-sac Drive is provided, the radius of such roadway loop shall be a minimum of fifty (50) feet, curb face to curb face, with the drive length a maximum of three hundred (300) feet.

4. All lots shall have sidewalks along the front of each lot and from patio to the front sidewalk. Walkways shall not be less than three (3) feet in width and on both sides of any street.

5. The local roadway system should be so constructed so as to prevent the use of such roadway system for through traffic.

6. Minimum size of a Mobile Home Park shall be fifteen (15) acres.

#### (D) UTILITIES AND OTHER SERVICES.

All utilities in the park shall conform in all respects with all codes of the State of Michigan and Ridgeway Township.

1. All mobile homes within such park shall be suitably connected to sewer and water services provided at each mobile home site.

a. All sanitary sewage facilities, including plumbing connections to each mobile home site, shall be constructed so that all facilities and lines are protected from freezing, from bumping, from creating any type of nuisance or health hazard. Sewage facilities shall be of such capacity as to serve adequately all users of the park at peak periods. Running water from a State tested and approved supply, designed for a minimum flow of two hundred (200) gallons per day per mobile home site shall be piped to each mobile home. Sewer connections shall not exceed ten (10) feet in length above ground.

b. Storm drainage facilities shall be so constructed as to protect those that will reside in the mobile home park as well as the property owners adjacent to the park. Such park facilities shall be of such capacity as to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the park.

2. All garbage and trash containers shall be placed in conveniently located structures of uniform design.

3. All electric, telephone and other lines from supply poles outside the park or other sources to each mobile home site shall be underground.

4. Any fuel oil and/or gas storage shall be centrally located in underground tanks at a distance away from any mobile home site as approved by the fire chief. All fuel lines leading to the park and to mobile home sites shall be underground and so designed as to conform with the Ridgeway Township Building Code and any State code that may be applicable. When separate meters are installed each meter shall be located in a uniform manner. The use of individual fuel oil or propane gas

storage tanks to supply each mobile home separately is prohibited.

5. All televisions shall be connected to cable TV or to a master antenna system. No individual antennas shall be allowed.

6. Street lights shall be placed at all corners and at regular intervals of not less than one hundred (100) feet.

E. SKIRTING, CANOPIES AND AWNINGS.

1. Each mobile home must be skirted within 90 days after establishment in a mobile home park.

2. Such skirting shall be of 26 gauge metal, aluminum or other non-corrosive metal or material of equal strength and so constructed and attached to the mobile home so as to deter and prevent the entry of rodents, flies, bugs or other insects.

3. Permits for the construction of skirting shall be required from the Building Inspector.

4. Canopies and awnings may be attached to any mobile home, but they shall not exceed twelve (12) feet in width, or length, or the height of the mobile home.

5. A permit shall not be required for construction or erection of canopies or awnings which are open on three (3) sides. However, a permit shall be required from the Building Inspector before construction or erection of any screened, glassed-in or otherwise enclosed awning or canopy.

F. All steps must be of metal or concrete.

G. GENERAL SITE REQUIREMENTS.

1. Open Area. An open area shall be provided on each mobile home site to insure privacy, adequate natural light and ventilation to each home and to provide sufficient area for outdoor uses essential to the mobile home. All lots shall contain a minimum area of at least four thousand (4000) feet. All such trailer site areas shall be computed exclusive of service drives, facilities, and recreation space.

2. Determination of Yards.

Yard width shall be measured from the required mobile home stand to the individual mobile lot line, at every point. It shall be at least equal to the required minimum. Expandable rooms, enclosed patios, garages, or structural additions shall be respected in the yard requirements. Patios, carports and individual storage facilities shall be disregarded in determining yard widths.

a. The sum of the side yards at the entry side and non-entry side of a mobile home stand shall be not



less than twenty (20) feet; provided, however, there shall be a side yard of not less than fifteen (15) feet at the entry side of the mobile home stand and a side yard of not less than five (5) feet at the non-entry side of the mobile home stand. There shall be a front yard of not less than ten (10) feet at the front end of the mobile home stand. For irregularly shaped side yards, the sum is determined as the sum of the average width of each side yard, provided that the required minimums above are maintained at all points in the side yard.

b. No mobile home shall be located closer than fifty (50) feet to the right-of-way line of a major thoroughfare, or twenty (20) feet to any mobile home park property line.

c. The minimum separation between mobile homes shall be twenty (20) feet in any direction.

d. From all stands, the following minimum distances must be maintained;

1. Ten (10) feet to the buffer strip.
2. Twenty-five (25) feet to the park boundary or public right-of-way.
3. Fifty (50) feet to any mobile home park structure.
4. Eight (8) feet to any mobile park walkway.
5. Fifteen (15) feet to any public parking lot located within the mobile home park.

3. The holder of the permit for the park shall maintain the physical and natural facilities and features of the park in neat, orderly and safe manner at all times.

#### H. Individual Lot Requirements

1. Each mobile home site shall be provided with a stand consisting of a solid concrete pad, or concrete ribbons with visqueen and crushed stone between ribbons, not less than four (4) inches thick, sixty (60) feet in length and twelve (12) feet in width. The pad shall be so constructed, graded and placed as to be durable and adequate for the support of the maximum anticipated load during all seasons.

2. Each mobile home shall be supported on uniform jacks or blocks supplied by the mobile home park management.

3. An all-weather hard surfaced outdoor patio area of not less than one hundred (100) square feet shall be provided at each mobile home site, conveniently located to the entrances of the mobile home and appropriately related to open areas of the lot and other

facilities, for the purpose of providing suitable outdoor living space to supplement the limited interior spaces of a mobile home.

I. Fire Extinguishing Equipment.

Every mobile home park shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size and number and so located within the park as to satisfy applicable regulations of the State Fire Marshall. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

J. Utility Cabinets.

Each mobile home may be provided with one metal utility cabinet, which shall be uniform as to size and location throughout the mobile home park site. All cabinets shall be kept clean and shall be maintained in good condition and kept painted and shall contain a minimum of ninety (90) cubic feet of storage area.

K. Buffers, Landscaping and Recreation.

1. A ten (10) foot green belt shall be located and continually maintained along all park borders, except the exits and entrances. This green belt shall consist of trees and shrubs to provide privacy for the mobile home residents and to visually screen the mobile homes from surrounding property. A four (4) foot six (6) inch fence shall be required to separate the park from adjacent property.

