CHAPTER 2
DEFINITIONS

SECTION 2.01
RULES APPLYING TO TEXT

A If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the portion which can be given effect without the invalid portion or application, providing such remaining portions are not determined by the court to be inoperable, and to this end all portions of this Ordinance are declared to be severable.

B. If the meaning of this Ordinance is unclear in a particular circumstance, then the body charged with interpreting or applying the Ordinance shall construe the provision to carry out the intent of the Ordinance, if such intent can be discerned from other provisions of the Ordinance or law.

C. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.

D. All words and phrases shall be construed and understood according to the common preferred usage of the language; but technical words and phrases and such as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

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

F. A "building" or "structure" includes any part thereof.

G. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity. Gender related words, such as “he” and “him” include “she” and “her,” or other similar uses of gender.

H. Unless the context clearly indicates the contrary, the conjunctions noted below shall be interpreted as follows.

1. "And" indicates that all connected items, conditions, provisions, or events shall apply.
2. "Or," indicates that the connected items, conditions, provisions or events may apply singularly or in any combination.
3. "Either...or" indicates that the connected items, conditions, provisions or events shall apply singularly but not in combination.

I. In computing the number of days, the first day is excluded and the last day is included. If the last day of any period during which an application, filing, or request is required to be made to the Township or other governmental agency 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.

J. Defined terms used in this Ordinance are highlighted in bold typeface, except for the terms in this Chapter.

SECTION 2.02
DEFINITIONS - A

ACCESSORY BUILDING

A building or portion of a building supplementary and subordinate to a main building on the same **lot** occupied by or devoted exclusively to an accessory use.

ACCESSORY USE

A use naturally and normally incidental and subordinate to, and devoted exclusively to the main use of the land or building.

ADULT USES

The term shall include adult book stores, adult cabarets, adult motion picture theaters, massage establishments, and nude artist and photography studios. These terms shall have the following indicated meanings:

A. *Adult Book Store* - An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as defined herein, or an establishment with a segment or section devoted to the sale or display of such material.

B. *Adult Cabaret* - An establishment including, but not limited to, a cafe, restaurant or bar which features go-go dancers, erotic dancers, strippers, male or female impersonators, or similar entertainers.

C. *Adult Motion Picture Theater* - An establishment used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," as defined herein, for observation by patrons therein.

D. *Massage Establishment*

1. Any establishment having a fixed place of business where massages are administered for pay, including but not limited to massage parlors, health clubs, sauna baths, and steam baths.

2. This definition shall not be construed to include a hospital, nursing home, medical clinic, or the office of a physician, surgeon, chiropractor, osteopath, or physical therapist duly licensed by the State of Michigan, nor barber shops or beauty salons in which massages are administered only to the scalp, the face, the neck or shoulder. Nor shall this definition be construed to include a non-profit organization operating a community center, swimming pool, tennis court, or other educational, cultural, recreational, and athletic facilities for the welfare of the residents of the area.

3. A *Massage* is defined as a method of treating the external parts of the human body by rubbing, stroking, kneading, tapping or vibrating with the hand or any instrument.

E. *Nude Artist and Photography Studio* - Any building, structure, premises or part thereof used solely or primarily as a place which offers as its principal activity the providing of models to display "specified anatomical areas" as defined herein for artists and photographers for a fee or charge.

F. *Specified Anatomical Areas* - Specified anatomical areas are defined as less than completely and opaquely covered:

1. Human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

G. *Specified Sexual Activities* - Specified sexual activities are defined as:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

AGRICULTURE

The use of land for tilling the soil, raising tree or field crops, or animal husbandry as a source of income.

ALTERATIONS

Any change, addition or modification in construction or type of use of occupancy; any change in the supporting structural members of a building, such as walls, partitions, columns, beams, girders, or any change which may be

referred to herein as "altered" or "reconstructed."

AM ARRAY

For purposes of Section 13.04, FF, an AM array, consisting of one (1) or more tower units and supporting ground system which functions as one (1) AM broadcasting antenna, shall be considered one (1) tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

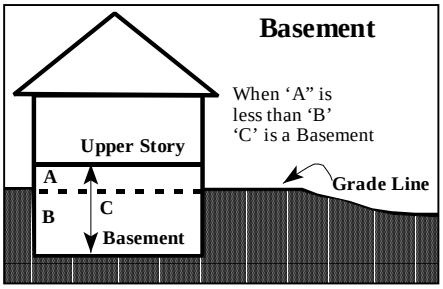
ARCHITECTURAL FEATURES

Architectural features of a building shall include cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments, such as recesses, projections, wall insets, arcades, window display areas, awnings, balconies, window projections, landscape structures or other features that complement the design intent of the structure.

