

## ARTICLE: 16.0 - DEFINITIONS

ARTICLE 16.0  
DEFINITIONS

## SECTION 16.01 PURPOSE

For the purpose of this Ordinance certain terms are herewith defined.

## SECTION 16.02 RULES OF CONSTRUCTION

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

- A. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases which have acquired a particular and appropriate meaning in the law or within this Ordinance shall be construed and understood according to such particular and appropriate meaning.
- B. The particular shall control the general.
- C. Words used in the present tense shall include the future; words used in the singular number shall include the plural; and the plural shall include the singular, unless the context clearly indicates the contrary.
- D. The word "shall" is always mandatory and not discretionary. The word "may" is permissive as determined by the Planning Commission.
- E. All measurements shall be to the nearest integer, unless otherwise specified herein.
- F. The phrase "used for" includes "arranged for," "designed for," "intended for," "occupied for," and "maintained for."
- G. The word "building" includes the word "structure." The word "build" includes the words "erect" and "construct." A "building" or "structure" includes any part thereof.
- H. The word "dwelling" includes the word "residence," and the word "lot" includes the words "plot" or "parcel."
- I. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any similar entity.
- J. Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be construed as defined herein. Any term not defined herein shall have the meaning of common or standard use.
- K. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and," "or," "and/or," or "either/or," the conjunction shall be interpreted as follows:
  - 1. "And" indicates that all the connected items, conditions, provisions, or events shall apply.
  - 2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
  - 3. "Either/or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

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4. "And/or" indicates that either the conjunctive or the disjunctive may apply, as appropriate in the circumstances.
- L. Words or phrases in headings shall in no way by their presence or absence limit or affect the meaning of this Ordinance.
- M. Where an illustration accompanies any item within this Ordinance, the written text shall have precedence over said illustrations.
- N. In computing a period of days in connection with petitioner or applicant submissions, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.

**SECTION 16.03 DEFINITIONS**

**100-Year Flood:** See Base Flood.

**Accessory Use, Building, or Structure:** A use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use to which it is exclusively related. An accessory structure shall not include dwellings, or be used for residential or lodging purposes or sleeping quarters for human beings.

**Agriculture:** The use of land for agricultural purposes, including farming, dairying, pasturage, nurseries, orchards, poultry farms, raising of livestock, and bona fide greenhouses operated on contiguous, neighboring, or associated land as a single unit carried on by the owner-operator, manager, or tenant farmer by his or her own labor or with assistance of members or his or her household or hired employees; provided, however, that land to be considered a farm hereunder shall include a parcel of no less than ten (10) acres. See also **Farm**.

**Agriculture, Commercial:** The use of land for the growing and/or production of field crops, livestock, and livestock products for the production of income, including, but not limited to, the following:

1. Field crops, including barley, soy beans, corn, hay, oats, potatoes, rye, sorghum, and sunflowers; and
2. Livestock, including dairy and beef cattle, goats, horses, sheep, hogs, poultry, and fur-bearing animals, Live-stock and livestock products are permitted only in the AR district.

**Agriculture, Horticulture:** The use of land for the growing or production for income of fruits, vegetables, flowers, and nursery stock.

**Agricultural Service Establishment:** Agricultural service establishments engage in performing agricultural, animal husbandry or horticultural services on a fee or contractual basis, including corn shelling; grain storage; hay baling and threshing; sorting, grading, and packing fruits and vegetables for the grower; agricultural produce milling and processing; crop dusting; fruit picking; grain cleaning; harvesting and plowing; farm equipment service and repair; and veterinary services

**Alley:** A dedicated public vehicular way not more than thirty (30) feet in width which affords a secondary means of access to abutting property but is not intended for general traffic circulation or for parking, standing, or loading.

**Alterations:** Any change, addition, or modification to a structure or type of occupancy, or any change in the structural members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or in the interior walls, or any changes in size or location of any window or door.

**Animal Hospital:** See Clinic, Veterinary.

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**Aquifer:** A geological formation that contains sufficient groundwater to supply wells, lakes, streams, springs, and/or wetlands.

**Automobile Filling Station:** A place used for the retail sale and dispensing of fuel or lubricants, together with the fixed equipment from which the fuel is dispensed directly into motor vehicles. An automobile filling station may also incorporate a convenience store as an accessory use, provided it is clearly incidental to the filling station use, and provided that no alcohol is sold on such premises. Parking requirements for filling station/convenience store operations shall be computed by adding together the parking space requirements for each separate use.

**Automobile Service Station:** Building and premises where gasoline, oil, grease, batteries, tires, and automobile accessories are dispensed at retail cost and where minor maintenance services may be provided. Uses permitted at an automobile service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operable condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than that normally found in automobile service stations. An automobile service station is not a repair station or body shop.

The primary intent of an automobile service station, as defined herein, is to serve the needs of motor vehicles of an automobile scale and character. An automobile service station does not include an operation commonly referred to as a truck stop or truck plaza, whose designated purpose, orientation, size, and intent is to service large semi-type trucks and offer accessory uses designed for this purpose.

An automobile service station may also incorporate a convenience store as an accessory use, provided it is clearly incidental to the service station use, and provided that no alcohol is sold on such premises. Parking requirements for service station/convenience store operations shall be computed by adding together the parking space requirements for each separate use.

**Automobile or Vehicle Dealership:** A building or premises used primarily for the sale of new and/or used automobiles and/or other motor vehicles.

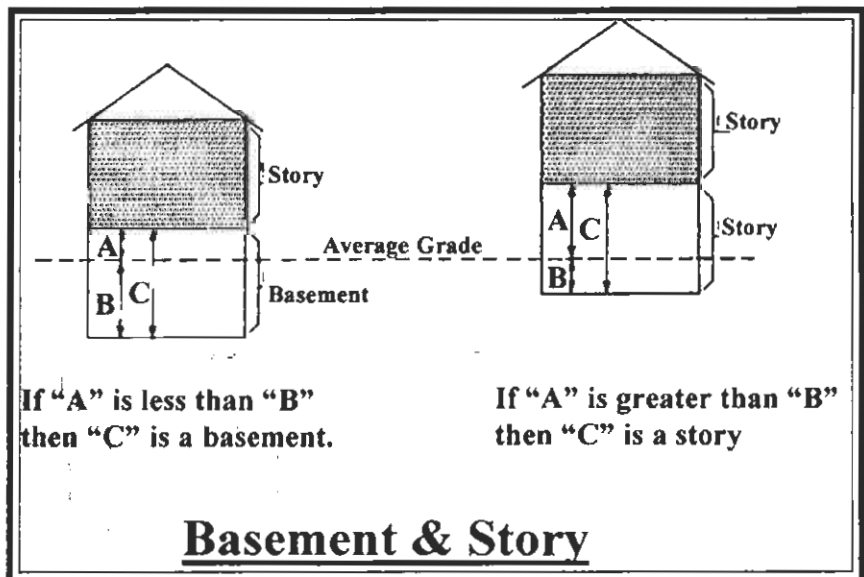
**Automobile or Vehicle Repair Garage:** An enclosed building where the following services may be carried out: general repairs, engine rebuilding, reconditioning of motor vehicles; collision services, such as frame or fender straightening and repair; painting and undercoating of automobiles; and similar vehicle repair activities. See also **Vehicle Repair, Major**, and **Vehicle Repair, Minor**.

**Automobile Wash or Car Wash Establishment:** A building or portion thereof where automobiles or other vehicles are washed.

**Base Flood:** The flood having a one percent (1%) chance of being equaled or exceeded in any given year. Also known as the **100-Year Flood**.

**Basement:** That portion of a building which is wholly or partly below the average grade of the ground level, but is so located that the vertical distance from the average grade to the basement floor below is greater than the vertical distance from the average grade to the basement ceiling. This definition shall not apply to earth-bermed or earth-sheltered homes. A basement shall not be counted as a story except as provided for in the definition of "Story" herein.

**Bed and Breakfast Operation:** A dwelling in which overnight accommodations are provided or offered for transient guests for compensation, including provisions for a morning meal for overnight guests only.



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**Bedroom:** A room designed or used in whole or in part for sleeping purposes.

**Block:** The property bounded by a street or by a combination of streets and public lands, rights-of-way, rivers or streams, boundary lines of the Township, or any other barrier to the continuity of development.

**Board:** The Township Board of Trustees of the Township of Freedom.

**Board of Appeals:** The Zoning Board of Appeals of the Township of Freedom, created pursuant to the provisions of Michigan Public Act 184 of 1943, as amended.

**Boarding or Rooming Houses:** A building, other than a hotel, where for compensation or by pre-arrangement for definite periods of time, lodging, or lodging and meals are provided for three (3) or more persons.

**Building:** Any structure, either temporary or permanent, having a roof or other covering and used or built for the shelter or enclosure of persons, animals, or property of any kind. A building shall include tents, awnings, semi-trailers, or vehicles situated on a parcel and used for the purposes of a building.

**Building, Accessory:** See Accessory Use, Building, or Structure.

**Building Envelope:** The maximum developable envelope of a lot is defined by the minimum setback requirements within which building construction may be allowed. Also known as **Developable Envelope**.

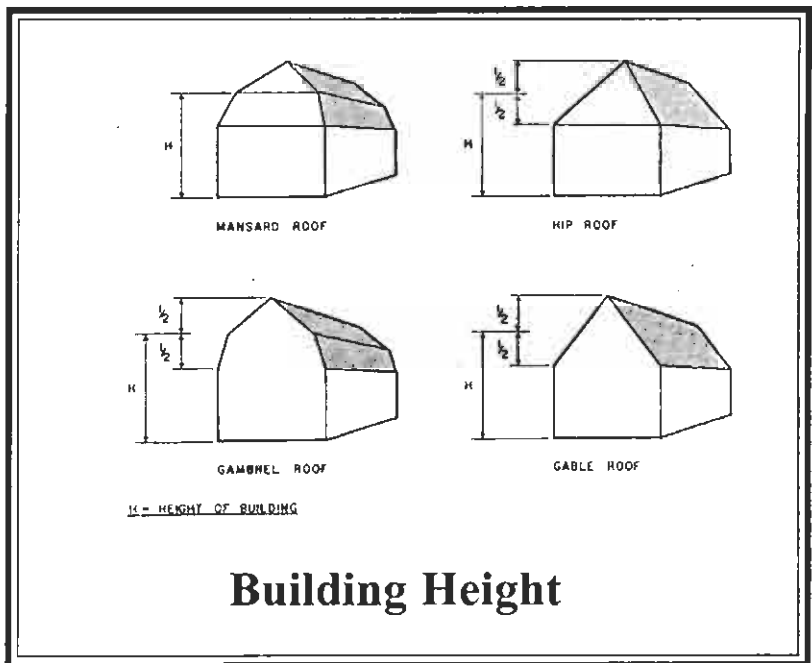
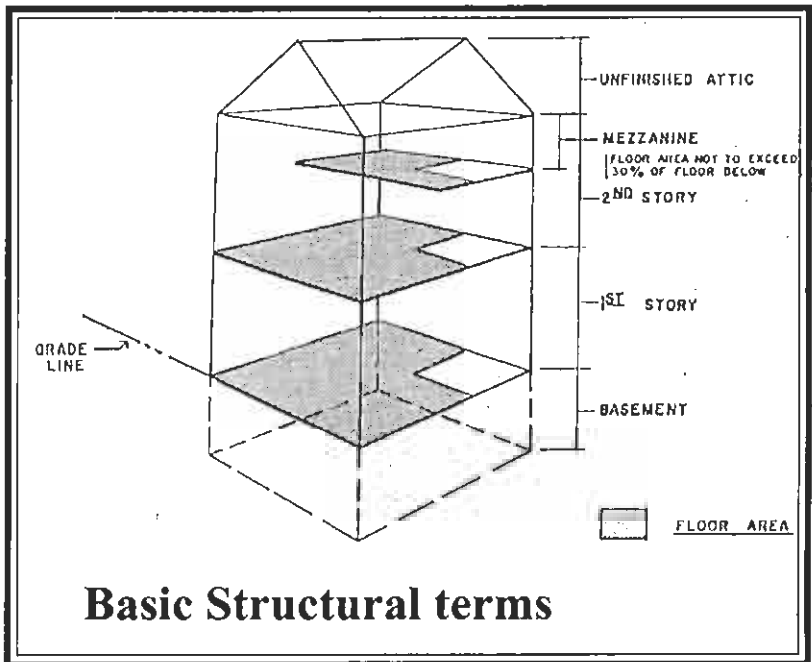
**Building Height:** The vertical distance measured from the established grade to:

1. the highest point of the coping of a flat roof;
2. to the deck line of mansard roofs; or
3. to the average height between the eaves and the ridge for gable, hip, and gambrel roofs.