2. Any and all plantings in the park shall be hardy plant materials and maintained thereafter in a neat and orderly manner. Withered and/or dead plant material shall be replaced within a reasonable period of time, but no longer than one (1) growing season.

3. A recreation space of at least one hundred fifty (150) square feet per mobile home site in the park shall be developed and maintained by the management. This area shall not be less than one hundred (100) feet in its smallest dimension and its boundary convenient for any mobile home site served. Streets, sidewalks, parking areas and accessory buildings are not to be included as recreation space in computing the necessary area.

4. Each lot is to be seeded with grass by the park operator and it will be his responsibility to see that all lawns are maintained.

L. On-Site Laundry Drying Space.

On-site outdoor laundry drying space of adequate area and suitable location, shall be provided if the park is not furnished with indoor dryers or if use of indoor dryers is not customarily acceptable to prospective occupants. Where outdoor drying space is required or desired, individual clothes drying facilities on each lot of the collapsible umbrella type of hanging apparatus shall be allowed, in the rear yard only, with park management providing a concrete-embedded socket at each site.

## SECTION 10.09 GASOLINE SERVICE STATIONS

Any gasoline service station or filling station in any district shall conform at least to the following regulations. Where the intensity regulations for any district in which a gasoline service station is located are more restrictive than the regulations contained hereinafter, all gasoline service stations or filling stations shall conform to the more restrictive dimensional requirements.

### (a) Frontage and Area;

Every gasoline service station shall have a minimum frontage of one hundred and twenty (120) feet and a minimum area of twelve thousand (12,000) square feet.

### (b) Setbacks:

Every structure erected for use as a gasoline service station shall have a minimum setback from the street right-of-way of thirty-five (35) feet and a minimum setback from all property lines of twenty-five (25) feet.

### (c) Construction Standards:

All vehicle service areas shall be constructed to conform to the following standards:

1. Suitable separation shall be made between the pedestrian sidewalk and vehicular parking or moving area with the use of appropriate bumper, wheel guards or traffic islands. Where the portion of the property used for vehicular traffic abuts a street, said portion shall be separated from the street line by a curb at least six (6) inches high.

2. The entire area used for vehicle service shall be paved, except for such unpaved area as is landscaped and protected from vehicle use by a low barrier.

3. Hydraulic hoist, lubricating, greasing, washing, and repair equipment shall be entirely within a building. Tire and battery service and minor automobile repair, excluding automobile body repair and painting may be carried out within the premises.

4. The maximum widths of all driveways at the sidewalk shall be no more than thirty (30) feet.

5. Minimum angle of driveway intersection with the street from the curb line to lot line shall be no less than sixty (60) degrees.

6. The minimum distance of any driveway from any property line shall be at least twenty (20) feet.

7. The minimum distance between curb cuts shall be no less than forty (40) feet.

8. A fenced area for cars being towed, wrecked, abandoned or disabled shall be provided.

### (d) Lighting:

All lighting shall be accomplished in a manner such that no illumination source causes nuisance to adjacent properties.

## SECTION 10.10 SANITARY LAND FILL

(a) Provided that such use shall be permitted as a conditional use only in the AA-1 Agricultural and the LI-Light Industrial districts shall conform to all State of Michigan and County Health Department regulations of such use; and the permit for such use shall be subject to annual renewal.

## SECTION 10.11 DEVELOPMENT OF NATURAL RESOURCES

Including extraction of sand, gravel, fill dirt, topsoil, gas and oil; provided that such activity shall be permitted as a conditional use only in the AA-1 Agricultural district and II-Industrial district and shall comply with the following provisions:

(a) Commercial pits and quarries, where deemed necessary, shall be completely enclosed by a fence four (4) or more feet in height for the safety of the general public and shall be placed no closer than ten (10) feet to the outside perimeter of the pit or quarry. Said fence shall conform with the minimum setback requirements of the district in which it is located.

(b) No slope shall exceed an angle with the horizontal of more than thirty (30) degrees for the first 12 feet along the horizontal, after which the slope shall not exceed an angle with the horizontal of more than forty-five (45) degrees.

(c) All areas so used shall be rehabilitated progressively as they are worked out or abandoned to a condition entirely free from hazards and blending with the surrounding natural ground. All slopes and banks shall be reasonably graded to prevent excessive erosion.

(d) The Township Board shall establish routes of ingress and egress for truck movement in order to minimize the wear on public roads and to prevent hazards to traffic.

(e) The Township Board, when deemed necessary, shall require the applicant to post a bond for compliance with the township clerk; the amount of said bond to be determined by the Township Planning Commission to insure that all provisions of this ordinance are complied with.

## SECTION 10.12 CAMPS AND LODGES

Including private and semi-private camps, and lodges for active and passive recreation uses, provided that such activity shall be permitted as a conditional use only in the AA-1 Agricultural District, R-A Single-Family Residential District and shall comply with the following provision:

(a) No commercial activity shall be conducted on the premises, except as an accessory use.

(b) Such use shall be located on a site of not less than one (1) acre in size.

(c) Building shall not exceed thirty (30) feet in height, and shall be located no nearer to any property line than forty (40) feet. Yards may be utilized for parking provided that such parking shall not be closer than ten (10) feet to any side or rear property line, nor twenty (20) feet to any street or highway right-of-way line.

(d) Parking areas located adjacent to any residential or institutional use shall be screened from such use by an approved fence, or masonry wall of not less than four (4) nor greater than eight (8) feet in height, in lieu of a separate fence or masonry wall, an evergreen hedge that effectively screens the parking area from adjacent properties may be planted and maintained at a height of not less than four (4) feet.

## SECTION 10.13 PLANNED-UNIT RESIDENTIAL DEVELOPMENTS

The owner or owners of any tract of land in the RA or RB districts comprising an area of not less than five (5) acres may submit to the Township Planning Commission a site plan for the use and development of the tract of land as Planned-Unit Residential Development (PURD).

## Section 10.13 Planned-Unit Residential Developments - Cont'd

## (a) Required Standards for Approval:

(1) The maximum number of dwelling units permitted shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the underlying district or districts in which the PURD site is located. Net development area is determined by subtracting water, muck and peat areas, and areas set aside for churches, schools and similar facilities and the area proposed for streets from the gross development area. The area of land set aside for common land, open space, or recreation, except as above indicated, shall be included as a part of the net development area.

(2) The proposed development will be served adequately by essential public facilities and service, such as; highways, streets, police and fire protection, drainage structures, refuse disposal; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service. Public water and sewer systems shall serve the development whenever deemed feasible by the Township.