AVERAGE GRADE

The average finished ground elevation at the center of all walls of a building established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building or structure being measured.

SECTION 2.03
DEFINITIONS - B



BASEMENT OR CELLAR

A portion of a building having more than one-half (½) of its height below grade.

BED AND BREAKFAST ESTABLISHMENT

A use within a detached single family dwelling in which transient guests are provided a sleeping room, breakfast and access to bathing and lavatory facilities in return for payment.

BOARD, TOWNSHIP

As used in this Ordinance, this term means the Lyndon Township Board of Trustees.

BUILDABLE AREA

The space remaining within a lot after the minimum setback and open space requirements of this Ordinance have been met.

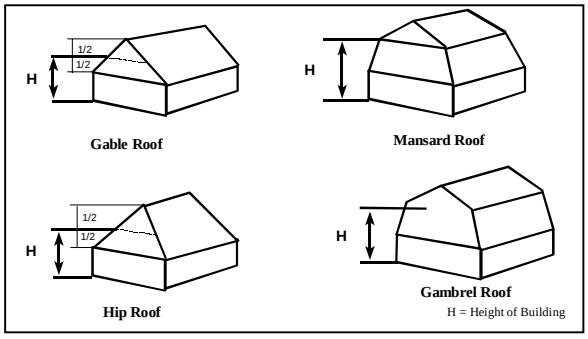
BUILDING

An independent structure, temporary or permanent, having a roof supported by columns, walls, or any other support used for the enclosure of persons, animals, or chattels, or carrying on business activities or other uses. When any building portion is completely separated from every other part by division of walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

BUILDING HEIGHT

The building height is the vertical distance measured from the established grade to the highest point of the roof surface if a flat roof; to

the deck of mansard roofs; and to the mean height level between eaves and ridge of gable, hip and gambrel roofs. When the terrain is sloping, the ground level is measured at the foundation.

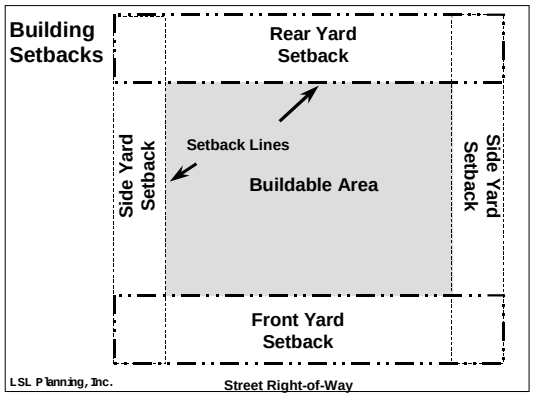


BUILDING, MAIN

A building in which the principal use of the lot on which it is situated is conducted.

BUILDING PERMIT

A written authority as issued by the Building Inspector on behalf of the Township permitting the construction, moving, alteration or use of a building in conformity with the provisions of this Ordinance and the Township/County Building Code.



BUILDING SETBACK LINES

Lines marking the setback distance from the lot lines which establish the minimum permitted front, side, or rear yards.

A. *Front Building Setback Line*. The line marking the setback distance from the front lot line or street easement line, as applicable, which establishes the minimum front yard setback area.

B. *Rear Building Setback Line*. The line marking the setback distance from the rear lot line which establishes the minimum rear yard setback area.

C. *Side Building Setback Lines*. Lines marking the setback distance from the side lot lines which establish the minimum side yard setback area.

SECTION 2.04
DEFINITIONS - C

CLINIC

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

COMMERCIAL

The use of property for the purchase, sale, barter, display, or exchange of goods, wares, merchandise or personal services or the maintenance of service offices, recreation, amusement enterprise, or garage/yard sales operating more than twelve (12) days during any one (1) twelve (12) month period.

COMMERCIAL WIRELESS TELECOMMUNICATION SERVICES

Licensed telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

COMMISSION, PLANNING

As used in this Ordinance, this term means the Lyndon Township Planning Commission.