Where a building is located on sloping terrain, the height shall be measured from the average ground level at the building wall.

**Building Line:** The minimum distance which any structure must be located from a property line, an easement line, a private or public street right-of-way line, or a high water line. Building line is also defined as the rear or interior line of any yard required by this Ordinance.

**Building, Principal:** A building or, where the context so indicates, a group of buildings, which



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are permanently affixed to the land and which are built, used, designed, or intended for the shelter or enclosure of the principal use of the parcel.

**Building, Temporary:** A building which is not permanently affixed to the property, and is permitted to exist for a specific reason for a specific period of time. An example of a temporary building is a trailer used on a construction site.

**Business Center:** Two (2) or more buildings containing stores or two (2) or more buildings containing a combination of stores and offices, usually on separate lots, and sharing a common drive or street and/or off-street parking facilities, and/or identified by a name for the center.

**Caretaker Living Quarters:** A single independent residential dwelling unit designed for those employed to look after goods, buildings, or property on a commercial or industrial parcel on which the living quarters are located.

**Carport:** A partially-open shelter for housing of vehicles. Such structure shall comply with all yard requirements applicable to private garages.

**Cemetery:** Land used for the burial of the dead, including columbiums and mausoleums.

**Child Care Center:** See **Day Care Facilities**.

**Church, Synagogue, Temple, Mosque, or Similar Religious Facility:** Any structure wherein persons regularly assemble for religious activity.

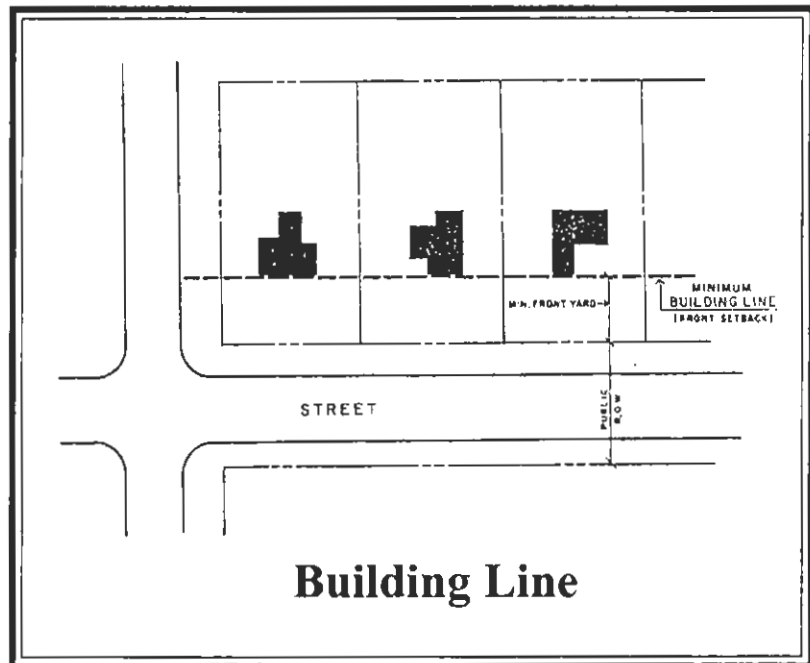
**Clinic, Medical:** An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

**Clinic, Veterinary:** A place for the care, diagnosis, and treatment of sick or injured animals, and those in need of medical or minor surgical attention. A veterinary clinic may include customary pens or cages enclosed within the walls of the clinic building. This definition excludes facilities primarily used for the boarding of animals.

**Club or Fraternal Organization:** An organization of persons for special purposes or for the promulgation of sports, arts, science, agriculture, literature, politics, or similar activities, but not operated for profit or to espouse beliefs or further activity that is not in conformance with the Constitution of the United States or any laws or ordinances. The facilities owned or used by such organization may be referred to as a "club" in this Ordinance.

**Commercial Communications Tower:** A structure, and any support thereto, that is intended to hold apparatus which transmits or receives radio, television, pager, telephone, or similar communications, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like, but excludes those used exclusively for amateur radio operations, dispatch communications associated with a governmental agency, or domestic radio or television reception.

**Commercial Use:** The use of property in connection with the purchase, sale, barter, display, or exchange of goods, wares, merchandise, or personal services, and the maintenance or operation of offices.



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**Commercial Vehicle:** Commercial vehicles shall consist of motor vehicles that are:

1. used for the transportation of passengers for hire; or
2. constructed or used for the transportation of goods, wares, or merchandise for hire or sale; or
3. designed and used for carrying, towing, or pulling other vehicles.

**Commission:** The Planning Commission of the Township of Freedom.

**Conditional Land Use:** See **Use, Conditional Land.**

**Condominium Development:** Ownership of dwelling units and the space enclosed by the description thereof as contained in the master deed in a multiple-unit structure, together with ownership of an interest in common elements. See also **Site Condominium.**

**Congregate Housing:** See **Housing for the Elderly.**

**Convalescent Home:** See **Nursing Home, Convalescent Home, or Rest Home.**

**Convenience Store:** A one-story, retail store containing less than two thousand (2,000) square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). Convenience stores are designed to attract stop-and-go traffic shopping.

**Cooperative (Co-op) Housing:** A multiple-family dwelling owned by a corporation which leases its units to stockholders on a proprietary lease arrangement.

**Court:** An open, unoccupied space on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

**Curb Cut:** The entrance to or exit from a property provided for vehicular traffic to or from a public or private thoroughfare.

**Day Care Facilities:** As used in this Ordinance, the following definitions shall apply to Day Care Facilities:

1. **Adult Day Care Center:** A center other than a private home where one (1) or more functionally impaired elderly persons are received for care and supervision for any part of any day, but less than twenty-four (24) hour care. Overnight care shall not be provided. **Nursing Home, Convalescent Home or Rest Home,** or facilities defined under **Housing for the Elderly** are not included in this definition. However, such businesses may establish adult day care centers within their own facilities if such use is permitted within the district.
2. **Child Care Center:** A center other than a private home where one (1) or more children are received for care and supervision. Pre-schools and nurseries are included in this definition. Overnight care shall not be provided.
3. **Family Day Care Home:** A private home in which one (1) to six (6) children are received for care and supervision, including those children less than seven (7) years old in the resident family. This number shall not include more than two (2) children less than twelve (12) months old. Overnight care shall not be provided.

**Developable Envelope:** See **Building Envelope.**

**Development:** The construction of a new building, reconstruction of an existing building, or improvement of a structure on a parcel or lot, the relocation of an existing building to another lot, or the site work conducted upon land in preparation for a new use.

**Development Agreement:** An agreement entered into between the Township and the owner(s)/developer(s) of any property upon which a residential, commercial, industrial, or other land use is to take place. Put remainder of this definition in  
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the site plan review article. The Development Agreement must be entered into following site plan approval and prior to the commencement of any site work or construction, and may address such issues as the dedication of easements, escrow accounts or letters of credit, provision of utilities infrastructure, maintenance of open space areas, as-built drawings, and such other issues as the Township deems appropriate. The proposed Development Agreement shall be reviewed by the Township Supervisor, Township Clerk, Utility Department Manager (if applicable), Township attorney, Township engineer, and such other consultants as the Township may deem necessary. The proposed Agreement, if approved by majority vote of the Township Board, shall be signed by the Supervisor and Clerk on behalf of the Township and recorded with the Washtenaw County Register of Deeds. No Development Agreement shall commit to Utility Department fees or other economic terms for longer than three (3) years.

**Distribution Center:** A use which typically involves both warehouse and office/administrative functions, where short-and/or long-term storage takes place in connection with the distribution operations of a wholesale or retail supply business.

**District, Zoning:** A portion of the Township of Freedom within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established.

**Domestic Help:** Those persons hired by the householder for the purpose of performing domestic services and maintenance of the household.

**Downshielded:** When used to refer to outdoor lighting, downshielded shall mean that the light from the lighting fixture is directed at the surface to be lighted. Shields shall be used to prevent light, glare, and/or reflection from illuminating adjacent properties or the area above the height of the light fixture.

**Drive-In Theater:** An open-air theater constructed and operated at an established location, without cover or roof, displaying motion pictures for the general public who view the screen or stage while seated in a vehicle. The term "drive-in theater" as used herein shall include the entire premises upon which such theater is constructed and operated, including parking areas and all other facilities accessory to such business.

**Dwelling:** Any building, or part thereof, containing sleeping, kitchen, and bathroom facilities designed as a self-contained unit for occupancy by one (1) family for living, cooking, and sleeping purposes. In no case shall a travel trailer, motor home, automobile, tent, or other portable building defined as a recreational vehicle be considered a dwelling. In the case of mixed occupancy where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purposes of this Ordinance.

**Dwelling Area:** The dwelling area of a dwelling unit includes bedrooms, kitchen, dining room, den, library, studio, bathrooms, and family and living rooms.

**Dwelling, Manufactured:** A building or portion of a building designed for long-term residential use and characterized by the following:

1. the structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended;
2. the structure is designed to be transported to the site in a nearly complete form, where it is placed on a foundation and connected to utilities; and
3. the structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building on the site.

A mobile home is a type of manufactured dwelling. See **Dwelling, Mobile Home**.

**Dwelling, Mobile Home:** A structure, transportable in one (1) or more sections, which is built upon a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. Recreational vehicles as described and regulated herein shall not be considered "mobile homes" for the purposes of this Ordinance.

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**Dwelling, Multiple-Family:** A building designed for and occupied by two (2) or more families or persons living independently, with separate housekeeping, cooking, and bathroom facilities for each. Examples of multiple-family dwellings units include those commonly known as apartments.

**Dwelling, One-Family or Single-Family:** An independent, detached residential dwelling designed for and used or held ready for use by one (1) family only. Single-family dwellings are typically the only principal use on a parcel or lot.

**Dwelling, Two-Family or Duplex:** A detached building, designed exclusively for and occupied by two (2) families or persons living independently of each other, with separate housekeeping, cooking, and bathroom facilities for each. Also known as a duplex dwelling.