(3) The proposed unit is of such size, composition, and arrangement that its construction and marketing operation is a complete unit, without dependence on any subsequent unit of development.

(4) The common open-space, any other common properties, individual properties, and all other elements of the planned unit residential development are so planned that they will achieve a unified environmental scheme, with open spaces and all other elements in appropriate locations, suitably related to each other, the site, and surrounding land.

(5) In view of the "conditional use" nature of the PURD amendment procedure, deed restrictions and covenants entered into, or proposed to be contracted for, by the developer become an appropriate consideration of the Township Planning Commission. The Planning Commission shall consider the manner in which the lawful contractual techniques can augment lawful zoning techniques in attaining the objectives of the PURD amendment and may make its recommendations conditional upon these contractual relations between private parties, or may recommend procedures whereby the Township becomes a party to such contractual relations.

(b) Required Provision in Site Plan: the plan shall contain such proposed covenants, easements, and other provisions relating to the bulk, location and density of residential units, accessory uses, thereto, and public facilities as may be necessary for the welfare of the Planned Unit Residential Development and not inconsistent with the best interests of the entire Township. The applicant may be required to dedicate land for street or park purposes and, by appropriate covenants, to restrict areas perpetually (or for the duration of the Planned Development) as open space for common use. The development as authorized shall be subject to all conditions of this ordinance only to the extent specified in the authorization.

(c) Tentative Township Board Approval: The Township Board, upon the receipt of the Planning Commission's report on the proposed plan, may then give tentative approval to such plans, incorporating with the approval such conditions as the Board deems appropriate and in harmony with the general spirit of this ordinance to promote the public health, safety, morals, convenience and general welfare.

## Section 10.13 Planned-Unit Residential Developments - cont'd

The applicant shall then review his application and plan in final approved form and sign a statement that the planned Unit Residential Development Plan in its final form shall be binding on the applicant, his heirs, successors and assignees. When the Township Board gives final approval, conditional use permit shall be issued for the Planned Unit Residential Development even though the size of lots, the depth of yards and the required distance between grouped buildings and the building height, may not conform in all respects to the regulations of the district in which the project is to be located.

## SECTION 10.14 PLANNED NEIGHBORHOOD SHOPPING CENTERS

Such centers shall be permitted as a conditional use in the NS district and shall comply with the following provisions:

(a) Uses Permitted; Any use permitted in the NS District.

(b) Site Development:

(1) Such development shall occupy a site of not less than three (3) acres with not less than three hundred (300) feet of street frontage.

(2) No building shall be located nearer to any non-commercial property line of the neighborhood center than a distance equal to twice the height of said building.

(3) No building shall exceed the height limitation specified in the zoning district in which it is located.

(c) Screening: When such development is located in or adjacent to a Residential District, or when located adjacent to a school, hospital, church, or other public institution or open space, an approved fence or masonry wall of not less than four (4) feet nor greater than six (6) feet in height shall be erected and maintained along all property lines abutting such District or use. In lieu of a separate fence or masonry wall, an evergreen hedge that effectively screens the parking area from adjacent properties may be planted and maintained at a height of not less than four (4) feet.

(d) Lighting: All lighting shall be accomplished in a manner such that no illumination source causes a nuisance to adjacent properties.

(e) Vehicular Approach: Driveways and approaches to the property shall be so designed and located as to create minimum interference with traffic on the surrounding public streets. No more than two (2) driveways each permitted on each street frontage of the property. Such driveways shall be located as far from street intersections as practicable, but in no case less than fifty (50) feet.

(f) Parking and Circulation: There shall be provided no less than four (4) square feet of parking and circulation space for every one (1) square foot of leasable floor area within the center. On site circulation facilities shall be designed so that there shall be no backing up of traffic into public streets. All areas accessible to traffic shall be paved and maintained so as to provide a smooth, dustless, and well drained surface. Such areas shall be lighted for those hours of darkness during which establishments within the center are open for business.

## SECTION 10.15 PLANNED COMMUNITY AND REGIONAL SHOPPING CENTERS

Such centers shall be permitted as a conditional use in the NS district only and shall comply with the following provisions:

(a) Uses Permitted: any use permitted in the NS district with the addition of the following:

(1) Temporary exhibitions and special civic events, provided that they shall be conducted in spaces designed for such purposes, and that they shall not be operated for profit.

(2) Recreational facilities incidental to the principal operation of the center and of a nature normally out-of-doors, provided that there shall be no admission charge for such activities.

(b) Site Development:

(1) Such development shall occupy a site of not less than ten (10) acres with a minimum street frontage of one thousand (1,000) feet.

(2) No building shall be located nearer to any property line of the center than a distance equal to twice the height of said building, provided that no building shall be located nearer to any street or highway right-of-way line than fifty (50) feet.

(c) Screening and Transition: When such development is located in or adjacent to a Residential District, or when located adjacent to a school, hospital, church, or other public institution, or open space, a landscaped strip of land not less than two hundred (200) feet in width shall be provided and maintained on all sides of the site. This strip shall serve as a transition between the shopping center and adjacent properties, and no part of which shall be utilized for any functions of the shopping center, except that no more than one hundred (100) feet of said strip width on the interior side of the shopping center property may be used for parking. Such strip shall be occupied by plant materials and-or approved fences or masonry walls not exceeding six (6) feet in height. The plans and specifications for the development shall include the proposed design of said transition strip.

(d) Lighting: All lighting shall be accomplished in a manner such that no illumination source causes a nuisance to adjacent properties.

(e) Signs: All signs shall conform to the provisions of ARTICLE 8 with the addition of one (1) sign located on each street frontage and not exceeding one hundred (100) square feet in area identifying the shopping center. Such sign may be illuminated but not be an intermittent source.

(f) Vehicular Approach: Driveways and approaches shall be so designed and located as to create minimum interference with traffic on the surrounding public streets. No more than two (2) driveways each not to exceed thirty (30) feet in width at the property line shall be permitted on each street frontage of the property. Such access shall be provided from major streets and highways which are fully capable of accommodating the maximum traffic anticipated to be generated by the center without undue interference with through traffic on such streets or highways. Driveways shall be located as far from street intersections as practicable, but in no case less than one hundred (100) feet.



Article 11 "AA-1" Agricultural District - Section 11.02  
Permitted Uses, Cont'd

(a) One or two family dwellings, excluding mobile homes.