SECTION 2.05
DEFINITIONS - D

DAY CARE FACILITY

A. *Family Day Care Facility* - A single family residence, occupied as such, in which care is provided for more than one (1) but less than (7) minor children or adults for periods of less than twenty-four (24) hours per day, unattended by a parent or legal guardian. Care for persons related by blood, marriage or adoption to a member of the family occupying the dwelling is excluded from this definition.

B. *Group Day Care Facility* - A single family residence, occupied as such, in which care is provided for at least seven (7) but not more than twelve (12) minor children or adults for periods of less than twenty-four (24) hours per day, unattended by a parent or legal guardian. Care for persons related by blood, marriage, or adoption to a member of the family occupying the dwelling is excluded from this definition.

C. *Commercial Day Care Facility* - A facility, other than a private residence, receiving minor children or adults for care for periods of less than 24 hours in a day, for more than two (2) weeks in any calendar year. Child care and supervision provided as an accessory use, while parents are engaged or involved in the principal use of the property, such as a nursery operated during church services or public meetings, or by a fitness center or similar operation, shall not be considered Commercial Day Care.

DISTRICT, ZONING

A portion of the Township within which certain uses of land or buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

DRIVE-THROUGH ESTABLISHMENT

A commercial establishment whose retail/service character is significantly dependent on providing a driveway approach and service windows or facilities for vehicles in order to serve patrons while in or momentarily stepped away from the vehicle. Examples include banks, cleaners, and restaurants, but not including automobile service stations.

DWELLING, OR DWELLING UNIT

A dwelling unit is any building or portion thereof having cooking and housekeeping facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently, but in no case shall a motor home, trailer coach, garage, automobile chassis, tent, or portable building be considered a dwelling. In 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 and shall comply with the applicable provisions of this Ordinance.

DWELLING, MULTIPLE FAMILY

A building or portion thereof, used or designed for use as a residence for three (3) or more families living independently of each other and each doing their own cooking and housekeeping.

DWELLING, TWO-FAMILY

A detached building used or designed for use exclusively by two (2) families living independently of each other and each doing their own cooking and housekeeping. It may also be termed a duplex.

DWELLING, SINGLE FAMILY (DETACHED)

A detached building used or designed for use exclusively by one (1) family.

SECTION 2.06
DEFINITIONS - E

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 the term “erect” or “erected.”

ESSENTIAL SERVICES

A. The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground, surface, or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, traffic signals, hydrants, towers, poles, and other similar equipment, and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or general welfare.

B. Essential services does not include buildings other than such buildings that are primarily enclosures or shelters of the above essential service equipment

C. Cellular telephone or commercial wireless communications towers shall not be considered essential services.

EXCAVATING

Excavating shall be the removal of soil below the average grade of the surrounding land or street grade, whichever shall be highest, excepting common household gardening.

SECTION 2.07
DEFINITIONS - F

FAMILY

A. An individual or group of two (2) or more persons related by blood, marriage, or adoption, together with foster children and servants of the principal occupants who are domiciled together as a single housekeeping unit in a dwelling unit; or

B. A collective number of individuals domiciled together in one (1) dwelling unit whose relationship is of a continuing, nontransient domestic character and who are cooking and living as a single nonprofit housekeeping unit.

C. This definition shall not include any society, club, fraternity, sorority, association, half-way house, lodge, coterie, organization, group of students, or other individual whose domestic relationship is of a transitory or seasonal nature, is for an anticipated limited duration of a school term or during a period of rehabilitation or treatment, or is otherwise not intended to be of a permanent nature.

FARM

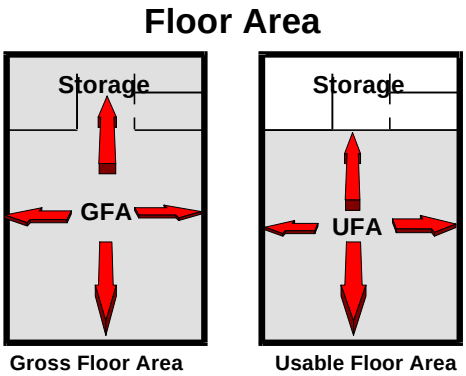
The use of land for cultivation, or raising of livestock for commercial purposes, including greenhouses and nurseries (except as may otherwise be regulated by this Ordinance), orchards, or lumbering, but not including intensive livestock operations, stone quarries, or gravel, dirt, or sand removal operations.