**Dwelling Unit, Farm -** A dwelling unit located on a farm which is used or intended for use by the farm's owner or person employed thereon. Only one farm dwelling shall be permitted on each farm.

**Dwelling Unit, Non-Farm -** A dwelling unit located on a farm or otherwise which is not a farm dwelling unit.

**Dwelling Unit, Single-Family Attached or Townhouse:** An attached single-family dwelling unit with party walls, designed as part of a series of three (3) or more dwellings, each with its own front door which opens to the outdoors at ground level, may have its own basement, and, typically, with its own utility connections and front and rear yards. Townhouses are also commonly known as row houses.

**Earth-Sheltered Home:** A complete building partially below grade that is designed to conserve energy and is intended to be used as a single-family dwelling.

**Enforcement Official:** The person or persons designated by the Township as being responsible for enforcing and administering requirements of this Zoning Ordinance. Throughout this Ordinance the Enforcement Official may be referred to as the Building Official, Zoning Administrator, Planning Official, Public Safety Official, Engineering Official, or their agents. Such titles do not necessarily refer to a specific individual, but rather, indicate generally the office or department most commonly associated with the administration of the regulation being referenced.

**Erected:** Any physical change on a site, including construction, reconstruction, or alteration of buildings or structures thereon. Excavation, fill, drainage, and the like shall be considered part of erection.

**Essential Services:** The erection, construction, alteration, or maintenance by public or quasi-public utilities or municipal departments or Township-certified cable television companies. Included in this definition are towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants, and similar equipment, which are necessary for safeguarding the general health, safety, and welfare of the public. Essential services shall not include storage yards, sales or business offices, commercial buildings or activities, or commercial communications towers.

**Excavation:** Any act by which an amount in excess of fifty (50) cubic yards of any soil or rock which is cut into, dug, quarried, uncovered, removed, displaced, or relocated in any calendar year is excavated or removed except excavation in connection with the construction of a building or within public highway rights-of-way.

**Exotic Animals:** Include a specific animal or breed of animal that has been introduced within an area that is not common or communal to existing species in an area and can be considered alien to animals normally adapted to an area. Animals of this nature that can or may be hazardous to human health or safety or the environment are prohibited.

**Family:** One (1) or more persons related by blood, bonds of marriage, or legal adoption, plus up to a total of three (3) additional persons not so related who are either domestic servants or gratuitous guests, occupying a single dwelling unit and living as a single nonprofit housekeeping unit; or a collective number of three (3) or fewer individuals living together in one (1) dwelling unit, whose relationship is of a continuing non-transient domestic character, and who are preparing meals as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, or group of transitory or seasonal nature or for a limited duration of a school term or terms or other similar determinable period.

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**Farm:** All of the contiguous, neighboring or associated land operated as a single unit which is cultivated for agricultural production by the owner-operator, manager, or tenant farmer, by his or her own labor or with the assistance of members of his or her household or hired employees; also including establishments operated as bona fide greenhouses, nurseries, orchards, chicken hatcheries, poultry farms, livestock farms, dairies, and apiaries; provided, however, that land to be considered a farm hereunder shall include a parcel of no less than ten (10) acres. For the purposes of this Ordinance, farms shall not include establishments for keeping or raising fur-bearing animals, private stables, commercial dog kennels, game fish hatcheries, piggeries, or stockyards, unless such establishments are combined with other bona fide farm operations listed above which are located on the same continuous tract of land. A farm which is operated as a business for purposes of agricultural production is distinguished from a collection of farm buildings and animals that is operated for educational, demonstration, or recreational purposes. Such quasi-farm operations may be known as a "petting zoo," "model farm," or "interpretative farm." See also **Agriculture**.

**Farm Buildings:** Any building or structure other than a dwelling, which is constructed, maintained, and used on a farm, and which is essential to or customarily used for the agricultural operations carried out on that type of farm.

**Feed Lot:** Includes any of the following facilities:

1. any tract of land or structure wherein any type of fowl or the by-products thereof are raised for sale at wholesale or retail; and
2. any structure, pen, or corral wherein cattle, horses, sheep, goats, or swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market based upon the following:
  - 700 dairy cattle.
  - 100,000 laying hens.
  - 2,500 swine (each weighing 55 lbs. or more).
  - 1,000 head of feeder cattle.
  - 10,000 sheep.
  - 55,000 turkey

**Fence:** A permanent or temporary barrier enclosing or bordering a plot of land or portion thereof, composed of suitable manufactured or natural materials, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary.

**Floodplain:** Any land area susceptible to being inundated by floodwaters when high amounts of precipitation are experienced, or when manmade features or natural cyclic conditions raise the water levels. The established floodplain is an area inundated by flood water that has a one percent (1%) chance of occurrence in any given year, which is equivalent to a flood frequency of once in one hundred (100) years (the "**Base Flood**" or "**100-Year Flood**"). Determinants of a floodplain can consist of:

1. the area which typically is adjacent to a river, stream, or other body of water, and is designated as subject to flooding from the 100-year base flood indicated on the "Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency or as mapped by an engineer certified by the State of Michigan;
2. principal estuary courses of wetland areas that are part of the river flow system;
3. contiguous areas paralleling a river, stream, or other body of water that exhibit unstable soil conditions for development; or
4. manmade features including, but not limited to, hydraulic structures, impervious surfaces, or storm drainage systems.

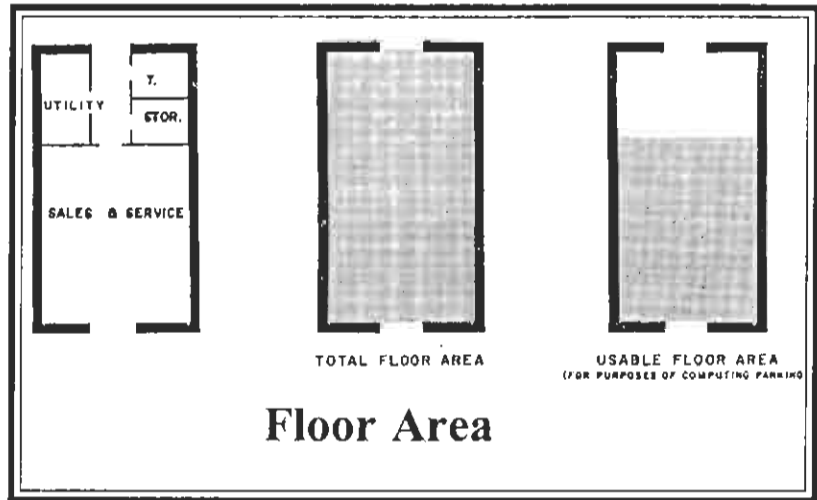
**Floodway:** The channel of a river or other watercourse and the adjacent lands that must be reserved in order to discharge floodwaters without cumulatively increasing the water surface elevation more than one (1) foot. As used in this Ordinance, "floodway" refers to that area designated as a floodway on the "Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency, or as mapped by an engineer certified by the State of Michigan.

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**Floor Area:** The sum of the gross horizontal floor areas of the several stories of a building, as measured to the exterior face of the exterior walls, plus that area, similarly measured of all other stories that are accessible by a fixed stairway, ramp, escalator, or elevator; including all enclosed porches and balconies, and all stairways, breezeways, storage areas, recreational rooms, boiler rooms, and other areas within or contiguous to the structure. The measurement shall include the floor space of all accessory buildings measured similarly.

**Floor Area Ratio:** The ratio of the floor area of a building to the area of the lot on which it is located, calculated by dividing the floor area by the lot area and expressing it as a percentage. For example, if a floor area ratio of eighty percent (80%) is specified and the lot area is ten thousand (10,000) square feet, the maximum permitted floor area on the lot is eight thousand (8,000) square feet. Subject to the provisions of this Ordinance regarding height and story limitations, the building

area may be four thousand (4,000) square feet for each of two (2) stories, two thousand (2,000) square feet for each of four (4) stories, or one thousand (1,000) square feet for each of eight (8) stories.



**Garage, Commercial:** Any building available to the public operated for gain and which is used for storage, rental, greasing, washing, servicing, repairing, or adjusting of automobiles or other motor vehicles.

**Garage, Community:** A structure, or a series of structures, for the storage of motor vehicles, having no public sales or repair shop or services in connection therewith, and separated into compartments or sections with separate vehicular entrances, for the use of two (2) or more owners or occupants of property in the vicinity.

**Garage, Private or Garage, Residential:** An accessory building or structure used principally for storage of automobiles and for other incidental storage purposes only.

**Garage, Public:** A structure, other than a private or community garage, for the storage, sale, care, repair, or refinishing of motor vehicles. Not to be considered a garage for the purpose of this Ordinance shall be a structure or rooms used solely for the display and sale of vehicles not operated under their own power, and in connection with which there is no repair, maintenance, or refinishing service or storage of vehicles other than those displayed.

**Golf Course or Country Club:** The premises upon which the game of golf is played, including clubhouses, parking lots, swimming pools, tennis courts, or other facilities or uses customarily incidental to a golf course or country club. See also **Par-3 Golf Course**.

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

**Groundwater:** Water stored in, and slowly filtering through, geologic formations.

**Groundwater Recharge Area:** A land surface and subsurface with limited filtering and purification capabilities and of high permeability which readily permits water to move downward into an aquifer to a depth where it is likely to be tapped by wells.

**Growth Management Plan:** The Plan, adopted by the Freedom Township Planning Commission, including graphics and written policies indicating general areas for physical resource management and containing development standards and

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general location of streets, parks, schools, and all physical development of Freedom Township. This term includes any unit or part of such Plan and any amendment to such Plan or parts thereof.

**Guest House:** An accessory structure to the principle residential structure on an individual parcel. A guest house is intended to be used on an infrequent, non-commercial basis by guests of the inhabitants of the principle residential structure on the parcel. The guest house is not to be rented or used for any commercial purpose.

**Hazardous Uses:** All uses which involve the storage, sale, manufacture, or processing of materials which are dangerous, risky, or combustible and are likely to burn with moderate rapidity and with a considerable volume of smoke, but from which neither poisonous fumes nor explosions are to be anticipated in the event of fire, and as listed by the Basic Building Code 1965, as amended, prepared by the Building Officials Conference of America, Inc.

**Highway:** A public thoroughfare or street, except alleys, but including federal, interstate, state, and county roads, including those appearing on plats recorded in the office of the Register of Deeds and accepted for public maintenance.

**Home Occupation:** An occupation or profession conducted entirely within a dwelling or accessory building by the inhabitants thereof, where such use is clearly incidental to the principal use of the dwelling as a residence, subject to the provisions of Section 2.10, herein.

**Hospital:** An institution which is licensed by the State of Michigan to provide in-patient and out-patient medical and surgical services for the sick and injured, and which may include such related facilities as laboratories, pharmacies, medical testing services, central service facilities, and staff offices.

**Hotel:** A building occupied as a temporary abiding place for individuals who are lodged with or without meals in rooms consisting of a minimum of one (1) bedroom and a bath, occupied for hire, in which access to at least fifty percent (50%) of the lodging units is through a common entrance, which shall provide customary hotel services such as maid service, the furnishing and laundering of linens, telephone and secretarial or desk service, and the use of furniture.

