

## **ARTICLE III**

### **DEFINITIONS**

#### **Sec. 3.01 Construction of Language:**

The following rules of construction shall apply to the text of this ordinance:

- A. All words and phrases shall be construed and understood according to the plain, ordinary and common usage of the language; but technical words and phrases that may have a peculiar or special meaning in the law shall be construed as they are defined herein. In case of conflict between common and technical language, meaning, or usage, the last edition of Webster's International Dictionary shall prevail.
- B. The particular shall control the general.
- C. In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- D. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- E. When not inconsistent with the context, words in the present tense shall include the future and words in the singular number shall include the plural.
- F. The word "building" includes the word "structure"; and the word "dwelling" includes the word "residence". A "building" or "dwelling" includes any part thereof.
- G. The words "used" or "occupied" include the words "intended", "designed", or "arranged" to be used or occupied,
- H. The word "person" includes any firm, association, organization, partnership, trust, corporation, or similar entity, as well as an individual.
- I. The word "lot" includes the words "plot" and "parcel".
- J. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or", "either...or", the conjunction shall be interpreted as follows:
  - (1) "And" indicates that all connected items, conditions, provisions, or events apply.
  - (2) "Or" indicates that the connected items, conditions, provision, 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.
- K. The masculine gender shall include the feminine and the feminine gender shall include the masculine.
- L. Whenever a reference is made to several sections and the section numbers are connected by the word "to", the reference includes both sections whose numbers are given and all intervening sections.
- M. In computing a period of days, 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.

**Sec. 3.02 Definitions:**

A. For purposes of this Ordinance, words pertaining to access, building, property, land use, building use, building measurement, and enforcement shall have the following meaning:

**Accessory Building:** A building or structure customarily incidental and subordinate to the principal structure and located on the same lot as the principal building.

**Accessory Use:** A use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

**Alley:** A public or legally established private thoroughfare, other than a street, affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

**Alterations:** Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders; or any change which may be referred to herein as "altered" or "reconstructed".

**Apartment:** A dwelling unit in a "multiple family dwelling" as defined herein.

**Average Grade:** The ground elevation along the walls of a building where the ground at the building walls is not level, and the average grade is established by averaging the elevation of the ground for each face of the structure.

**Automobile Repair Garage:** A premises where the following services may be carried out in a completely enclosed building: general repairs, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service such as body, frame, or fender straightening and repair; painting and under-coating of automobiles.

**Basement:** that portion of a building which is partly or wholly below grade, but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story. (See Figure III-I)

**Bed and Breakfast Establishment:** A use within a single family dwelling unit in which transient guests are provided a sleeping room, breakfast, and access to bathing and lavatory facilities in return for payment.

**Berm:** A man-made, formed, earth mound of definite height and width used for obscuring purposes; the intent of which is to provide a transition between uses of differing intensity.

**Block:** The property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdivided acreage, lake, river, stream, or other barrier to the continuity of development.

**Board of Appeals:** The Township Zoning Board of Appeals of Bloomer Township.

**Bloomer Township Master Land Use Plan:** The statement of policy by the Township Planning Commission relative to the agreed upon and officially adopted guidelines for a desirable physical pattern for future community development. The plan consists of a series of maps, charts and written materials representing in summary form, the soundest concept for land use and the best of community living conditions.

**Breezeway:** A covered structure connecting an accessory building with the principal dwelling unit. For purposes of determining yard and area requirements such buildings shall be considered as one integral unit.

**Buffer Yard:** A strip of land, including any specified type and amount of planting or structures which may be required to protect one type of land use from another, or minimize or eliminate conflicts between them.

**Building:** Any structure, either temporary or permanent, having a roof supported by columns or walls, for the shelter, support, enclosure of persons, animals or property or carrying on business activities. This definition includes: mobile homes, tents, sheds, garages, greenhouses, and other accessory structures.

**Building Height:** The vertical distance measured from the ground elevation to the highest point of the roof surface. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building walls. (See Figure III-2)

**Building Line:** A line which defines the minimum distance (as determined by the minimum front, rear, or side yard setback) which any building shall be located from a property line, existing street right-of-way, or easement line of an approved private street.

**Building, Principal:** A building in which is conducted the main or principal use of the lot on which said building

is located.

**Carport:** A partially open structure intended to shelter one or more vehicles. Such structures shall comply with all yard requirements applicable to private garages.

**Certificate of Zoning Compliance:** A certificate issued by the Zoning Administrator to a party or parties intending to initiate any work or change any use of property in the Township.