FENCE

Any permanent fence, partition, wall, structure or gate erected as a dividing structure, barrier or enclosure, and not part of a structure requiring a building permit.

FLOOR AREA, GROSS (GFA)

A. The sum of the gross horizontal area of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The gross floor area of a building shall include the basement floor area only if more than one-half (1/2) of the basement height is above finish **lot** grade. (See Basement.)



B. Gross floor area shall not include attic space having headroom of seven and one-half (7-1/2) feet or less, or interior balconies or mezzanines. Any space devoted to off-street parking or loading shall not be included in floor area. Areas of basements (except as provided above), breezeways, porches, or attached garages are not included.

FLOOR AREA, USABLE (UFA)

A. That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers; or area used in a dwelling unit for living purposes. Floor area which is used or intended to be used principally for the storage or processing of merchandise, for hallways, or for utilities shall be excluded from the computation of usable floor area.

B. 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 (See Lot Width)

SECTION 2.08
DEFINITIONS - G

GARAGE

A building used primarily for the storage of self-propelled vehicles for the use of the occupants of a lot on which such building is located. The foregoing definition shall be construed to permit the storage on any one (1) lot, for the occupants thereof, of commercial vehicles not exceeding a rated capacity of one (1) ton

SECTION 2.09
DEFINITIONS - H

HOME OCCUPATION

An occupation customarily conducted in a dwelling unit that is clearly an incidental and secondary use of the dwelling. Without limiting the foregoing, a single family residence used by an occupant of that residence to give instruction in a craft or fine art within the residence shall be considered a home occupation.

HOSPITAL

An institution providing health services, primarily for in-patients and medical or surgical care including related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices.

HOTEL

A building occupied or used as a predominantly temporary abiding place by individuals or groups of individuals, with or without meals.

SECTION 2.10
DEFINITIONS - I

INOPERATIVE VEHICLES

Any motor vehicle currently not capable of being started and moved under its own power.

INTENSIVE LIVESTOCK OPERATIONS

A. A total of seven hundred and fifty (750) dairy cattle (all classes); seven hundred and fifty (750) slaughter or feeder cattle, one thousand eight hundred (1,800) swine (all classes), one hundred thousand (100,000) poultry (all classes); five thousand (5,000) sheep or goats (all classes); or two hundred (200) horses (all classes); or

B. A population per acre of at least nine (9) dairy cattle, nine (9) slaughter or feeder cattle, twenty (20) swine, one thousand two hundred

fifty (1,250) poultry, sixty (60) sheep or goats, or four (4) horses.

SECTION 2.11
DEFINITIONS - J

JUNK

For the purpose of this Ordinance, this term shall mean any motor vehicle, machinery, appliance, product, or merchandise with parts missing; scrap metal or material that is damaged or deteriorated; vehicles or machines in a condition which precludes their use for the purpose for which they were manufactured.

JUNK YARD

The term "junk yard" includes automobile wrecking yards and salvage areas and includes any area of more than two hundred (200) square feet for the storage, sale, processing, keeping or abandonment of junk, including scrap metals, other scrap materials or reclaimed materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof for profit, but does not include uses established entirely within enclosed buildings.

SECTION 2.12
DEFINITIONS - K

KENNEL

Any lot or premises on which four (4) or more animals, four (4) months of age or older are kept temporarily or permanently for the purpose of breeding, boarding or sale.

SECTION 2.13
DEFINITIONS - L

LOADING SPACE

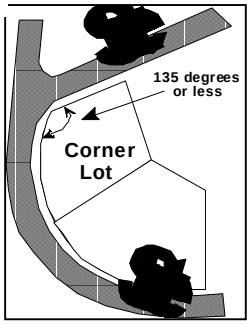
An off-street space on the same lot with a building or group of buildings, for temporary parking for a commercial vehicle while loading or unloading merchandise or materials.
Off-street loading space is not to be included as off-street parking space in computation of required off-street parking.

LOT
A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) main building with its accessory buildings, and providing the open spaces, parking spaces, and loading spaces required by this Ordinance. The word "lot" shall include plot or parcel. A lot need not be a "lot of record." A lot may also mean a portion of a condominium project, as regulated by Public Act 59 of 1978, as amended, designed and intended for separate or limited ownership or use.