(b) A parcel may be used for general and specialized farming and agricultural activities including the raising or growing of crops, livestock, poultry and other farm animals, products and foodstuffs, and any building or structure may be located thereon and used for the day-to-day operation of such activities for the quartering, storage or preservation of said crops, livestock, poultry, animals, products and foodstuffs raised or grown on said lot or in said building or structures, provided that any parcel that is kept as idle cropland shall be treated as to prevent soil erosion by wind or water.

(c) A parcel may be used, and a building or structure located thereon for the raising or keeping of poultry, rabbits, and other similar fur-bearing animals whether for profit or pleasure.

(d) A parcel may be used, and a building or structure located thereon for a riding academy or stable, or the raising or keeping of cattle, hogs, ponies, goats and similar livestock whether for profit or pleasure upon a lot having an area not less than five (5) acres, and a width not less than three hundred (300) feet.

(e) A parcel may be used for the raising or growing of plants, trees, shrubs and nursery stock, and any building or structure may be located thereon and used for such raising or growing and for the storage of equipment and materials necessary for such raising or growing.

(f) Public and private conservation area and structure for the development, protection and conservation of open space, watersheds, water, soil, forest, and wildlife resources.

(g) A parcel may be used for the growing, stripping and removal therefrom of sod provided that said lot or portion thereof shall be seeded after stripping by fall of the year in which it was stripped so as to reduce the actual or potential erosion by water or wind.

(h) Home Occupations: Customary home occupations such as hairdressing, millinery, dressmaking, bookkeeping and accounting services, real estate and insurance sales, professional offices for not more than one (1) physician, surgeon, dentist, attorney, architect, engineer, or similar professional practitioner provided that such home occupation shall satisfy the following conditions:

(1) The non-residential use shall be only incidental to the primary residential use of the property.

(2) The home occupation shall be limited to the principal structure only and utilize no more than thirty (30) per cent of the total floor area.

(3) There shall be no more than one (1) employee other than members of the immediate family residing on the premises.

(4) All activities shall be conducted indoors.

(5) There shall be no external evidence of such occupation except a small announcement sign as specified herein.

(6) No home occupation shall be permitted which is injurious to the general character of the agricultural district and which creates a hazardous or unhealthy condition.

Section 10.15 Planned Community and Regional Shopping Centers - cont'd

(g) Parking and Circulation

(1) There shall be provided no less than four (4) square feet of parking and circulation space for every one (1) square foot of leasable floor area within the center.

(2) Any individual parking space in the center shall be accessible by clearly demarcated pedestrian walks from the shopping area, which shall not intersect a vehicular way more than once.

(3) Automobile and truck service traffic shall be separated from one another to the fullest possible extent.

(4) On-site circulation facilities shall be designed so that there shall be no backing up of traffic into public streets.

(5) All areas accessible to vehicles shall be paved and maintained so as to provide a smooth, dustless, and well drained surface.

(6) Parking areas shall be lighted for those hours of darkness during which establishments within the center are open for business.

SECTION 10.16 ESSENTIAL SERVICE BUILDINGS

In every zoning district, except industrial, the following essential service buildings shall be required to have a conditional use permit prior to their construction; transformer sub-stations, pumping stations, communications relay stations, gas and steam regulating valves and stations and buildings of similar function.

No building shall be used for human occupancy.

An opaque fence or screening material may be required by the Township when deemed necessary.

ARTICLE 11

"AA-1" AGRICULTURAL DISTRICT

SECTION 11.01 PURPOSE

The purpose of this district is to protect and stabilize the essential characteristics of agricultural areas within the Township, and to insure proper maintenance of conditions for healthful and economically productive agricultural activities by preserving those areas which are predominately agricultural in nature, and which are most appropriate for present and future agricultural developments. The requirements of this district are designed so as not to impede necessary urban expansion, but to prevent unwarranted premature urban development from encroaching upon legitimate agricultural areas, thus disrupting the agricultural resources, environment, and economy, including the tax base. It is essential that development in areas which are predominately agricultural be based on sound principles which realize the importance of such activities to the economy and welfare of the township.

SECTION 11.02 PERMITTED USES

The following buildings and structures, and uses of parcels, lots, buildings, and structures are permitted in this district:

Section 11.02 Permitted Uses - cont'd.

(7) For the purposes of this provision, principal and accessory farm operations shall not be considered home occupations.

(8) No structural alterations or additions, either interior or exterior, shall be permitted in order to accomodate a home occupation.

(i) Storage of not more than two (2) non-residential type recreational vehicles provided that such units shall be completely within the side and rear yards. No outdoor storage or overnight parking of a commercial vehicle over one (1) ton rate capacity shall be permitted unless such vehicle be necessary to the function of the premises on which it is located or necessary to an occupation of an occupant of the premises provided that such vehicle be parked entirely within a side or rear yard or completely enclosed within a structure.

(j) A sign, only in accordance with the regulations specified in ARTICLE 8.

(k) An accessory use, building or structure.

(l) Essential service structures except as provided in SECTION 10.16

SECTION 11.03 CONDITIONAL USES

The following buildings and structures and uses of parcels, lots, buildings and structures are permitted in this district subject to obtaining a conditional use permit as provided in ARTICLE 10.

(a) The removal of soil, sand, gravel and other minerals for commercial purposes.

(b) Public and private park camping ground, golf course, golf driving range, clubs, hunting lodge.

(c) Community and governmental buildings.

(d) Airport.

(e) Sanitary land fill site.

(f) Public and private nursery, primary and secondary schools, business school and college and university.

(g) Hospital, nursing home, sanitarium, medical and food-processing research laboratories.

(h) A church, synagogue, cathedral, mosque, temple or other building used for public worship, or a cemetery.

(i) Temporary building or trailer office.

(j) Roadside stand, provided all of the nursery stock or other agricultural products are raised on the premises where situated or on the vicinity area of the same township.

(k) Veterinarian, animal clinic and kennels.

(l) Commercial radio or television stations or transmitters occupying a site of no less than ten (10) acres.

(m) Dairy products production and processing operations.

Section 11.03 Conditional Uses - cont'd

(n) Public and private recreation areas such as: Forest preserve; game refuge; recreation park and reservation; and similar public and private use of low-intensity use.

SECTION 11.04 REGULATIONS

See Article 18 Schedule of Regulations

ARTICLE 12

"AA-2" AGRICULTURAL DISTRICT

SECTION 12.01 PURPOSE

The purpose of this district is to provide suitable areas for single-family or two-family dwellings and agricultural activities at low densities to preserve a predominantly rural character in those areas fit for residential use because of the ability of the soil to absorb sewage wastes from individual septic tanks.