**Child Care Center:** A facility, other than a private residence, receiving one (1) or more children for care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. Child care center includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. Child care center does not include a Sunday school, a vacation bible school, or religious instructional class that is conducted by a religious organization where children are in attendance for not greater than three (3) hours per day of an indefinite period, or not greater than eight (8) hours per day for a period not to exceed four (4) weeks, during a twelve (12) month period, or a facility operated by a religious organization where children are cared for not greater than three (3) hours, while persons responsible for the children are attending religious services.

**Church:** A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

**Club:** An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or similar activities, but not operated for profit and open only to members and not the general public.

**Condominium Unit:** That portion of a condominium project or site condominium subdivision which is designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, use as a time-share unit, or any other type of use. The owner of a condominium unit also owns a share of the common elements. The term "condominium unit" shall be equivalent to the term "lot," for purposes of determining compliance of a site condominium subdivision with provisions of the Ordinance pertaining to minimum lot size, minimum lot width, maximum lot coverage and maximum floor area ratio.

**Condominium Project:** A plan or project consisting of not less than two (2) condominium units if established and approved in conformance with the Condominium Act (Act 59, 1978), as amended.

**Density:** The number of dwelling units situated on or to be developed on an acre of land.

**District:** An area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements and height regulations.

**Dwelling:** A detached building or portion thereof designed or used exclusively as the home, residence or sleeping place of one or more persons. In the case of a mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed a dwelling for purposes of this Ordinance and shall comply with the provisions herein relative to dwellings. Garage space, whether in an attached or detached garage shall not be considered as part of a dwelling for meeting area requirements.

**Dwelling, Single-Family:** A detached building, designed exclusively for, and containing one (1) dwelling unit only.

**Dwelling, Two Family:** A detached building, designed exclusively for, and containing two (2) dwelling units only.

**Dwelling, Multiple Family:** A building designed exclusively for, and containing, three (3) or more dwelling units.

**Dwelling Unit:** One or more rooms with bathroom and principal kitchen facilities designed as a self contained unit for occupancy by one family for living, cooking and sleeping purposes. A dwelling unit shall include both manufactured units (mobile homes and modular homes) and site built units.

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

**Dwelling Unit, Detached:** A dwelling unit which is not attached by any means.

**Easement:** The right to use the land (or water rights) of another person for certain special and/or limited purposes, usually for the purpose to have access to property and/or to cross over property for lawful purposes. If the "person" is a public body, the easement shall be a "public easement". All other easements are "private easements".

**Earth Sheltered Home:** A dwelling which is partially or entirely below grade and is designed and intended to be used as a single-family dwelling.

**Dwelling Efficiency:** A dwelling unit with a bathroom and principal kitchen facilities designed as a self-contained unit for living, cooking and sleeping purposes and having no separate designated bedroom.

**Erected:** The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building.

Excavations, fill, drainage, and the like, shall be considered a part of erection.

**Essential Services:** The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface or overhead gas, communication, telephone, electrical, steam, fuel or water transmission or distribution systems, collections, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience, or welfare, but not including office buildings, substations, or structures which are enclosures or shelters for service equipment, or maintenance depots.

**Excavation:** Any breaking of ground, except common household gardening, general farming and ground care.

**Family:** An individual or a group of two or more persons related by blood, marriage, or adoption, including foster children and servants, together with not more than two additional persons not related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit.

**Family Day Care Home:** A private residence in which the operator permanently resides as a member of the household in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty four (24) hours per day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

**Family, Functional:** A group of persons which does not meet the definition of "Family" herein, living in a dwelling unit as a single housekeeping unit and intending to live together as a group for the indefinite future. This definition shall not include any fraternity, sorority, club, hotel, or other group of persons whose association is temporary or commercial in nature.

**Fence:** An accessory structure intended for use as a barrier to property ingress or egress, a screen for objectionable vistas and noise, and/or for decorative use.

**Filling:** The depositing or dumping of any matter into or onto the ground except common household gardening and general maintenance.

**Flag Lot:** A lot which has minimum frontage on a public or private street, is provided access via a private drive or lane, and whose width some distance back from the street right-of-way, meets all ordinance requirements.

**Flood or Flooding:** A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland waters.
- (2) The unusual and rapid accumulation of runoff or surface waters from any source.

**Flood Hazard Area:** Land which, on the basis of available flood plain information, is subject to a one (1) percent or greater chance of flooding in any given year.

**Floor Insurance Rate Map (FIRM):** A map of the township prepared by the Federal Emergency Management Agency, which identifies the 100 and 500 year flood plain and other related flood information; and which is used as the official floodplain map for flood insurance purposes.

**Flood Insurance Study:** The official report provided by the Federal Emergency Management Agency containing flood profiles, as well as the Flood Hazard Boundary-Floodway Map and the water surface elevations of the base flood.