**Housing for the Elderly:** A facility other than a hospital, hotel, or nursing home, which provides room and board to non-transient persons primarily sixty (60) years of age or older. Housing for the elderly may include the following:

1. **Senior Apartments:** Multiple-family dwelling units occupied by persons fifty-five (55) years of age or older.
2. **Elderly Housing Complex:** A building or group of buildings containing dwellings where the occupancy is restricted to persons sixty (60) years of age or older or couples where either the husband or wife is sixty (60) years of age or older.
3. **Congregate Housing:** A type of semi-independent housing facility containing congregate kitchen, dining, and living areas, but with separate bedrooms. Such facilities typically provide special support services, such as transportation and limited medical care.
4. **Dependent Housing Facilities:** Facilities which are designed for older persons who need a wide range of health and support services, including personal nursing care.

**Ice Cream Parlor:** A retail establishment whose business is limited to the sale of ice cream, frozen desserts, dessert items, candies and confections, and beverages in a ready-to-eat state. Businesses serving hot dogs, hamburgers, salads, pizza, hot or cold sandwiches, or similar entree items are not considered ice cream parlors for the purposes of this Ordinance.

**Industrial Park:** A group of two (2) or more buildings, usually on separate lots, for industrial, research, or warehousing uses, with a common street or driveway system, developed according to an overall plan for the park, and identified by a name for the park.

**Ingress and Egress:** Used in this Ordinance in reference to a driveway which allows vehicles to enter or leave a parcel of property, or to a sidewalk which allows pedestrians to enter or leave a parcel of property, a building, or another location.

**Junk:** Building debris, scrap material, or any motor vehicles, machinery, appliances, products, or merchandise with parts

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missing, or other scrap materials that are damaged, deteriorated, or are in a condition which prevents their use for the purpose for which the product was manufactured.

**Junk Yard:** A place, structure, parcel, or use of land where junk, waste, discard, salvage, or similar materials such as old iron or other metal, wood, lumber, glass, paper, rags, cloth, leather, rubber, bagging, cordage, barrels, or containers are bought, sold, exchanged, stored, baled, packed, disassembled, or handled. Included are auto wrecking yards, inoperative machines, used lumber yards, house wrecking, and structural steel materials and equipment as well as establishments for the sale, purchase, or storage of salvaged machinery.

**Kennel, Commercial:** Any building(s) and/or land used, designed, or arranged for the boarding, breeding, or care of dogs, cats, outdoor fowl, or other domestic animals that are regulated under Section 10.08 herein, but shall not include those animals raised for agricultural purposes.

**Kennel, Private:** Any building(s) and/or land used, designed, or arranged for the boarding, breeding, or care of dogs, cats, pets, outdoor fowl, or other domestic animals belonging to the owner thereof and kept for purposes of show, hunting, or as pets, but not to include riding stables, provided that no more than three (3) such animals six (6) months old or older (the number of such animals shall not apply to the AR district.) are kept on the premises either permanently or temporarily. The keeping of such animals shall be strictly incidental to the principal use of the premises and shall not be for purposes of remuneration or sale.

**Landscaping:** The treatment of the ground surface with live plant materials such as, but not limited to, grass, ground cover, trees, shrubs, vines, and other live plant material. In addition, a landscape design may include other decorative materials, such as wood chips, crushed stone, boulders, or mulch. Structural features such as fountains, pools, statues, and benches shall also be considered a part of landscaping, but only if provided in combination with live plant material. Artificial plant materials shall not be counted toward meeting the requirements for landscaping. Various landscaping-related terms are defined as follows:

1. **Berm:** A continuous, raised earthen mound with a flattened top and sloped sides, capable of supporting live landscaping materials, and with a height and width that complies with the requirements of this Ordinance.
2. **Grass:** Any of a family of plants with narrow leaves normally grown as permanent lawns in Washtenaw County, Michigan.
3. **Greenbelt:** A strip of land of definite width and location reserved for the planting of a combination of shrubs, trees, and ground cover.
4. **Ground Cover:** Low-growing perennial plants that form a dense, extensive growth after one (1) complete growing season, and that tend to prevent weeds and soil erosion.
5. **Hedge:** A row of closely-planted shrubs or low-growing trees which commonly form a continuous visual screen, boundary, or fence.
6. **Interior Landscaping Area:** A landscaped area located in the interior of a parking lot in such a manner as to improve the safety of pedestrian and vehicular traffic, guide traffic movement, and improve the appearance of the parking area.
7. **Nurse Grass:** Any of a variety of rapidly-growing annual or perennial rye grasses used to quickly establish ground cover to prevent dust or soil erosion.
8. **Screen or Screening:** A wall, wood fencing, or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the screen is composed of non-living material, such materials shall be compatible with materials used in construction of the main building, but in no case shall include wire fencing.
9. **Shrub:** A self-supporting, deciduous or evergreen woody plant, normally branched near the base, bushy, and less than fifteen (15) feet in height.

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- 10. **Sod:** An area of grass-covered surface soil held together by matted roots.
- 11. **Tree:** A self-supporting woody, deciduous, or evergreen plant with a well-defined central stem which normally grows to a mature height of fifteen (15) feet or more in Washtenaw County, Michigan. Types of trees are defined as follows:
  - a) **Deciduous Tree:** A variety of tree that has foliage that is shed at the end of the growing season.
  - b) **Evergreen Tree:** A variety of tree that has foliage that persists and remains green throughout the year.
  - c) **Ornamental Tree:** A deciduous tree which is typically grown because of its shape, flowering characteristics, or other attractive features, and which grows to a mature height of about twenty-five (25) feet or less.
  - d) **Shade Tree:** For the purposes of this Ordinance, a shade tree is a deciduous tree which has a mature crown spread of fifteen (15) feet or greater in Washtenaw County, Michigan, having a trunk with at least five (5) feet of clear stem at maturity.
- 12) **Vine:** A plant with a flexible stem supported by climbing, twining, or creeping along the surface, and which may require physical support to reach maturity.

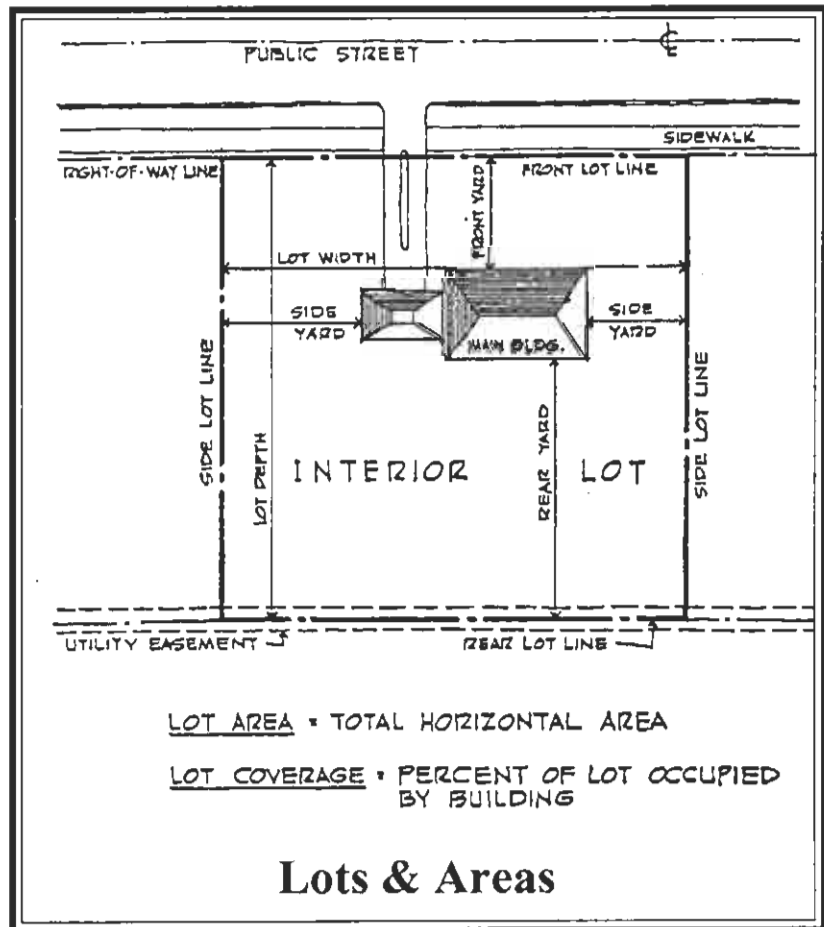
**Landscaping Business:** Nursery operations which include operations necessary to install and maintain plant materials off-site, including storage of trucks for transportation of plants, soils, and other landscaping materials; grading equipment; and tree-moving equipment. Commercial snow-removal equipment, construction equipment, or road-maintenance is not considered to be a part of a landscaping business. See also **Landscaping/Maintenance Operations and Nursery, Commercial.**

**Landscaping/Maintenance Operations:** Uses which include the use of commercial vehicles and/or equipment not permitted in nursery or landscape operations. Landscaping/Maintenance Operations may be characterized by the use and storage of large vehicles and equipment, significant noise levels, and emissions that are incompatible with surrounding rural, agricultural, or residential land uses. See also **Landscaping Business and Nursery, Commercial.**

**Livestock:** Horses, cattle, sheep, goats, and other domestic animals normally kept or raised on a farm.

**Loading Space, Off-Street:** Space logically and conveniently located for bulk pick-ups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

**Lot:** A parcel of land, excluding any street or other right-of-way and any easement area for a private street, with at least



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sufficient size to meet the minimum requirements for use, coverage, and lot area providing such yards and open spaces as herein required, provided that in no case of division or combination shall any lot or parcel created, including residuals, be less than that required by this Ordinance. In addition to the land required to meet the regulations herein, the lot shall include all other land shown in a request for a Building Permit or a Certificate of Occupancy, occupied by a principal building or use, and any accessory building or use.

**Lot Area:** The area within the lot lines, but excluding that portion in a road or street right-of-way, other right-of-way, and any easement for a private street.

**Lot, Corner:** A corner lot is a lot of which at least two (2) adjacent sides abut upon a street.

**Lot Coverage:** That part or percentage of the lot occupied by buildings or structures, including accessory building or structures.