SECTION 12.02 PERMITTED USES

The following buildings and structures, and uses of parcels, lots, buildings, and structures are permitted in this district:

## Section 12.02 Permitted Uses - cont'd

(a) One or two family dwellings, excluding mobile homes.

(b) A parcel may be used for general and specialized farming and agricultural activities including the raising or growing of crops, livestock, poultry and other farm animals, products and foodstuffs, and any building or structure may be located thereon and used for the day-to-day operation of such activities for the quartering, storage or preservation of said crops, livestock, poultry, animals, products and foodstuffs raised or grown on said lot or in said building or structures, provided that any parcel that is kept as idle cropland shall be treated as to prevent soil erosion by wind or water.

(c) A parcel may be used, and a building or structure located thereon for the raising or keeping of poultry, rabbits and other similar fur-bearing animals whether for profit or pleasure.

(d) A parcel may be used and a building or structure located thereon for a riding academy or stable, or the raising or keeping of cattle, hogs, ponies, goats and similar livestock whether for profit or pleasure upon a lot having an area not less than five (5) acres, and a width not less than three hundred (300) feet.

(e) A parcel may be used for the raising or growing of plants, trees, shrubs and nursery stock, and any building or structure may be located thereon and used for such raising or growing and for the storage of equipment and materials necessary for such raising or growing.

(f) Public and private conservation area and structure for the development, protection and conservation of open space, watersheds, water, soil, forest, and wildlife resources.

(g) A parcel may be used for the growing, stripping and removal therefrom of sod provided that said lot or portion thereof shall be seeded after stripping by fall of the year in which it was stripped so as to reduce the actual or potential erosion by water or wind.

(h) Home Occupations: Customary home occupations such as hairdressing, millinery, dressmaking, bookkeeping and accounting services, real estate and insurance sales, professional offices for not more than one (1) physician, surgeon, dentist, attorney, architect, engineer, or similar professional practitioner provided that such home occupation shall satisfy the following conditions:

(1) The non-residential use shall be only incidental to the primary residential use of the property.

(2) The home occupation shall be limited to the principal structure only and utilize no more than thirty (30) per cent of the total floor area.

(3) There shall be no more than one (1) employee other than members of the immediate family residing on the premises.

(4) All activities shall be conducted indoors.

(5) There shall be no external evidence of such occupation except a small announcement sign as specified herein.

(6) No home occupation shall be permitted which is injurious to the general character of the agricultural district and which creates a hazardous or unhealthy condition.

Section 12.02 Permitted Uses - cont'd

(7) For the purposes of this provision, principal and accessory farm operations shall not be considered home occupations.

(8) No structural alterations or additions, either interior or exterior, shall be permitted in order to accomodate a home occupation.

(i) Storage of not more than two (2) non-residential type recreational vehicles provided that such units shall be completely within the side and rear yards. No outdoor storage or overnight parking of a commercial vehicle over one (1) ton rate capacity shall be permitted unless such vehicle be necessary to the function of the premises on which it is located or necessary to an occupation of an occupant of the premises provided that such vehicle be parked entirely within a side or rear yard or completely enclosed within a structure.

(j) A sign, only in accordance with the regulations specified in ARTICLE 8.

(k) An accessory use, building or structure.

(l) Essential service structures except as provided in SECTION 10.17

SECTION 12.03 CONDITIONAL USES

The following buildings and structures, and uses of parcels, lots, buildings and structures are permitted in this district subject to obtaining a conditional use permit as provided in ARTICLE 10.

(a) Public and private nursery, primary and secondary schools, business school and college and university.

(b) A church, synagogue, cathedral, mosque, temple or other building used for public worship, or a cemetery.

(c) Temporary building or trailer office.

(d) Roadside stand, provided all of the nursery stock or other agricultural products are raised on the premises where situated or on the vicinity area of the same township.

(e) Veterinarian, animal clinic and kennels.

(f) Dairy products production and processing operations.

(g) Public and private recreation areas such as: forest preserve; game refuge; recreation park and reservation; and similar public and private use of low-intensity use.

SECTION 12.04 REGULATIONS

See Article 18 Schedule of Regulations.

## ARTICLE 13

## "RA" LOW DENSITY RESIDENTIAL DISTRICT

## SECTION 13.01 PURPOSE

The purpose of this district is to provide areas for outlying residential development on lots of sufficient size to accommodate the safe and healthful on-site water supply and liquid waste water disposal, since these areas will likely remain unserved by public water-sewer services for an extended period of time. It is also the purpose of this district to protect and stabilize the essential characteristics of these areas, in order to promote and encourage suitable environments for low density family life until such time as it may be in the public interest to promote development of greater intensity requiring higher levels of public services and utilities.

## SECTION 13.02 PERMITTED USES.

The following buildings and structures, and uses of parcels, lots, buildings and structures are permitted in this district:

(a) One or two family dwellings, excluding mobile homes.

(b) General and specialized farming and agricultural activities including the raising or growing of crops and other farm products and foodstuffs but not including the raising of any livestock, poultry or other farm animals, provided that the following conditions are satisfied:

(1) The lot or parcel of land upon which these activities are conducted is no less than ten (10) acres in area.

(2) No storage or manure or other odor or duty producing materials or activities shall be permitted.

(3) All farm buildings other than dwellings shall be located a minimum of ninety (90) feet from an adjacent property line.

(c) A lot may be used for the raising or growing of plants, trees, shrubs and nursery stock.



Article 13 "RA" Low Density Residential District - cont'd

(d) A sign, only in accordance with the regulations specified in ARTICLE 8.

(e) Essential Service Structures except as provided in SECTION 10.17.

SECTION 13.03 CONDITIONAL USES

The following buildings and structures and uses of parcels, lots, buildings, and structures are permitted in this district subject to obtaining a conditional use permit as provided in ARTICLE 10.

(a) Golf course, which may include a golf driving range; country club, public swimming pool, swimming and recreation club, public and private park and playground.

(b) Churches and public buildings.

(c) Public and private nursery; primary and secondary school.

(d) Home occupations; as prescribed by SECTION 11.02, item H.

(e) Temporary buildings or trailer offices.

(f) Roadside stands for the display and sale of products raised on the lot parcel, provided that: Off-street parking and access to such parking shall be provided in accordance with the provisions of ARTICLE 9 and no hazardous traffic conditions shall result from such activity; such buildings and structures shall be located in conformance with all minimum yard requirements; and no more than one (1) such roadside stand shall be permitted on each lot or parcel.