**Flood Plain, 100 Year:** Same as Flood Hazard Area.

**Floodproofing:** Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Floodway:** The channel of a river or other watercourse and the adjacent land areas designated in the Flood Insurance Study which shall be reserved in order to discharge the base flood. Floodway is also the same as the regulatory floodway.

**Floor Area, Gross:** The sum of all gross horizontal areas of the several floors of a building or buildings, measured from the outside dimensions of the structure. Unenclosed porches, courtyards, or patios, whether covered or uncovered shall not be considered as a part of the gross floor area unless used for commercial purposes such as nursery beds or sales of outdoor equipment.

**Floor Area Ratio:** An intensity measured as a ratio, derived by dividing the total floor area of a building including accessory building floor area, by the base site area.

**Floor Area, Usable:** For purposes of computing parking requirements, is that area to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, for hallways, stairways and elevator shafts, or for utilities or sanitary facilities shall be excluded from this computation of "usable floor area". Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

**Frontage Road:** A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. Frontage roads can be one-way or bi-directional in design. The frontage road provides specific access points to private properties while maintaining separation between the arterial street and adjacent land uses. A road which allows parking or is used as a maneuvering aisle within a parking area is generally not considered a frontage road.

**Garage, Private:** An accessory building, or portion of a principal building, designed or used solely for the storage of non-commercial motor vehicles, boats, and similar items or equipment, and having no public sales or shop services in connection thereof.

**Gasoline Service Stations:** A structure used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for storage, minor motor repair, or servicing, but not including bumping, painting, refinishing, or conveyor-type car wash operations.

**Grade:** A ground elevation established for the purpose of controlling the number of stories and the height of any structure. The building grade shall be determined by the level of the ground adjacent to the walls of any structure if the finished grade is level. (See definition of "average grade".)

**Home Occupations:** See Section 16.22.

**Inoperable or Abandoned Motor Vehicle:** Any wheeled vehicle which is self-propelled and/or intended to be self-propelled, and which by reason of dismantling, disrepair or other cause is incapable of being propelled under its own power. This definition shall not be deemed to include farm machinery other than automobiles or trucks.

**Junk:** For the purpose of this Ordinance the term "junk" shall mean any motor vehicles, machinery, appliances, products, or merchandise with parts missing or scrap metals or other scrap materials that are discarded or abandoned or are damaged or deteriorated.

**Junk Yard:** Any land or building used for abandonment, storage, keeping, collecting, or baling of paper, rags, scrap metals, other scrap or discarded materials, or for abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in normal running conditions or machinery or parts thereof.

**Kennel, Commercial:** Any lot or premises used for the commercial sale, boarding, or treatment of dogs, cats, or other domestic pets.

**Kennel, Private:** Any lot or premises used for the private maintenance of up to four (4) dogs, cats, or other household pets, four (4) months of age or older, not involving any commercial activities. The keeping of more than four (4) animals shall be considered a commercial kennel regardless of ownership or species of animals.

**Lot:** A parcel of land separated from other parcels of land by description on a recorded plat or by metes and bounds description, including a condominium unit in a site condominium subdivision; having frontage upon a public or private street and having sufficient size to comply with the requirements of this ordinance for: minimum area, setbacks, coverage, and open space. (See Figure III-4)

**Lot, Corner:** Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees, a lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. (See Figure III-3)

**Lot Area:** The total horizontal area within the lot lines of a lot.

**Lot, Depth Of:** The average distance from the front lot line of the lot to its opposite rear line measured along the midpoint between side lot lines. (See Figure III-4)

**Lot, Interior:** A lot other than a corner lot, with the exception of a through lot.

**Lot Line(s):** Any of the lines bounding a lot as defined herein. (See Figure III-5)

- (a) **Front Lot Line:** In the case of an interior lot, it is that line separating said lot from the street. In the case of a through lot, it is that line separating said lot from either street. In the case of a corner lot, the shorter street line shall be considered the front lot line, except in the case of both street lines being equal, the choice may be made at the discretion of the property owner. Once declared and so indicated on the building permit application, the designated front lot line shall remain as such.
- (b) **Rear Lot Line:** That lot line opposite and most distant from the front lot line. In the case of an irregularly shaped lot, 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.
- (c) **Side Lot Line:** Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

**Lot of Record:** A lot which is part of a subdivision, the map of which has been recorded in the Office of the Register of Deeds, Montcalm County, Michigan, or a parcel or lot described by metes and bounds, the deed to which has been recorded in the Office of the Register of Deeds, Montcalm County, Michigan, prior to the adoption of this Ordinance.

**Lot, Nonconforming:** A lot of record which does not meet the dimensional requirements of this ordinance.

**Lot, Through:** A double frontage lot, not a corner lot, having a street for both front and rear lot lines.

**Lot, Width:** The straight line horizontal distance between the side lot lines, measured at the two points where the building line, or setback line intersects the side lot lines.