**Lot, Double Frontage:** Any interior lot having frontage on two streets as distinguished from a corner lot.

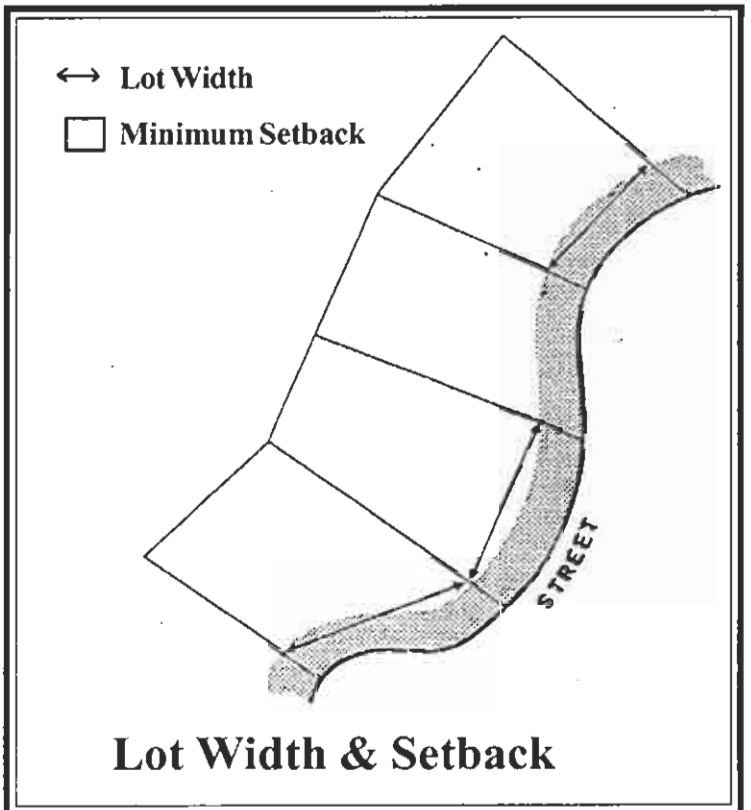
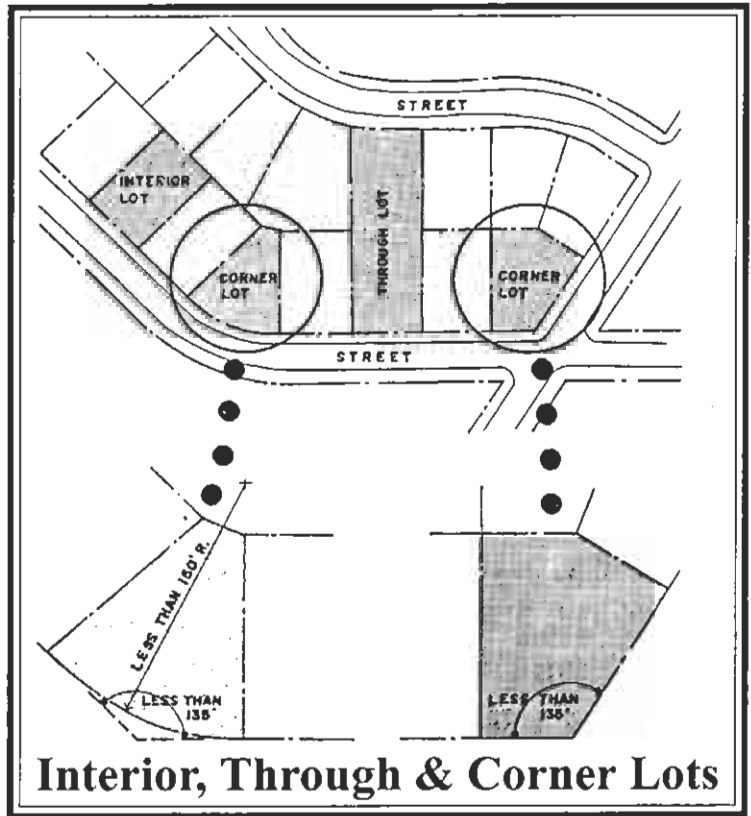
**Lot, Interior:** Any lot with only one (1) lot line fronting on a street.

**Lot Lines:**

1. **Front Lot Line:** In the case of a lot not located on a corner, the line separating said lot from the street right-of-way. In the case of a corner lot or double frontage lot, the front lot line shall be that line which separates said lot from that street which is designated as the front street on the plat, or which is designated as the front street on the site plan review application or request for a Building Permit.
2. **Rear Lot Line:** Ordinarily, that lot line which is opposite and most distant from the front lot line. In the case of lots that are pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet in length, lying farthest from the front lot line and wholly within the lot.
3. **Side Lot Line:** Any lot line other than the front or rear lot lines. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

**Lot Measurements:**

1. **Depth:** The horizontal distance between the front street line and rear lot line, measured along the median between the side lot lines.



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2. **Width:** The straight line distance between the side lot lines, measured at the two (2) points where the minimum front yard setback line intersects the side lot line.

**Lot of Record:** A parcel of land, the dimensions and configuration of which are shown on a subdivision plat recorded in the offices of the Washtenaw County Register of Deeds and Township Treasurer, or a lot or parcel described by metes and bounds, the accuracy of which is attested to by a land surveyor (registered and licensed in the State of Michigan) and likewise so recorded with the Washtenaw County Register of Deeds and/or Township Assessor.

**Lot Split or Consolidation:** The dividing or uniting of Lots of Record by virtue of changes in deeds recorded in the offices of the Washtenaw County Register of Deeds and/or Township Assessor.

**Main Access Drive:** Any private street designed to provide access from a public street or road to a mobile home park, apartment or condominium complex, or other private property development.

**Main Use:** The principal use to which the premises are devoted and the principal purpose for which the premises exist.

**Major Thoroughfare:** An arterial street which is intended to serve as a large volume traffic-way for both the immediate area and the region beyond, and may be designated as a major thoroughfare, parkway, freeway, expressway, or equivalent term to identify those streets comprising the basic structure of the street plan.

**Manufacturing:** The process of making products by hand, by machinery, or by other agency, often with the provision of labor and the use of machinery.

**Material Recovery Facility:** A place, structure, or use of land where used, discarded, or salvaged or salvageable materials are processed for recycling or reuse. A Material Recovery Facility shall not include Junk Yard uses.

**Mezzanine:** An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third (1/3) of the floor area of the story in which the level or levels are located.

**Mini-Storage Facility or Mini-Warehouse:** A building or group of buildings, each of which consists of several individual storage units, each with a separate door and lock and which can be leased on an individual basis. Such facilities are typically contained within a fenced, controlled-access compound.

**Mobile Home:** See Dwelling, Mobile Home.

**Mobile Home Park:** Any parcel of land intended and designed to accommodate more than one (1) mobile home on a continual non-recreational basis and which is offered to the public for that purpose, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incidental to the occupancy of a mobile home and subject to conditions set forth in the Mobile Home Commission Rules and Michigan Public Act 96 of 1987, as amended, and this Ordinance.

**Mobile Home Site:** A plot of ground within a Mobile Home Park designed for accommodation of a mobile home.

**Motel:** Any establishment in which individual rooms, cabins, courts, or similar structures or units, are let or rented to transients for periods of less than thirty (30) days. The term "motel" shall include tourist cabins and homes and motor courts. A motor court or motel shall not be considered or construed to be either a multiple-family dwelling, a hotel, or a trailer coach park.

**Natural Features:** Include, but are not limited to, soils, wetlands, floodplains, water bodies and channels, groundwater recharge areas, topography, hedgerows, trees and other types of vegetative cover, and geologic formations.

**Nonconforming Building or Structure:** A structure, building, or portion thereof that was lawfully in existence at the effective date of this Ordinance, or amendments thereto, and which does not now conform to the provisions of the Ordinance in the zoning district in which it is located.

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**Nonconforming Lot:** A lot which was lawfully in existence at the effective date of this Ordinance, or amendments thereto, and which does not now conform to the lot size, lot width, or other regulations pertaining to lots in the zoning district in which it is located.

**Nonconforming Use:** A use which was lawfully in existence at the effective date of this Ordinance, or amendments thereto, and which does not now conform to the use regulations of the zoning district in which it is located.

**Nuisance:** Any offensive, annoying, or disturbing emission, practice, or object, which prevents the free use or comfortable enjoyment of one's property, or which renders its ordinary use or physical occupation uncomfortable. Nuisance commonly involves continuous or recurrent acts which give offense to the senses, violate the laws of decency, obstruct reasonable and comfortable use of property, or endanger life and health.

**Nursery, Commercial:** The use of land or greenhouses to grow plants intended to be transplanted for use in agriculture, forestry, or landscaping. Nursery operations may include retail and/or wholesale sales of plant material grown on or off the parcel, as well as small items incidental to the sale of plant materials. See also **Landscaping Business and Landscaping/Maintenance Operations.**

**Nursery, Day Nursery, Nursery School:** See **Day Care Facility.**

**Nursery, Plant Material:** A space, building, and/or structure, where live trees, shrubs, and/or other plants used for gardening and landscaping are propagated or stored.

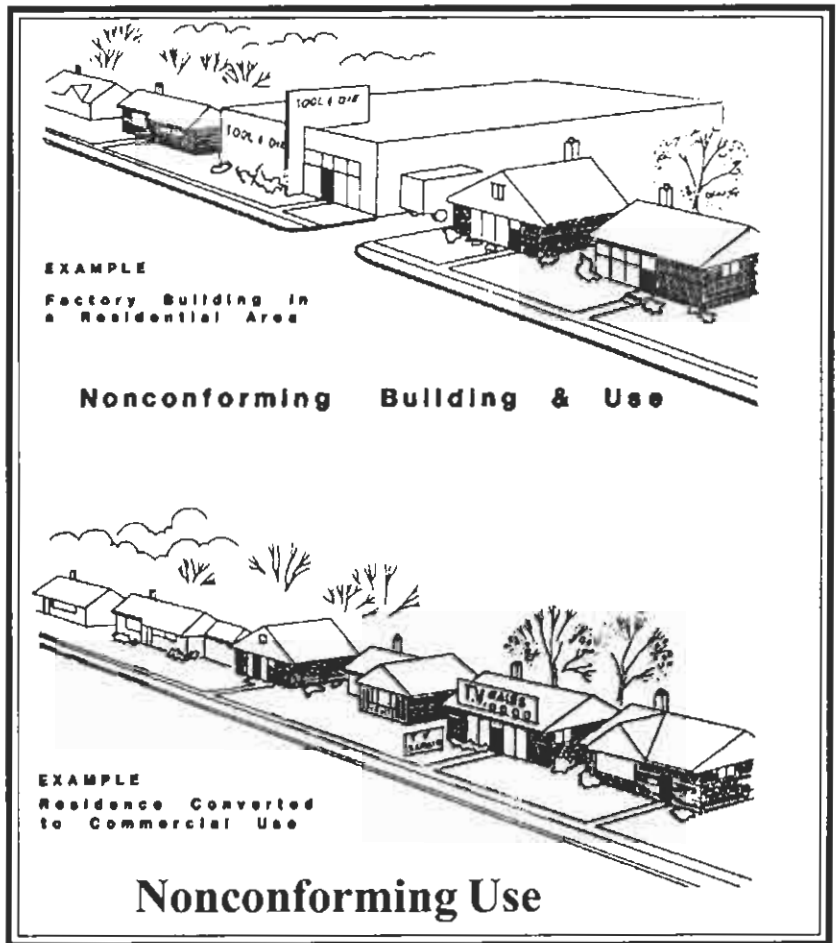
**Nursing Home, Convalescent Home, or Rest Home:** A home, licensed in accordance with state law, for the care of the aged, infirm, or those suffering from bodily disorders, wherein two (2) or more persons are housed or lodged and furnished with nursing care.

**Occupied:** Used in any way at the time in question.

**Office Park:** A group of two (2) or more buildings, on individual lots or one (1) undivided parcel, with a common street or driveway system, developed according to an overall plan for the park, and identified by a name for the park.

**Open Space, Common:** Space left open or reserved for aesthetic, ecological, or recreational purposes by owners of lots for the use of the owners of lots participating in a unit development. Such space may include private recreational facilities such as golf courses or swimming pools, historic building sites, parks, parkway areas, ornamental parks, extensive areas with tree cover, low land along streams, or areas of terrain which have natural features worthy of environmental or scenic preservation.