(g) A planned unit residential development only in accordance with the procedures and regulations specified in ARTICLE 10.

SECTION 13.04 REGULATIONS

See Article 18 Schedule of Regulations.

## ARTICLE 14

### "RB" MEDIUM HIGH DENSITY RESIDENTIAL DISTRICTS

#### SECTION 14.01 PURPOSE

The purpose of this district is to provide a stable environment for medium to high density residential areas with suitable open space. This district shall generally be located on the fringe of urban-type development. The district allows flexibility of lot size dependent upon the availability of public sewer and water services.

#### SECTION 14.02 PERMITTED USES

The following buildings and structures and uses of parcels, lots, buildings and structures are permitted in this district:

- (a) Single-family dwelling and any use, building or structure accessory thereto, excluding mobile homes.
- (b) Two-family dwelling and any use, building or structure accessory thereto.
- (c) Multiple-family dwelling and any use, building or structure accessory thereto.
- (d) A sign, only in accordance with the regulations specified in ARTICLE 8.
- (e) Essential service structures except as provided in SECTION 10.17.

#### SECTION 14.03 CONDITIONAL USES

The following buildings and structures, and uses of parcels, lots, buildings and structures are permitted subject to obtaining a conditional use permit as provided in ARTICLE 10.

- (a) Golf Course.
- (b) Country club, public swimming pool, and recreation club, private and public park and playground.
- (c) Church and public building.
- (d) Public and private nursery; primary and secondary school.
- (e) Mobile home park as prescribed in ARTICLE 10.
- (f) Home occupation as prescribed in SECTION 11.02, Item H.
- (g) A planned unit residential development, only in accordance with the procedures and regulations specified in ARTICLE 10.
- (h) Temporary building or trailer office.

#### SECTION 14.04 REGULATIONS

See Article 18 Schedule of Regulations

ARTICLE 15

"NS" NEIGHBORHOOD SERVICE COMMERCIAL

SECTION 15.01 PURPOSE

It is the purpose of this district to provide for convenient retail and personal service establishments which cater to the day-to-day needs of families residing within immediately accessible neighborhoods. To this end, certain uses which would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district, have been excluded. It is the basic intent of this district to encourage future commercial development within planned centers rather than in scattered locations throughout the residential areas, but also to provide for those necessary services which are most appropriately and conveniently located in close proximity to residential neighborhoods.

Section 15.02 Permitted Uses - cont'd

SECTION 15.02 PERMITTED USES

The following buildings and structures, and uses of parcels, lots, buildings and structures, are permitted in this district:

(a) Clothing and Apparel services, including laundry pickup, automatic laundry, dressmaking millinery, tailor shop and shoe repair shop.

(b) Food services including grocery, meat market, bakery, restaurant, delicatessen and fruit market, ice-o-mats and similar self-serve units but not including any business of a drive-in-nature.

(c) Personal services, including barber shop and beauty salon, medical and dental clinics, music studios, banks and saving and loan associations.

(d) Retail services, including drug store, hardware, gift shop, and dry goods and notions store.

(e) A sign, only in accordance with the regulations specified in ARTICLE 8.

(f) An accessory use, building or structure.

(g) Essential service structures except as provided in SECTION 10.17

SECTION 15.03 CONDITIONAL USES

The following buildings and structures, and uses of parcels, lots, buildings and structures are permitted subject to obtaining a conditional use permit as provided in ARTICLE 10.

(a) Animal hospital or clinic.

(b) Drive-in, retail and service establishments excluding drive-in amusement establishments.

(c) Gasoline service stations.

(d) Planned neighborhood shopping centers.

(e) Temporary buildings, or trailer office.

(f) Sporting goods sales and service.

(g) New and used automobile sales and service.

(h) Warehouses.

SECTION 15.04 REGULATIONS

See Article 18 Schedule of Regulations

ARTICLE 16

"II" LIGHT INDUSTRIAL DISTRICT

SECTION 16.01 PURPOSE

This district is composed of those areas of the Township whose principal use is or ought to be light manufacturing and other limited industrial uses. These uses generate a minimum of noise, glare, odor, dust, vibration, air and water pollutants, and other harmful or obnoxious matter. This district has been located within the Township to permit the development of these industrial uses to protect adjacent agricultural, residential and commercial areas against the encroachment of incompatible uses, and to lessen congestion on public streets and highways. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these industrial activities and the purpose of this district have been excluded.

Article 16 "LI" Light Industrial District - cont'd.

SECTION 16.02 PERMITTED USES

The following buildings and structures, and uses of parcels, lots, buildings and structures are permitted in this district:

- (a) Research oriented and light industrial park uses.
- (b) The manufacturing, compounding, process, or treatment of such products as bakery goods, candy, cosmetics, dairy products, food products, drugs, perfumes, pharmaceutical toiletries, and frozen food lockers.
- (c) Assembly of merchandise such as electrical appliances, electronic or precision instruments and articles of similar nature.
- (d) Packaging of previously prepared materials, but not including the bailing of discards, old iron or other metal, wood, lumber, glass, paper, rags, cloth or other similar materials.
- (e) Printing, lithographic, blueprinting and similar uses.
- (f) Wholesale warehousing and material distribution centers, provided all products and materials are enclosed within a building.
- (g) Light manufacturing industrial use which by nature of the materials, equipment and process utilized are to a considerable extent clean, quiet and free from any objectionable or dangerous nuisance or hazard including any of the following goods or materials: drugs, jewelry, musical instruments, sporting goods, glass products, small household appliances, electronic products, printed matter, baked and dairy products, advertising displays, tents and awnings, brushes and brooms, cameras and photographic equipment and supplies, wearing apparel, leather products and luggage but not including tanning products from such finished materials as plastic, bone, cork, feathers, felt, fiber, paper, glass, hair, horn, rubber, shell or yarn.
- (h) Research and testing facilities.
- (i) An accessory use, building or structure.
- (j) A sign, only in accordance with the regulations in ARTICLE 8.
- (k) Essential Service structures and buildings.

SECTION 16.03 CONDITIONAL USES

The following buildings and structures and uses of parcels, lots, buildings and structures are permitted subject to obtaining a conditional use permit as provided in ARTICLE 10.

- (a) Restaurants and cafeteria facilities for employees.
- (b) Bus, truck, taxi, and rail terminals.
- (c) Open air display areas for the sale of manufactured products such as or similar to garden furniture, earthenware, hardware items and nursery stock, or the rental of manufactured products or equipment, small tools, pneumatic tired two and four-wheeled utility trailers, such as household equipments, pneumatic-transit cement mixers, wheelbarrows, rollers, and similar products or equipment.