**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.

**Marquee:** A roof-like structure of a permanent nature projecting from the wall of a building.

**Master Deed:** The document recorded as part of a condominium or site condominium subdivision to which are attached as exhibits and incorporated by reference the approved bylaws for the site condominium subdivision and the site condominium subdivision plan.

**Maximum Lot Coverage:** That portion of a lot which may be made impervious and includes paved driveways, paved parking areas, buildings, sidewalks, and patios.

**Mobile Home:** A structure, transportable in 1 or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the

plumbing, heating, air-conditioning, and electrical systems contained in the structure.

**Mobile Home Park:** A parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual nonrecreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile home.

**Modular (Pre-Manufactured) Housing Unit:** A dwelling unit constructed solely within a factory, as a single unit, or in various sized modules or components, which are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-family dwelling unit, and meeting all codes and regulations applicable to conventional single-family home construction.

**Motel:** A series of attached, or detached rental units containing bedroom, bathroom and closet space. Units shall provide for overnight lodging, are offered to the public for compensation, and shall cater primarily to the traveling public. The term "motel" shall include tourist cabins and homes, motor courts, and hotels.

**Nonconforming Building (Nonconforming Structure):** A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the provisions of the district in which it is situated.

**Nonconforming Use:** A use which existed prior to the effective date of this ordinance, or amendments thereto, that does not conform to the use regulations of the district in which it is located.

**Nuisance:** An offensive, annoying, unpleasant, or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeated invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things including but not limited to:

- (a) noise;
- (b) dust;
- (c) smoke;
- (d) odor;
- (e) glare;
- (f) fumes;
- (g) flashes;
- (h) vibration;
- (i) objectionable effluent;
- (j) noise of a congregation of people, particularly at night;
- (k) passing traffic; or
- (l) invasion of street frontage by traffic generated from an adjacent land use which lacks sufficient parking and circulation facilities.

**Nursing Home:** An installation other than hospital, having as its primary function the rendering of nursing care for extended periods of time to persons afflicted with illness, injury, or an infirmity.

**Open Space, Required:** The yard space of a lot which is established by and between the street, or the lot lines and required setback line and which shall be open, unoccupied and unobstructed by any structure or any part thereof, except as otherwise provided in this Ordinance.

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

**Parking Space:** Any space used for the off-street parking or motor vehicles.

**Peak Hour:** The hour during a typical day in which traffic volumes are the highest.

**Planned Unit Development (PUD):** A tract of land developed under single ownership or management as a separate neighborhood or community unit. The plan may contain a mixture of housing types, common open space and other land uses and is provided a degree of flexibility in regard to District provisions.

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

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

**Private Road:** Any road or thoroughfare for vehicular traffic which is privately owned and maintained and which provides the principal means of access to abutting properties.

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

**Restaurant, Fast Food:** An establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state, for consumption:

- (a) within the restaurant building;
- (b) within a motor vehicle parked on the premises; or
- (c) off the premises as carry-out orders, and whose principal method of preparation includes the following characteristics; food and/or beverages are usually served in edible containers or in paper, plastic or other disposable containers.

**Restaurant, Standard:** An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics:

- (a) customers, normally provided with an individual menu, are served their food and beverage by a restaurant employee, at the same table or counter at which food and beverage are consumed;
- (b) a cafeteria-type operation where food and beverage generally are consumed within the restaurant building.

**Right-of-Way:** A street, alley, or other thoroughfare or easement permanently established for passage of persons, vehicles, or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

**Sanitary Landfill:** A method of disposing of refuse on land without creating nuisance or hazards to public health or safety, by utilizing principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals, as necessary and developed, designed, and operated in accordance with the provisions of Act 641 of 1978, as amended.

**Satellite Dish Antenna:** A device incorporating a reflective surface that is solid, open mesh, or bar configured; is in the shape of a shallow dish, parabola, cone or horn; and has a minimum dimension of three (3) feet or greater. Such a device shall be used to transmit and/or receive television, radio or other electromagnetic communication signals between terrestrially and/or extraterrestrially-based sources. This definition includes, but is not limited to, what are commonly referred to as satellite earth stations, TVRO's (Television Reception Only satellite antennas), and satellite microwave antennas.

**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 non-structured, consisting of shrubs or other growing materials.

**Setback:** The minimum unoccupied distance between the lot line and the principal and accessory buildings, as required herein.

**Setback, Front:** The minimum unoccupied distance, extending the full lot width, between the principal building and the front lot line.

**Setback, Rear:** The minimum required unoccupied distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front lot line.