LOT AREA

The total horizontal area within the lot lines of a lot including street right-of-way where the lot line is located on or near the centerline of the street right-of-way.

LOT, CORNER



A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street, any two (2) chords of which form an angle of one hundred thirty-five (135) degrees or less.

LOT COVERAGE

The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

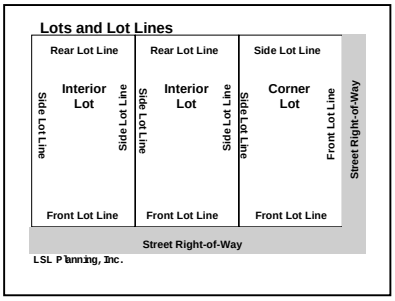
LOT, DEPTH

The mean horizontal distance from the front lot line to the rear lot line, or the two (2) front lines of a through lot.

LOT, DOUBLE FRONTAGE (THROUGH)

A lot other than a corner lot having frontage on two (2) more or less parallel streets.

LOT, INTERIOR



A lot other than a corner lot with only one (1) lot line fronting on a street.

LOT LINES

The property lines or other described lines bounding the lot.

A. *Front Lot Line*. In the case of an interior lot, abutting upon one (1) public or private street, the front lot line shall mean the line separating such lot from such street right-of-way.

B. *Rear Lot Line*. Ordinarily, that lot line which is opposite and most distant from the front lot line of the lot.

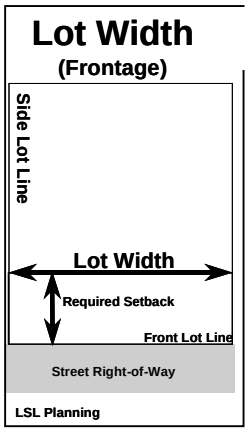
1. In the case of an irregular or triangular-shaped lot, a line at least ten (10) feet in length entirely within the lot, parallel to, and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of determining depth of rear yard.
2. In cases where none of these definitions are applicable, the Zoning Administrator shall designate the rear lot line.

C. *Side Lot Line*. Any lot line not a front lot line or a rear lot line. A side lot line separating a lot from another lot, or lots is an interior side lot line.

D. *Street Lot Line*. A lot line or easement line separating the lot from the right-of-way of a street or an alley.

LOT OF RECORD

A lot which exists in a subdivision plat as shown on the records of the County Register of Deeds, or a lot or parcel described by metes and bounds, which has been so recorded as required by law.



LOT, WATERFRONT

A lot having frontage directly upon a lake, river, or otherwise formed impoundments of water.

LOT WIDTH (Frontage)

The horizontal distance between the side lot lines, as measured at the front yard setback line.

SECTION 2.14 DEFINITIONS - M

MANUFACTURED HOME

A residential building, dwelling unit, dwelling room or rooms, or a building component which is designed for long-term occupancy as a dwelling unit or portion of a dwelling unit, and is wholly or substantially constructed at an off-site location, transported to a site and erected. The term includes the terms “mobile home” or “modular home.”

MANUFACTURED HOME PARK

A parcel or tract of land under the control of a person upon which two (2) or more manufactured 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 therefore, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a manufactured home.

MANUFACTURED HOME SPACE

A plot of ground within a manufactured home park designed for the placement of one (1) manufactured home.

MASTER PLAN

The Master Plan, or General Development Land Use Plan currently adopted by Lyndon Township, including graphic and written materials, indicating the general location for streets, parks, schools, public buildings, and all physical development of the Township, and

includes any unit or part of such plan and any amendment to such plan.

MOTEL

A series of attached, semi-attached, or detached buildings providing overnight lodging and open to the traveling public for compensation.

MOTOR HOME

A motorized vehicular unit primarily designed for temporary dwelling in connection with travel and recreational usage. This term does not include manufactured homes.

SECTION 2.15
DEFINITIONS - N

NON-CONFORMING BUILDING

A building or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions of the Ordinance in the Zoning District in which it is located.

NON-CONFORMING LOT

A lot that conformed with all Township zoning requirements at the time of its creation but which no longer conforms to the requirements for lot area or lot width, and which has not been subdivided or reduced in size.