- (d) Airport
- (e) Gasoline service station
- (f) Banks
- (g) Temporary building or trailer office

SECTION 16.04 REGULATIONS

See ARTICLE 18 Schedule of Regulations

ARTICLE 17

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

SECTION 17.01 RULES APPLYING TO TEXT

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

(1) The word "shall" is always mandatory and not discretionary. The word "may" is permissive.

(2) Words used in the present tense shall include the future, and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.

(3) The word "building" includes the word "structure"

(4) A "building" or "structure" includes any part thereof.

(5) The word "person" includes a corporation as well as an individual.

(6) The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

(7) Any word or term not defined herein shall be used with a meaning of common or standard utilization.

SECTION 17.02 DEFINITIONS

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

(1) ACCESSORY BUILDING: A subordinate building, the use of which is clearly incidental to that of the principle building or to the use of the land and which is attached securely to a permanent masonry foundation or similar permanent footings.

## Section 17.02 Definitions - cont'd

(2) ACCESSORY USE: A use subordinate to the principle use on a lot and used for purposes clearly incidental to those of the main use.

(3) AGRICULTURAL: Includes purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture and animal and poultry husbandry.

(4) ALLEY: A public or legally-established private thoroughfare, other than a street, which affords a secondary means of access to abutting property, and not more than twenty (20) feet wide.

(5) ALTERATIONS: Any change, addition or modification in construction, andy 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 here in as "altered" or "reconstructed."

(6) ANIMATED SIGNS: Any sign having a conspicuous and intermittent variation in the illumination of the physical position of any part of the sign.

(7) APARTMENT: (See Dwelling, Multiple Family.)

(8) AREA, NET SITE: The total area within the property lines of a project excluding external streets.

(9) AUTOMOBILE OR TRAILER SALES AREA: Any space used for display, sale, or rental of motor vehicles or trailers, in new or used and operable condition.

(10) AUTOMOBILE REPAIR: General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair, overall painting and undercoating of automobiles when carried on in a completely enclosed room or building.

(11) BASEMENT: That portion of a building which is below the first story, the ceiling of which is less than five (5) feet above the surrounding ground elevation at all points.

(12) 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. This definition does not include any bulletin boards used to display official court or public office notices.

(13) BUILDING: Any structure either temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents and awnings.

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

(15) BUILDING HEIGHT: The vertical distance measured from the established sidewalk grade to the highest point of the roof surface for flat roofs to the deck line of mansard roofs, and to the average height between eaves and ridge for gable, hip and gambrel roofs. Where a building is set back from the street line the height of the building may be measured from the average elevation of the finished grade along the front of the building by more than one (1) inch for each front foot that the building sets back from the front line.



## Section 17 Definitions - cont'd

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

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

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

(19) CONDITIONAL USE: A use which is subject to conditional approval by the Planning Commission. A conditional use may be granted when specified by this ordinance and for those uses not specifically mentioned. A permitted conditional use is not considered to be a non-conforming use.

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

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

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

(23) DRIVE-IN: An establishment of the "drive-in" type is one which accommodates the patrons' automobiles in the off-street parking area accessory to the business from which the occupants may receive a service or obtain a product which may be used or consumed, in the vehicle, on the same premises.

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

(25) DWELLING ONE-FAMILY: A building designed exclusively for one dwelling unit.

(26) DWELLING TWO-FAMILY: A building designed exclusively for two dwelling units.

(27) DWELLING MULTIPLE-FAMILY: A building or portion thereof, designed exclusively for occupancy by three (3) or more families living independently of each other.

## Section 17.02 Definitions - cont'd

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

(29) **FAMILY:** One person, or group of two or more persons living together who may or may not be inter-related by bonds of consanguinity, marriage, or legal adoption, occupying the whole or part of a dwelling as a separate housekeeping unit with a common and a single-set of culinary facilities. The persons thus constituting a family may also include foster children, gratuitous guests, and domestic servants. This definition does not include the occupants of a rooming or boarding house as a family unit.

(30) **FARM:** All of the contiguous neighboring or associated land operated as a single unit on which bonafide agriculture is carried on directly by the owner-operator, manager or tenant farmer, by his own labor or with the assistance of members of his household or hired employees, provided however, that land be considered a farm hereunder shall include a continuous parcel of twenty (20) acres or more in area.

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

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

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

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

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

## Section 17.02 Definitions - cont'd.

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

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

(38) GROUP HOUSING: Two or more multiple dwellings on a parcel of land under single ownership.

(39) HIGHWAY: (See "STREET MAJOR".)

(40) HOME OCCUPATION: An occupation that is traditionally or customarily carried on in the home, provided:

(a) That such occupation is incidental to the residential use in the extent that not more than thirty percent (30%) of usable floor area of the principal building, or fifty percent (50%) of an accessory building, shall be occupied by such occupation.

(b) That no article or service be sold or offered for sale on the premises except as is produced by such occupation.

(c) That such occupation shall not require internal or external alterations or construction features or equipment or machinery not customarily located in residential areas.

(d) That there be no more than one (1) employee other than members of the resident family.

(41) HOSPITAL: An institution providing health services, primarily for inpatients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities, central service facilities, and staff offices.

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

(43) 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.

(44) JUNK YARD: Any land or buildings where waste, used or second hand materials are bought and sold, exchanged, stored baled, parked, disassembled, or handled including, but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes automobile wrecking yards and includes any area of more than fifty (50) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

## Section 17.02 Definitions - cont'd

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

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

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

(48) LOT AREA: The total horizontal area within the lot lines of a lot.

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

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

(51) LOT LINES: The lines bounding lots as defined herein.

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

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

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

(52) LOT COVERAGE: That part of percent of the lot occupied by buildings or structures including accessory buildings or structures.

(53) LOT DEPTH: The horizontal distance between the front and rear lot lines, measured along the median between side lot lines.

(54) LOT WIDTH: The horizontal distance between the side lot lines, measured at the two points where the building line, or setback intersects the side lot lines.

## Section 17.02 Definitions - cont'd

(55) MASTER PLAN: The statement of policy by the Township Planning Commission relative to the agree-upon desirable physical pattern of future community development. Consists of a series of maps, charts, and written material representing in summary form the soundest conception to the community as to how it should grow in order to bring about the very best community living conditions.