**Setback, Side:** The minimum required unoccupied distance, extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

**Shopping Center:** Is a business or group of businesses which provides a variety of merchandise and/or services which requires a location on a major road and a large parking area to accommodate vehicular traffic. Such a center may be a small neighborhood center, a discount store, or a mall, though this does not limit such use to be one or any of these.

**Sign:** See Article XIX.

**Site Condominium Subdivision:** A division of land on the basis of condominium ownership, which is not subject to the provision of the Subdivision Control Act of 1967, Public Act 288 of 1967, as amended.

**Site Condominium Subdivision Plan:** The drawings attached to the master deed for a site condominium subdivision which describe the size, location, area, horizontal and vertical boundaries and volume of each condominium unit contained in the site condominium subdivision, as well as the nature, location and size of common elements.

**Site Plan:** A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Ordinance.

**Special Use Permit:** A permit approved by the Township Board to a person or persons intending to undertake the operation of an activity upon land or within a structure and for those uses not specifically mentioned in this Ordinance which possess unique characteristics and are found to be not injurious to the health, safety, convenience, and general welfare of the Township's inhabitants.

**Stable, Riding or Boarding:** A facility where more than three (3) horses for hire, sale or boarding are kept.

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

**Story, Half:** That part of building between a pitched and the uppermost full story, said part having a finished floor area which does not exceed one-half (1/2) of the floor area of a full story.

**Street:** A public dedicated right-of-way which affords traffic circulation and principal means of access to abutting property.

**Structure:** Anything constructed or erected which requires permanent location on the ground or attachment to something having such location on the ground including but not limited to all buildings, free-standing signs, and patios.

**Structural Alterations:** Any change in the supporting members of a building such as the bearing walls, beams or girders, or any change in the dimension or configuration of the roof or exterior walls.

**Substantial Improvement:** Any repair, reconstruction or improvement of a structure located within the 100 year floodplain, the cost of which equals or exceeds 50 percent of the market value of the structure either, (1) before improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or the Michigan Register of Historic Places.

**Township Board:** The Township Board of Trustees of Bloomer Township.

**Trip Ends:** A one-direction movement which begins at an origin and ends at a destination. A development with 100 trip ends per day would include 50 entering (ingress) and 50 exiting (egress) movements over an average period.

**Trip Generation (Rates):** The number of trip ends associated with a development, based on building area, lot size, number of units/employees or other parameters. The number can be estimated using actual data from comparable developments or information given in nationally accepted sources such as the "Trip Generation Manual" developed by the Institute of Transportation Engineers (ITE) or the Federal Highway Administration (FHWA).

**Variance:** A modification of the literal provisions of the Zoning Ordinance, granted when strict enforcement of the Zoning Ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

**Yards:**

- (a) **Yard, Front:** An open space extending the full width of the lot and lying between the front line of the lot and the nearest line or point of the principal building.
- (b) **Yard, Rear:** An open space extending the full width of the lot and lying between the rear line of the lot and the nearest line or point of the principal building.
- (c) **Yard, Side:** An open space between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard.

**Zoning Administrator:** The authorized representative charged with the responsibility of administering this Ordinance, as appointed by the Township Board.

**Zoning Board of Appeals:** The Township Zoning Board of Appeals of Bloomer Township, created under Act 184 of 1943, as amended and continued under the Michigan Zoning Enabling Act.