**Outdoor Sales:** Unless otherwise specified herein, outdoor sales may include:



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1. retail sales of garden supplies and equipment, including but not limited to, trees, shrubbery, plants, flowers, seed, topsoil, trellises, and/or lawn furniture; and
2. roadside stands for the sale of agricultural products, including fruits, vegetables, and Christmas trees. See also **Roadside Stands.**

**Outlot:** A parcel of land designated as such on the recorded plat, and which is usually not intended to be used for the same purposes as other lots in the plat.

**Par-3 Golf Course:** A golf course consisting of shortened fairways, typically no longer than two hundred (200) yards. Par-3, eighteen-hole golf courses typically occupy fifty (50) to sixty (60) acres.

**Parcel:** See **Lot.**

**Parking Area, Off-Street:** A land surface or facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of more than two (2) automobiles.

**Parking Lot, Off-Street:** An area on private property which provides vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide safe and convenient access for entrance and exit and for parking of more than four (4) vehicles.

**Parking Space:** One (1) unit of a parking area provided for the parking of one (1) passenger vehicle. This space shall have an area of not less than two hundred (200) square feet, and shall be exclusive of curbs, driveways, aisles or entrances giving access thereto and shall be fully accessible for the storage or parking of permitted vehicles.

**Permitted Use:** See **Use, Permitted.**

**Person:** An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization, or other legal entity acting as a unit.

**Pet:** A domesticated dog, cat, bird, gerbil, hamster, guinea pig, turtle, fish, rabbit, or other animal that is commonly available and is kept for pleasure or companionship, and not including "Exotic Animals."

**Planning Commission:** The Planning Commission of the Township of Freedom, Washtenaw County, Michigan.

**Planting Strip:** A combination of natural plant materials such as ground cover, deciduous and/or evergreen shrubs, deciduous and/or evergreen trees, and/or deciduous small ornamental trees.

**Plat:** A map or chart of a subdivision of land.

**Pool or Billiard Hall:** An establishment wherein a substantial or significant portion of all usable area is devoted to the use of pool or billiard tables.

**Principal Use:** See **Use, Principal.**

**Property Line:** The line separating a piece of property from the street right-of-way and the lines separating a parcel of property from the parcels next to it. See also **Lot Line.**

**Public Use:** See **Use, Public.**

**Public Utility:** Any person, firm, corporation, municipal department, or board duly authorized to furnish and furnishing under federal, state, or municipal regulations, to the public electricity, gas, steam, communications, telegraph, transportation, water, or sanitary or storm sewage facilities.

**Quarry:** Any pit, excavation, or mining operation for the purpose of searching for or removing, for commercial use, any earth, sand, gravel, clay, stone, slate, marble, or other non-metallic mineral in excess of fifty (50) cubic yards in any calendar year, but not including an oil well or excavation preparatory to the construction of a building or structure.

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**Recreation Center:** An establishment which provides exercise facilities and court sports facilities, and which may include spectator seating in conjunction with the sports facilities. For the purposes of this Ordinance, a bowling establishment shall be considered a type of recreation center.

**Recreational Land:** Any public or privately-owned lot or land that is utilized for recreation activities such as, but not limited to, camping, swimming, picnicking, hiking, nature trails, boating, or fishing.

**Recreational Vehicle:** "Recreational Vehicles" shall include the following:

1. **Travel Trailer:** A portable vehicle on a chassis, not exceeding thirty-six (36) feet in length or nine (9) feet in width, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified as a "travel trailer" by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.
2. **Pick-up Camper:** A structure designed to be mounted on a pick-up or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses.
3. **Motor Home:** A recreational vehicle intended for temporary human habitation, sleeping, and/or eating, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor homes generally contain sanitary, water, and electrical facilities.
4. **Folding Tent Trailer:** A canvas folding structure, mounted on wheels and designed for travel and vacation use.
5. **Boats and Boat Trailers:** "Boats" and "boat trailers" shall include boats, floats, rafts, and canoes, plus the normal equipment to transport them on the highway.
6. **Other Recreational Equipment:** Other recreational equipment includes snowmobiles, all-terrain or special terrain vehicles, and utility trailers, plus the normal equipment to transport them on the highway.

**Riding Academy:** Any establishment where horses are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch, or similar establishment.

**Riding Stable:** A horse riding facility, including barns or other outdoor facilities designed for the care and housing of horses, primarily dependent upon individuals either boarding their horses at the facility or renting horses from the facility with the purpose of riding on the subject property.

**Roadside Stand:** A temporary building or structure operated for the purpose of selling only natural, unprocessed produce, at least fifty percent (50%) of which is raised or produced on the same premises or on land which is part of the same farm occupation, for a period not to exceed eight (8) months during any calendar year. A roadside stand shall not make a commercial district, nor shall its use be deemed a commercial activity.

**Rooming House:** A dwelling in which more than three (3) persons either individually or as families are housed or lodged for hire without meals.

**Screen:** A structure providing enclosure, such as a fence, and a visual barrier between the area enclosed and the adjacent property. A screen may also be a non-structure consisting of evergreen shrubs or other growing materials.

**Secondary Access Drive:** Any private street that is generally parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.

**Semi-Trailer:** A trailer, which may be enclosed or not enclosed, exceeding eighteen (18) feet in length, and supported in front by a truck tractor or towing vehicle.

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**Service Truck:** A pick-up truck or van that is used in conjunction with a repair or maintenance business, such as a plumbing, electrical, or carpentry business.

**Setback:** The distance between a front, side, or rear lot line and the nearest portion of any structure, including overhangs, on the lot. The Minimum Required Setback is the minimum distance required between a front, side, or rear lot line and the nearest portion of any structure, including overhangs, in order to conform to the required yard setback provisions of this Ordinance. See also **Yard**.

**Shopping Center:** A group of commercial establishments, primarily consisting of retail uses, that are compatible with each other and are mutually supportive, in one (1) or more buildings, on a site that is planned, developed, and managed as one (1) operating unit, with common driveways, parking areas, identification signs, and other common facilities and services.

**Sign:** Any device designed to inform or to attract the attention of persons not on the premises on which the sign is located, provided however, that the following shall not be included in the application of the regulations herein:

1. signs not exceeding one (1) square foot in area bearing only property numbers, post box numbers, names of occupants or premises, or other identification of premises not having commercial connotations;
2. flags and insignias of any government except when displayed in connection with commercial connotations;
3. legal notices; identification, information, or directional signs erected, or required by governmental bodies;
4. integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights; and
5. signs directing and guiding traffic and parking to private property, but bearing no advertising matter.

The following are definitions of specific signs regulated within this Ordinance and related terms:

1. **Abandoned Sign:** A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.
2. **Accessory Sign:** A sign which pertains to the principal use of the premises.
3. **Advertising Sign:** A non-accessory sign relating to a business, use, or service not carried on at the premises upon which the sign is placed.
4. **Announcement Sign:** An accessory sign publicly displaying a notice which directs attention to a business, profession, or similar activity or service conducted on the premises.
5. **Awning/Canopy Sign:** A sign painted on, printed on, or attached flat against the surface of an awning or canopy. Such awning or canopy projects from and is supported by an exterior wall of a building and is constructed on a supporting framework. Such sign shall not extend above the roof line of the building to which the awning or canopy is attached.
6. **Balloon, Cold Air Inflatable:** A temporary sign composed of a non-porous bag of tough, light material filled with air, which may or may not float in the atmosphere.
7. **Beacon Light:** Any light with one (1) or more beams, capable of being directed in any direction or directions or capable of being revolved automatically.
8. **Banner Sign:** Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.
9. **Bench Sign:** A sign located on any part of the surface of a bench or seat.

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10. **Billboard Sign:** A non-point-of-sale sign which advertises a business, organization, event, person, place, or thing. Also referred to as a **Non-Accessory Sign, Outdoor Advertising Sign, or Off-Premise Sign.**
11. **Changeable Letter Sign:** An accessory sign in which the letters may be manually or automatically changed from time to time, e.g., reader boards with changeable letters and/or electrical or electronic time and temperature units.
12. **Clearance of Sign:** The smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.
13. **Construction Sign:** An accessory sign listing the name of the project developers, contractors, engineers, and/or architects on the site being developed.
14. **Directional Sign:** A non-accessory sign which directs people to a business or service establishment, or provides directional information as to travel routes, and which contains only the display of a business name and/or route directions.
15. **Directory Sign:** A sign on which the names and locations of occupants or the use of a building is given. This shall include office buildings and church directories.
16. **Double-Faced Sign:** A sign with two (2) faces.
17. **Erect:** To build, construct, attach, hang, place, suspend, or affix, including the painting of wall signs.
18. **Festoon Sign:** An accessory sign where incandescent light bulbs, banners, or pennants or other such features are hung or strung overhead and are not an integral physical part of the building or structure they are intended to serve.
19. **Flashing, Animated, or Moving Sign:** An accessory or non-accessory sign that intermittently reflects light from either an artificial or natural source; or a sign which has movement of any illumination such as intermittent, flashing, scintillating, or varying intensity; or a sign that has any visible portions in motion, either constantly or at intervals, caused by artificial or natural forces.
20. **Garage Sale Sign:** A temporary sign, not to exceed four (4) square feet, commonly used to advertise previously-owned household and/or personal-type items from a residence, that are offered for sale to the general public.
21. **Government Sign:** Any temporary or permanent sign erected and maintained by the Township, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.
22. **Ground Sign:** A sign less than five (5) feet in overhead height not attached to any building and affixed to short supporting uprights, braces, or some other object on the ground.
23. **Height of a Sign:** The vertical distance measured from the highest point of the sign to the grade of the adjacent street or the surface grade beneath the sign, whichever is lower.
24. **Identification Sign:** An accessory sign stating the name of a person or business, or name or description of a certain permitted use.
25. **Illegal Sign:** A sign which does not meet requirements of this Ordinance and which has not received legal nonconforming status.
26. **Illuminated Sign:** A sign that is illuminated by a direct or indirect source of light.
27. **Incidental Sign:** A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises; e.g., a credit card sign or a sign indicating hours of business.

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28. **Integral Sign:** Memorial signs or tablets, names of buildings, or date of erection when cut into any masonry surface or when constructed of bronze or other incombustible material mounted on the face of a building.
29. **Item of Information:** Any word, abbreviation, or symbol used as part of a sign.
30. **Location:** Any lot, premises, building, structure, wall, or any place whatsoever upon which a sign is located.
31. **Marquee Sign:** An accessory sign attached to or hung from a marquee canopy or other covered structure projecting from and supported by the building to which it is attached and projecting beyond the building wall, building line, or street right-of-way more than eighteen (18) inches.
32. **Menu Board and Order Board:** A sign which is intended to service drive-through traffic.
33. **Non-Accessory Sign:** A sign which pertains to other than the principal use of the premises.
34. **Nonconforming Sign:** A sign which was lawfully in existence at the effective date of this Ordinance, or amendments thereto, and which does not now conform to the regulations of this Ordinance.
35. **Off-Premise Sign:** A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located; e.g., "billboards" or "outdoor advertising."
36. **Outdoor Advertising Sign:** See **Billboard**, **Off-Premise Sign**, or **Non-Accessory Sign**.
37. **Owner:** A person recorded as such on official records. For the purposes of this Ordinance, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Zoning Administrator.
38. **Panel Sign:** A sign whose letters and/or symbols are incorporated into a framed background which is an integral part of the sign, distinguishing it from a sign consisting of individual letters and/or symbols.
39. **Point-of-Sale Sign:** Any sign which carries only the name of the firm, major enterprise, or products offered for sale on the premises, or a combination of these things.
40. **Political Sign:** A non-accessory sign not permanently affixed to a structure or the ground, relating to the election of a person to public office, or relating to a political party, or to a matter to be voted upon at an election called by a public body.
41. **Portable Sign:** A sign not permanently affixed or secured to either a building or the ground, including those mounted on wheeled trailers.
42. **Projecting Sign:** A sign that is attached to a wall and projects from it at a 90-degree angle.
43. **Pylon Sign:** An elevated sign supported by one (1) or more bearing columns, the sign portion of which is not less than ten (10) feet from the surface of the ground.
44. **Real Estate Development Sign:** An accessory sign placed on the premises of a subdivision or other real estate development to indicate a proposed start or to inform the public regarding availability.
45. **Real Estate Sign:** An accessory sign placed upon a property advertising that particular property for sale, for rent, or for lease.
46. **Roof Sign:** An accessory sign erected and maintained upon the top of a sloping roof or upon the top of a flat roof with the principal supporting base being the roof.
47. **Roof Line:** The juncture of the roof and the perimeter wall of the structure.