(56) MOBILE HOME: A vehicular, portable structure built on a chassis and designed to be used without a permanent foundation as a dwelling when connected to required utilities and which is, or is intended to be, attached to the ground, to another structure, or to a utility system on the same premises for more than 30 consecutive days.

(57) MOBILE HOME PARK: Any subdivision, however designated, that is occupied or designated for occupancy by more than one (1) mobile home and which conforms to the provisions of Act 243 of 1959.

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

(59) NON-CONFORMING BUILDING: A building or portion thereof, existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions of the Ordinance.

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

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

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

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

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

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

## Section 17.02 Definitions - cont'd

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

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

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

(69) PUBLIC UTILITY: Any person, firm or corporation, 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.

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

(71) RECREATIONAL VEHICLES: All those small mobile units principally designed for recreation pastime such as motor homes, camper trailers, pick-up campers, pop-up campers, pop-up tent trailers and similar camping type vehicles or trailers.

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

(73) RIGHT-OF-WAY: A street, alley or other thoroughfare or easement permanently established for passage of persons or vehicles.

(74) ROADSIDE STAND: A permanent structure which is used seasonally for the sale of produce. The use of a roadside stand shall not constitute a commercial district.

(75) ROOMING HOUSE: A building, or part thereof, other than a hotel, where sleeping accommodations are provided for hire and where meals may be regularly furnished.

(76) ROOMING UNIT: Any room, or group of rooms, forming a single habitable unit used for living and sleeping, which does not contain cooking or eating facilities.

(77) ROWHOUSE, (TOWNHOUSE): An attached house in a row or group, each house containing not more than two dwelling units and each house separated from adjoining houses in the same row or group by common fire walls or fire separations.

(78) SANITARY LANDFILL: A method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing principles of engineering to confine the refuse to the smallest practical area and to cover it with a layer of suitable cover at the conclusion

## Section 17.02 Definitions - cont'd

## (78) Sanitary Landfill - cont'd.

of each days operation or at more frequent intervals as necessary; and maintained in accordance with the provisions of Act 87 of Public Acts of 1965 as amended.

(79) SETBACK: The minimum horizontal distance between the street, rear, or side lines of the lot and the front, rear or side lines of the building. When two or more lots under one ownership are used, the exterior property lines so grouped shall be used in determining offsets.

(80) SCHOOL: A building used for the purpose of elementary or secondary education, which meets all requirements of compulsory education laws of the State of Michigan, and not providing residential accommodations.

(81) SHOPPING CENTER: A group of commercial establishments, planned, developed, owned, and managed as a unit, with off-street parking provided on the property, and related in its location, size and type of shops to the trade area which the unit serves.

(82) SIGNS: Any words, numbers, figures, devices, designs, or trademarks by which anything is made known, other than billboards, such as are used to show an individual, firm, professional business, and are visible from the exterior of the structure.

(83) STORY: That part of a building, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above.

(84) STREET: A thoroughfare which affords the principal means of access to abutting property.

(85) STREET, MAJOR: A public way, the principal use of which is to provide an arterial route for through traffic and has as its secondary use the provision of access to abutting properties.

(86) STREET, MINOR: A public way, the principal use of which is to give access to abutting properties.

(87) STRUCTURE: Anything constructed or erected, the use of which required location on the ground or attachment to something having location on the ground.

(88) STRUCTURAL ALTERATION: The erection, strengthening, removal, or other change of the supporting elements of a building, such as footings, bearing walls, beams, columns, and the like.

(89) TRAILER COACH: Same as Mobile Home

(90) TRAILER COACH PARK: Same as Mobile Home Park.

(91) UNDEVELOPABLE LAND: Land which has soil types or a high water table condition which present severe limitations on septic tank and tile fields.

(92) USABLE FLOOR AREA: The area for the purpose of computing parking and off-street loading and unloading space, is that area used for or intended to be used for the sale of merchandise or services or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise or

Section 17.02 Definitions - cont'd

(92) Usable Floor Area - cont'd.

utilities shall be excluded from this computation of "usable floor area." Measurement of floor area shall be the sum of the gross horizontal areas of the several floors of the building measured from the interior faces of the exterior walls.

(93) USE: The purpose for which land or premises of a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

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

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

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

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

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

(96) ZONING DISTRICT, (SEE DISTRICT):



# ARTICLE 18

## SCHEDULE OF REGULATIONS

Schedule Limiting Height, Bulk, Density and Area by Zoned Districts

| USE DISTRICT                 | Minimum Lot Size per Unit Area             |           | Minimum Yard Setback (per lot feet) |              |     |      |        | Maximum Height of Structure |            | Maximum Percent of Building Coverage | Remarks  |
|------------------------------|--|-----------|-------------------------------------|--------------|-----|------|--------|-----------------------------|------------|--------------------------------------|--|
|                              |  |           | Front                               | Least Totals |     | Rear | Corner | In Feet                     | In Stories |                                      |  |
| Symbol Classification        | Sq. Ft.                                    | Width     |                                     | One          | Two |      |        |                             |            |                                      |  |
| AA-1 Agriculture             | 20 Acres                                   | 330       | 60                                  | 50           | 100 | 50   | --     | 40*                         | 3*         | 15%                                  | * Farm Buildings are excluded  |
| AA-2 Agriculture             | 2 Acres                                    | 330       | 60                                  | 50           | 100 | 50   | --     | 40                          | 3          | 15%                                  |  |
| RA Low Residential           | 30,000                                     | 150       | 60                                  | 30           | 60  | 50   | --     | 35                          | 2½         | 20%                                  |  |
| RB Med Residential           | 15,000 <sup>a</sup><br>10,000 <sup>b</sup> | 90<br>90  | 25                                  | 8            | 20  | 30   | 25     | 35                          | 2½         | 30%                                  | <sup>a</sup> Without Public water & Sewer<br><sup>b</sup> With Both Public Water & Sewer |
| NS Neighborhood Service Comm | 1 Acre <sup>a</sup><br>10,000 <sup>b</sup> | 150<br>80 | 35                                  | 20           | 40  | 35   | 35     | 45                          | --         | 25%                                  | <sup>a</sup> above<br><sup>b</sup> above   |
| LI Limited Industrial        | 1 Acre <sup>a</sup><br>20,000 <sup>b</sup> | 150<br>80 | 85                                  | 20           | 40  | 35   | 35     | 45                          | --         | 25%                                  | <sup>a</sup> above<br><sup>b</sup> above   |