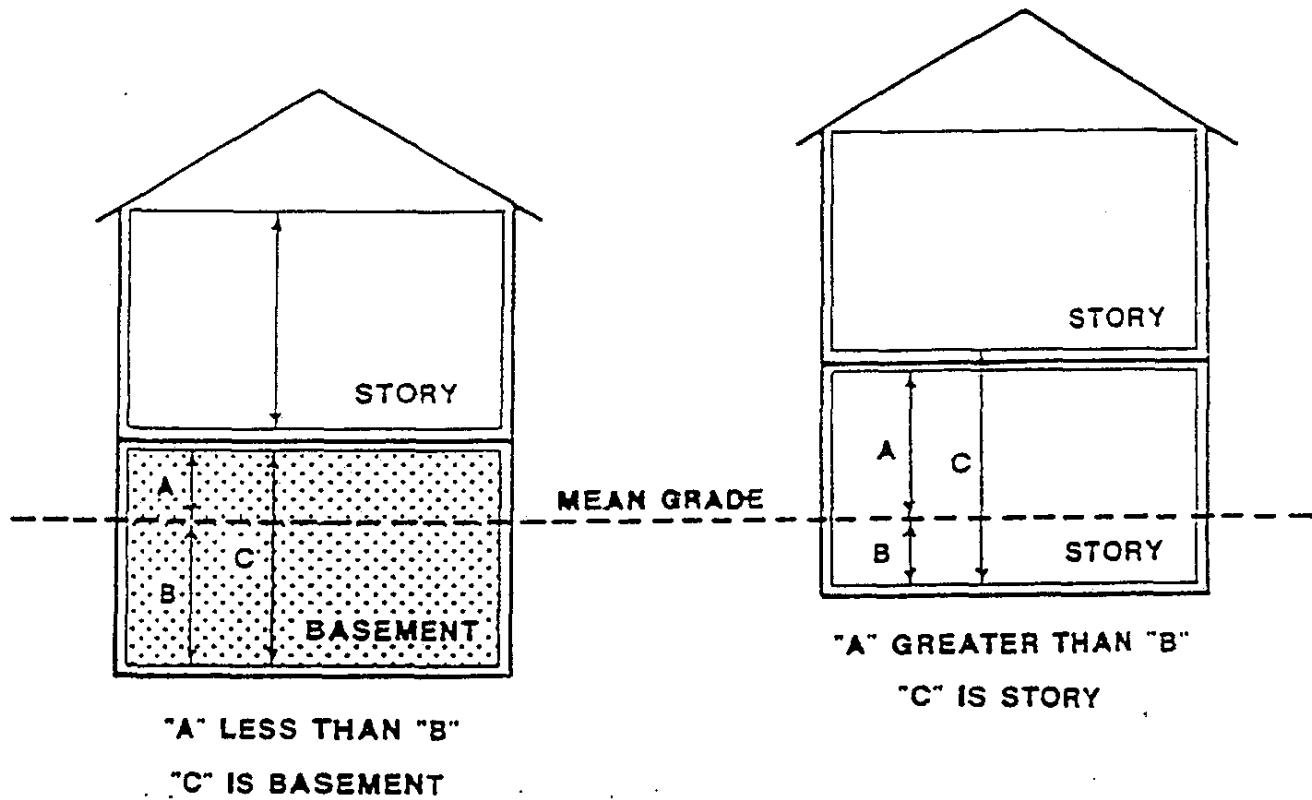
**Sec. 3.03 Additional Definitions:**

Other words in addition to those defined in Section 3.02, A, may be defined in the Articles of the Zoning Ordinance where they may be found.

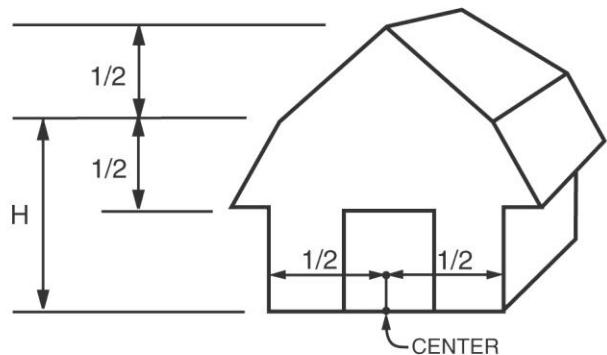
*(Sec. 3.02 amended 8-20-12, definition of "Zoning Board of Appeals")*