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48. **Service Club or Community Entrance Sign:** A non-accessory sign, located along the main entrance ways to the community, displaying the names of service clubs and organizations and their symbol or logo, or the name of the community and its symbol or logo.
49. **Sign:** Any device, structure, object, fixture, or placard using graphics, designs, symbols, words, numerals, devices, trademarks, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, services, and/or message which is visible to the general public.
50. **Sign Maintenance:** For the purposes of this Ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.
51. **Sign Setback:** The distance measured from the right-of-way line of the street from which the sign will be viewed, to the leading edge of the sign.
52. **Sign Display Area:** The exposed face of a sign, including any background or framing material, constructed, painted, or otherwise installed as part of the sign display surface.
53. **Snipe Sign:** Any sign of any material whatsoever that is attached in any way to a utility pole, tree, or any object located or situated on public or private property.
54. **Street Banner Sign:** Any banner sign which is stretched across and hung over a public right-of-way.
55. **Subdivision Business Sign:** A sign located at the entrance of a subdivision under construction, listing the name of the development and general information relative to the number and type of units to be built, price range, and other similar data.
56. **Temporary Sign:** A display sign, banner, or other advertising device constructed of non-durable materials and intended for a limited period of use not exceeding thirty (30) days.
57. **Vehicle/Trailer Sign:** Any sign used for advertising or promotional purposes, mounted on a vehicle or trailer normally licensed.
58. **Wall Sign:** An accessory sign which is painted directly on the wall or a sign which is attached directly to a building wall and does not extend above the height of the wall to which it is attached nor extend outward more than eighteen (18) inches therefrom, with the exposed face of the sign in a plane parallel to the building wall. Included in the meaning of wall signs are signs mounted flat against the building fascia, provided the sign does not protrude beyond any boundary of the fascia. See also "Integral Sign."
59. **Window Sign:** Any sign placed inside or upon a window facing the outside and which is intended to be seen from the exterior.

**Site Condominium:** A condominium development containing residential, commercial, office, industrial, or other structures or improvements for uses permitted in the zoning district in which located, in which each co-owner owns exclusive rights to a volume of space within which a structure or structures may be constructed, herein defined as a condominium unit, as described in the master deed. Following are definitions pertaining to site condominiums:

1. **Condominium Act:** Act 59 of 1978, as amended.
2. **Condominium Documents:** The master deed, recorded pursuant to the Condominium Act, and any other instrument referred to in the master deed and bylaws which affects the rights and obligations of a co-owner in the condominium.
3. **Condominium Lot:** The land in a condominium unit, together with the land in the adjacent and appurtenant limited common element, if there is such a limited common element.
4. **Condominium Subdivision Plan:** The drawings and information prepared in accordance with Section 66 of the Condominium Act.

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5. **Condominium Unit:** The portion of a condominium project designed and intended for separate ownership and use, as described in the master deed.
6. **Consolidating Master Deed:** The final amended master deed for a contractible or expandable condominium project, or a condominium project containing convertible land or convertible space, which final amended master deed fully describes the condominium project as completed.
7. **Contractible Condominium:** A condominium project from which any portion of the submitted land or buildings may be withdrawn in accordance with this Ordinance and the Condominium Act.
8. **Conversion Condominium:** A condominium project containing condominium units some or all of which were occupied before the filing of a notice of taking reservations under Section 71 of the Condominium Act.
9. **Expandable Condominium:** A condominium project to which additional land may be added in accordance with this Ordinance and the Condominium Act.
10. **Master Deed:** The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan for the project, and all other information required by this Ordinance and Section 8 of the Condominium Act.
11. **Notice of Proposed Action:** The notice required by Section 71 of the Condominium Act, to be filed with Freedom Township and other agencies.

**Site Plan:** A plan showing all salient features of a proposed development, as required by pertinent portions of this Ordinance, so that it may be evaluated to determine whether it meets the provisions of this Ordinance and the Growth Management Plan.

**Soil Erosion:** The following definitions are used regarding soil erosion control as designated and applied within this Ordinance:

1. **Accelerated Soil Erosion:** The increased loss of the land surface that occurs as a result of human activity.
2. **Acceptable Operating Erosion and Sediment Control Program:** An erosion and sediment control program conforming to the standards and specifications for soil erosion and sediment control program as promulgated and adopted by the Washtenaw County Soil Conservation District which are hereby adopted by reference as a part of this Ordinance.
3. **Agricultural Practices:** All land farming operations including the plowing and tilling or other preparation or treatment of land for the purposes of crop production or the harvesting of crops or the raising of livestock.
4. **Authorized Public Agency:** A local, state, or county agency designated by the Michigan Department of Environmental Quality to enforce soil erosion and sedimentation control requirements.
5. **Building Official:** The chief Building Official of the Township or his or her authorized representative.
6. **Canopy:** The outermost spreading vegetative layer of any woody plant(s) delineated by the dripline.
7. **Certificate of Completion:** A signed, written statement by the Building Official or other designated official that specific construction has been inspected and found to comply with all grading plans and specifications.
8. **Clearing:** The severing of woody plants above ground level leaving the root system and stumps intact.
9. **Control Facility:** Any facility or measure placed or constructed as necessary for the successful control of accelerated soil erosion.
10. **Debris:** Loose refuse or earth material not suitable for use as presently situated or constituted, as determined by the Building Official.

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11. **Earth Change:** A change in the natural cover or topography of land resulting from human activity, including stripping, cutting, excavating, and filling activities. "Earth change" as defined in this Section does not include agricultural practices or the preparation of the soil for the purpose of crop production.
12. **Erosion:** The process by which the ground surface is worn away by action of wind, water, gravity, or a combination thereof.
13. **Excavation or Cut:** Any act by which an amount in excess of fifty (50) cubic yards of any soil or rock which is cut into, dug, quarried, uncovered, removed, displaced, or relocated in any calendar year is excavated or removed except excavation in connection with the construction of a building or within public highway rights-of-way.
14. **Fill:** A deposit of soil, rock, or other material placed or replaced by people or machine which raises an existing elevation.
15. **Floodplain:** The area inundated by flood water that has a one percent (1%) chance of occurrence in any given year, which is equivalent to a flood frequency of once in one hundred (100) years (the "Base Flood" or "100-Year Flood").
16. **Grading:** Any stripping, excavating, filling, stockpiling, or leveling, or any combination thereof, including the land in its excavated or filled condition.
17. **Grading Permit:** A permit issued to authorize work to be performed under this Ordinance.
18. **Grading Plans:** Plans that specify what earth changes will occur as a result of grading operations.
19. **Haul Road:** An on-site roadway constructed to prevent the spread of debris onto the public right-of-way.
20. **Hazard:** Any danger to the public health, welfare, or safety including exposure to risk of damage to property or liability for personal injury, or risk of harm to land, air, or water resulting in environmental degradation. Hazards can include flooding and ponding, compaction and settling, landslides, earthquakes, toxic chemicals, radiation, fire, or disease.
21. **Land Development Regulations:** Standards and specifications for soil erosion control as used by the Washtenaw County Soil Conservation District.
22. **Land Use:** A use of land that may result in an earth change including, but not limited to, a residential development, commercial, industrial, recreational, or other development, private or public highway, road and street construction, drainage construction, logging operations, agricultural practices, and mining.
23. **Natural Ground Surface:** Any ground surface in its original state before any grading, excavation, or filling. The natural ground surface shall be determined by the Building Official when there is any question of its location.
24. **Permanent Soil Erosion Control Measures:** Those control measures that are installed or constructed to control soil erosion and which are maintained after project completion.
25. **Rules:** The standards and specifications promulgated in the Land Development Regulations.
26. **Sediment:** Any solid material, organic or inorganic, that is in suspension, is being transported, or has been moved from its site or origin by air, water, or gravity, as a result of erosion.
27. **Site:** Any lot or parcel of land or combination of contiguous lots or parcels of land where grading is performed or permitted.

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28. **Slope:** Any inclined, exposed surface of a fill, excavation, or natural terrain. Steep slopes shall be considered to be those with a grade of twelve percent (12%) or more.
29. **Soil:** All earth material of whatever origin that overlies bedrock and can be readily excavated by mechanical equipment.
30. **Soil Erosion Control Facility:** A facility or measure placed or constructed as necessary for the successful control or abatement of accelerated soil erosion.
31. **Stabilization:** Proper placing, grading, and/or covering of soil or rock to ensure their resistance to soil erosion, sliding, or other earth movement.
32. **Stockpiling:** The depositing of earthen or other materials for temporary periods of time in accordance with the requirements of this Ordinance for the purpose of facilitating construction operations.
33. **Stripping:** Any activity that removes or significantly disturbs the vegetative surface cover, including clearing and grubbing operations.
34. **Temporary Soil Erosion Control Measures:** Interim control measures which are installed or constructed to control soil erosion until permanent soil erosion control is effected.
35. **Township Enforcing Agency:** The Building and/or Zoning Department.
36. **Watercourse:** Any natural or open artificial watercourse, diversion, stream, river, creek, ditch, channel, canal conduit, culvert, drain, waterway, gully, ravine, or wash in which waters flow in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed, and banks, and shall include the floodplain.
37. **Wetland:** Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.
38. **Woody Plants:** Trees two (2) inches or greater in diameter measured four (4) feet above the existing grade, shrubs two (2) inches or greater in diameter measured at the existing grade (ground level), or trees and shrubs ten (10) feet or greater in height.

**Special Event:** An occurrence or noteworthy happening of seasonal, civic, or church importance, which is organized and sponsored by a non-profit Freedom Township community group, organization, club, or society, and which offers a distinctive service to the community, such as public entertainment, community education, civic celebration, or cultural or community enrichment and which is open to the public. Special events typically run for a short period of time (less than two [2] weeks) and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

**Special Land Use:** See Use, Conditional Land.

**Stable, Private:** An enclosed building intended for the keeping of horses or other large domestic animals, for the non-commercial use of the residents of the principal residential use on the site.

**Stable, Public:** An enclosed building intended for the keeping of horses or other large domestic animals, in which any such animals are kept for remuneration, hire, or sale, but shall not include those animals raised for agricultural purposes.

**State Licensed Residential Facility:** Any structure constructed for residential purposes that is licensed by the State of Michigan pursuant to Public Act 287 of 1972, Public Act 116 of 1973, or Public Act 218 of 1979, as amended. These acts provide for the following types of residential structures:

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1. **Adult Foster Care Facility:** A residential structure that is licensed to provide room, board, and supervised care, but not continuous nursing care, for unrelated adults over the age of seventeen (17), in accordance with Public Act 218 of 1979, as amended, and the Adult Foster Care Administrative Rules as administered by the Michigan Department of Social Services. The following four (4) types of Adult Foster Care homes are provided for by these rules:
  - a) **Family Home:** Residence for six (6) or fewer adults. Licensee must live in the home, and local zoning approval is not required prior to issuance of a license.
  - b) **Adult Foster Care Small Group Home:** Residence for twelve (12) or fewer adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license if seven (7) or more residents will live in the house.
  - c) **Adult Foster Care Large Group Home:** Residence for thirteen (13) to twenty (20) adults. Licensee is not required to live in the home. Local zoning approval is required prior to issuance of a license.
  - d) **Congregate Facility:** Residence for more than twenty (20) adults. Local zoning approval is required prior to issuance of a license.
- 2) **Foster Family Home:** A private residence that houses four (4) or fewer foster children, up to age nineteen (19), under constant care and supervision. Under Public Act 116 of 1973, a Foster Family Home does not require local zoning approval before being licensed by the Department of Social Services.
- 3) **Foster Family Group Home:** A private residence that houses five (5) or six (6) foster children, up to age nineteen (19), under constant care and supervision. Under Public Act 116 of 1973, a Foster Family Group Home requires local zoning approval before being licensed by the Department of Social Services.

**Story:** That portion of a building, other than a basement or mezzanine as defined herein, included between the upper surface of any floor and the upper surface of the floor or roof next above it.

A "**Mezzanine**" shall be deemed a full story when it covers more than one-third (1/3) of the area of the story underneath said mezzanine, or, if the vertical distance from the floor next below the mezzanine to the floor next above it is twenty-four (24) feet or more.

A "**Basement**" shall be deemed a full story only when the vertical distance from the average grade at the lot where the structure is located, to the floor below is less than the vertical distance from the average grade to the ceiling. However, in the event that a basement does qualify as a story, only fifty percent (50%) of the floor area of this story may qualify in computing minimum floor area for a zoning district.

**Story, Half:** The uppermost story lying under a pitched roof, the usable floor area of which does not exceed two-thirds (2/3) of the floor area of the uppermost full story. The usable floor area of a half story shall be at least one hundred and sixty (160) square feet with a minimum clear height of seven (7) feet six (6) inches.

**Street:** A public thoroughfare which affords the principal means of access to abutting property and which meets the requirements of this Ordinance. Various types of streets are defined as follows:

1. **Arterial Street:** A major street that carries high volumes of traffic and serves as an avenue for circulation of traffic into, out of, or around the Township.
2. **Collector Street:** A street whose principal function is to carry traffic between minor, local, and sub-collector streets and arterial streets but may also provide direct access to abutting properties.
3. **Cul-de-sac:** A street that terminates in a vehicular turnaround.
4. **Local or Minor Street:** A street whose primary function is to provide access to abutting properties.

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5. **Private Street or Road:** A street or road under private ownership which has been constructed for the purposes of providing access to adjoining property, and which is normally open to the public so that persons other than the occupants of adjoining property may travel thereon.
6. **Public Street or Road:** A street or road, accepted by and under the jurisdiction of the Washtenaw County Road Commission, for the purposes of providing access to adjoining property, and open to the public so that persons other than the occupants of adjoining property may travel thereon.

**Street Line:** The dividing line between the street right-of-way and the lot. When such right-of-way is not defined, a line shall be defined as thirty-three (33) feet on either side of the center of the street.

**Structure:** Anything constructed, erected, or placed with a fixed location on the surface of the ground or water, or affixed to something having a fixed location, including but not limited to, buildings, bulkheads, piers, docks, landings, dams, waterway obstructions, paving and roadways, poles, towers, cables, pipelines, drainage tiles, and other underground installations.

**Subdivision Plat:** The division of a tract of land into two (2) or more lots, building sites, or other divisions for the purpose of sale or building development, in accordance with the Subdivision Control Act, Michigan Public Act 288 of 1967, as amended, and the Freedom Township Subdivision Control Ordinance, as amended.

**Temporary Building or Use:** A building or use permitted to exist during periods of construction of the principal building or use, or for special events.

**Theater:** A building, room, or outdoor structure for the presentation of performances or motion pictures. For the purposes of this Ordinance, the following distinctions between various types of theaters shall apply:

1. **Motion Picture Theater:** An enclosed building used for presenting motion pictures which are observed by paying patrons from seats situated within the building.
2. **Outdoor Theater:** See Drive-In Theater.
3. **Live Theater:** A facility used for performances by live actors or performers.

**Township:** The Township of Freedom, Washtenaw County, Michigan.

**Toxic or Hazardous Waste:** Waste or a combination of waste and other discarded material including solid, liquid, semi-solid, or contained gaseous material which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to the following if improperly treated, stored, transported, disposed of, or otherwise managed:

1. increase in mortality;
2. increase in serious irreversible illness;
3. serious incapacitating, but reversible illness; or
4. substantial present or potential hazard to human health or the environment.

In addition, any material defined as toxic or hazardous by the Michigan Department of Environmental Quality, Michigan Department of Natural Resources, or the United States Environmental Protection Agency shall be considered toxic or hazardous waste.

**Tree Farm:** The use of land to grow live trees intended to grow to maturity with the intended purpose of harvesting for lumber or timber purposes.

**Tree Farm/Nursery:** The use of land to grow live trees intended to be transplanted or sold for use in agriculture, forestry

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or landscaping, but not including sales on the premises or storage of tree-moving, earth-moving, or related equipment outside of enclosed structures. See also **Landscaping/Maintenance Operations, Nursery, Commercial, and Nursery, Plant Material.**

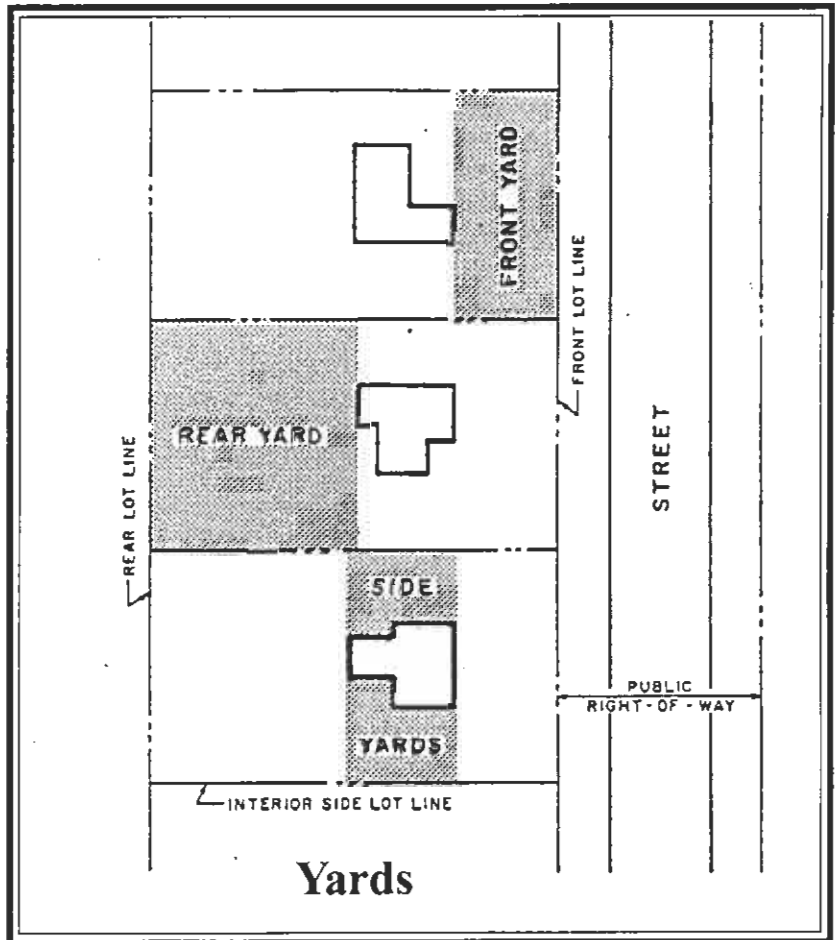
**Truck Terminal:** A structure to which goods, except raw or unprocessed agricultural products, are delivered for immediate distribution or to be amalgamated or divided for delivery in larger or smaller units to other points, or for distribution, amalgamation, or division involving transfer to other modes of transportation.

**Use:** The purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is occupied, maintained, let, or leased.

1. **Use, Accessory:** See **Accessory Use, Building, or Structure.**
2. **Use, Conditional Land:** Uses, either public or private, which possess unique characteristics and therefore cannot be properly classified as a permitted use in a particular zoning district or districts. After due consideration of the impact of each such proposed use upon the neighboring land and of the public need for the particular use at the proposed location, such conditional land uses may be permitted following review and approval by the Planning Commission, subject to the terms of this Ordinance. Also called **Special Land Use.**
3. **Use, Permitted:** A use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and district standards.
4. **Use, Principal:** The main use of land and buildings and the main purpose for which land and buildings exist.
5. **Use, Public:** A use operated by a public or governmental body, said use having the purpose of serving the public health, safety, or general welfare and including public schools, parks, playgrounds, hospitals, and administrative and service facilities.
6. **Use, Special Land:** See **Use, Conditional Land.**

**Variance:** A relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship. As used in this Ordinance, a variance is authorized only for height, area, and size of yards and open spaces and parking space. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning division or district or adjoining zoning division or districts.

**Vehicle Repair, Major:** Engine overhauling or rebuilding, valve and piston repair, transmission repair, axle and universal joint repair, body repair, painting, and refinishing.



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**Vehicle Repair, Minor:** Engine tune-ups, electrical systems, suspension systems, brakes, exhaust systems, cooling systems and heating and air conditioning systems repair; rust proofing; tire replacement; wheel balancing and alignment; and diagnostic services.

**Veterinary Hospital:** See Clinic, Veterinary.

**Warehouse:** A building used for short- and/or long-term storage in connection with production and marketing or in connection with manufacturing, freight handling, wholesaling, and retailing. See also **Distribution Center** and **Mini-Warehouse**.

**Watercourse:** Any natural or open artificial watercourse, diversion, stream, river, creek, ditch, channel, canal conduit, culvert, drain, waterway, gully, ravine, or wash in which waters flow in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed, and banks, and shall include the floodplain.

**Wetland:** Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.

**Yard:** An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise permitted in this Ordinance. See **Setback**.

1. **Yard, Front:** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the principal building. Unless otherwise specified, on corner lots there shall be maintained a front yard along each street frontage.
2. **Yard, Rear:** An open space extending the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and the nearest line of the principal building. On corner lots, the rear yard may be opposite either street frontage, but there shall only be one (1) rear yard.
3. **Yard, Side:** An open space between a principal building and the side lot line, extending from the front yard to the rear yard, the width of which shall be the horizontal distance from the nearest point of the side lot line to the nearest line of the principal building.