*(Sec. 3.02 amended 6-16-14, definitions of "sign" and "home occupation")*

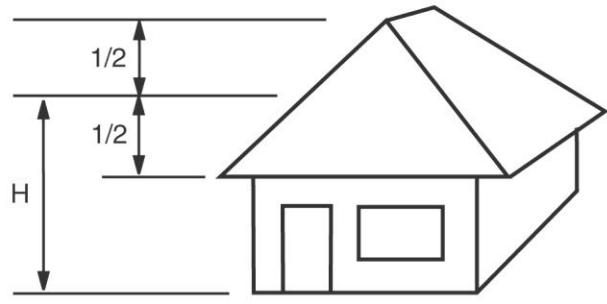
**FIGURE 3-1: BASEMENT AND STORY**



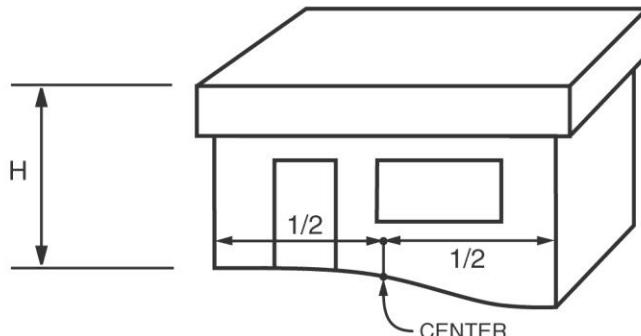
**FIGURE 3-2: BUILDING HEIGHTS**



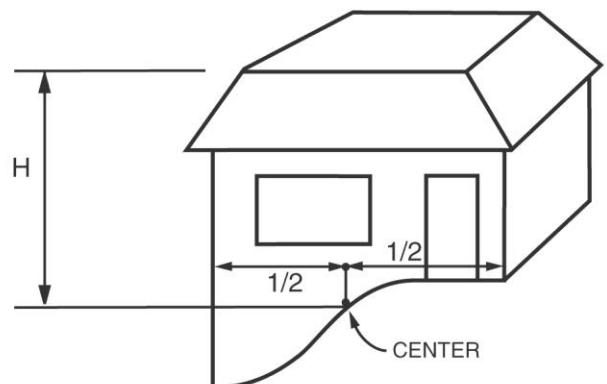
**GAMBEL ROOF**



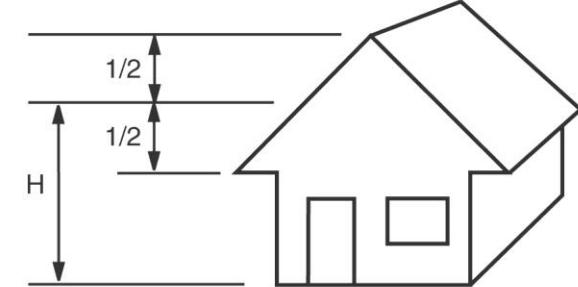
**HIP ROOF**



**FLAT ROOF**

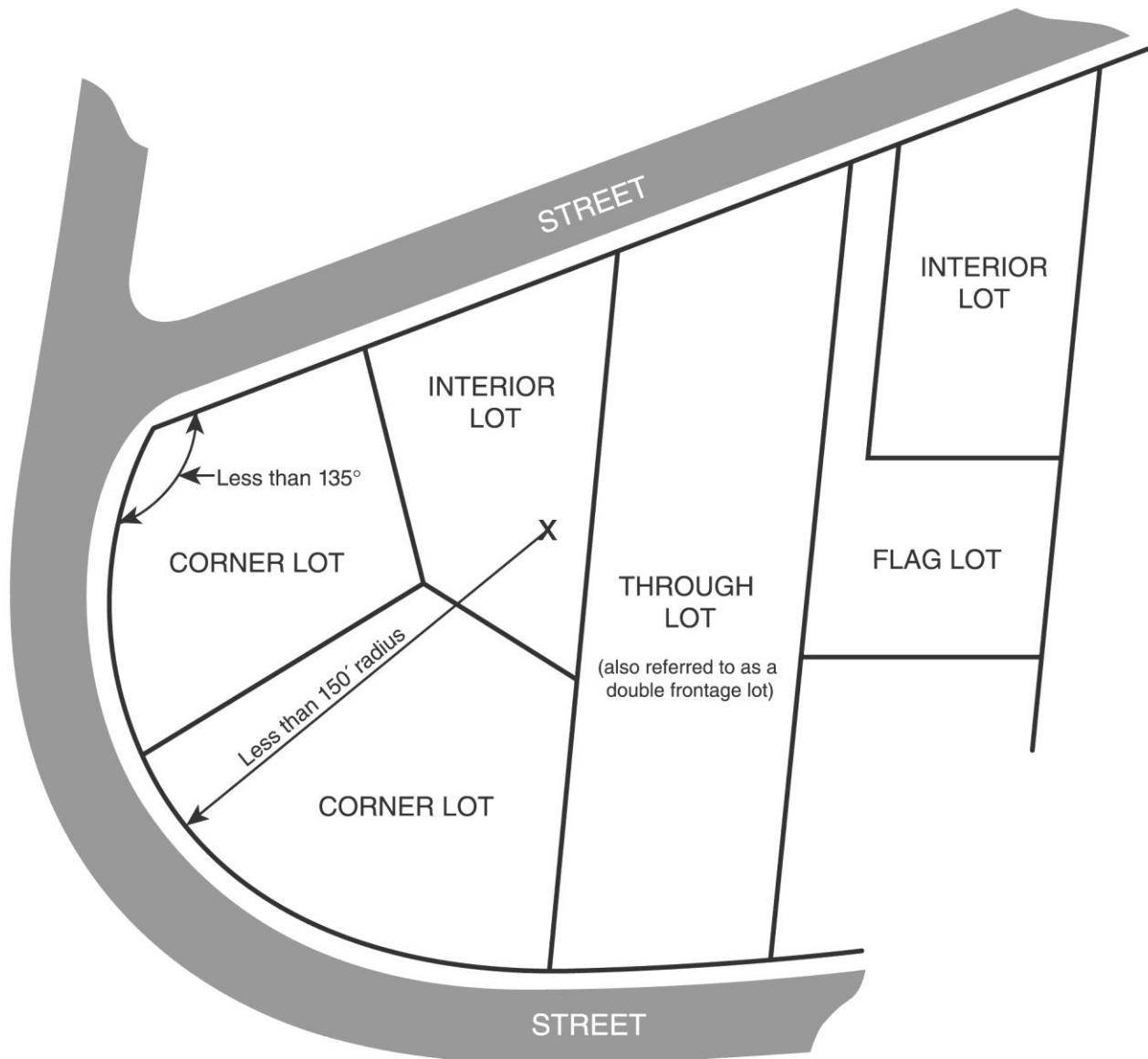


**MANSARD ROOF**

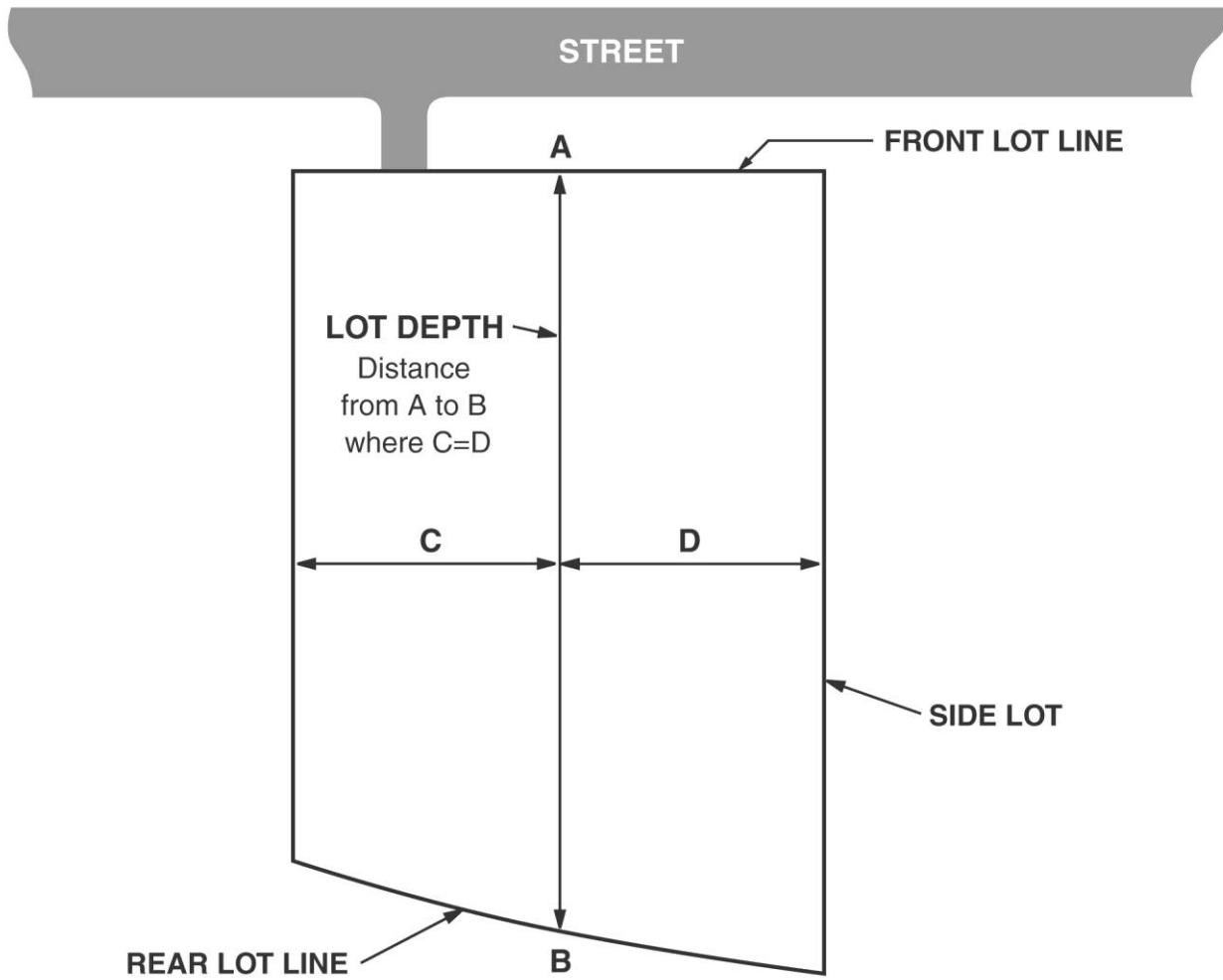


**GABLE ROOF**

**FIGURE 3-3: LOT TYPES**



**FIGURE 3-4: LOT DEPTH**



**FIGURE 3-5: LOT LINES AND YARDS**