NON-CONFORMING USE

A use which lawfully occupied a building or land at the effective date of this Ordinance or amendments thereof, and that does not conform to the use regulations of the Zoning District in which it is located.

NONRESIDENTIAL DISTRICT

The NC and LI Zoning Districts.

NURSING HOME

A home for the care of the aged or infirm, or a place of rest for those suffering bodily disorders, wherein persons are provided care for compensation. Said home shall conform to, and qualify for, license under applicable State law.

SECTION 2.16
DEFINITIONS - O

OPEN AIR BUSINESS

Uses operated substantially in the open air, including, but not limited to:

A. Bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair, rental, or storage services.

B. Outdoor display and sale of garages, motor homes, manufactured homes, snowmobiles, farm implements, swimming pools, and similar activities.

C. Retail sale of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.

D. Tennis courts, archery courts, shuffleboard, horseshoe courts, rifle ranges, miniature golf, golf driving ranges, children's amusement park or similar recreation uses (transient or permanent).

ORDINARY HIGH WATER MARK

The line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. Where the water levels vary for purposes of water level management, the ordinary high water mark shall be the higher of the levels generally present.

SECTION 2.17
DEFINITIONS - P

PARKING LOT

A facility providing vehicular parking spaces, along with adequate drives, aisles, and maneuvering space to allow unrestricted ingress and egress to at least two (2) vehicles.

PARKING SPACE

A space of at least one hundred sixty two (162) square feet, exclusive of necessary driveways, aisles, or maneuvering areas, suitable to accommodate one (1) motor vehicle and having direct unobstructed access to a street or alley.

PERSONAL SERVICE ESTABLISHMENTS

Any commercial business conducting services that are performed primarily on the premises.

PLANNED UNIT DEVELOPMENT (PUD)

A development of land planned and developed as a whole in a single development or series of phases. The PUD may include streets, utilities, buildings, open spaces, and other site features and improvements.

PORCH, ENCLOSED

A covered entrance to a building or structure which is totally enclosed, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the main building or structure to which it is attached.

PORCH, OPEN

A covered entrance to a building or structure which is unenclosed except for columns supporting the porch roof, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the main building or structure to which it is attached. A recessed porch is considered an open porch.

PUBLIC UTILITY

Any person, firm, corporation, municipal department, board, or commission duly authorized to furnish, under Federal, State or municipal regulations, to the public, electricity, gas, steam, communications (except cellular telephone or commercial wireless communications towers), telegraph, transportation, or water services.

SECTION 2.18
DEFINITIONS - R

RECREATION VEHICLE OR EQUIPMENT

A vehicle or equipment intended for temporary or periodic use for recreational or leisure pursuits. Such vehicles shall include boats, airplanes, special purpose automobiles, floats, rafts, trailers, snowmobiles, camping or travel trailers, motorized homes, detachable travel equipment of the type adaptable to light trucks, and other equipment or vehicles of a similar nature.

RESIDENTIAL DISTRICT

In this document, the residential districts include W-R, RR, R-1, LR, MHP, and PUD Zoning Districts.

ROADSIDE STAND

A farm building or separate structure used for the display or sale of agricultural products grown on the premises upon which the stand is located.

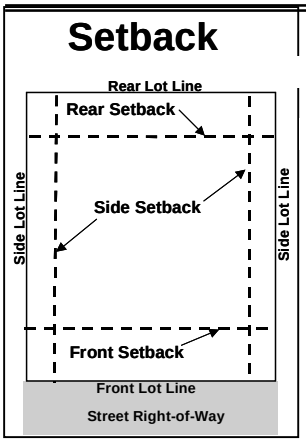
SECTION 2.19
DEFINITIONS - S

SALVAGE YARD

An space where waste, surplus, discarded, or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, including house wrecking, structural steel materials, equipment and auto wrecking.

SATELLITE DISH ANTENNA, OR DISH ANTENNA

An apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit.



SETBACK; SETBACK AREA

The minimum required horizontal distance measured from the front, side, or rear lot line, as the case may be, which describes an area termed the required setback area on a lot or parcel.

SIGNIFICANT NATURAL FEATURE

Any area designated as such by the Planning Commission, Township Board, the Michigan Department of Natural Resources, or other governmental agency, and which exhibits unique topographic, ecological, hydrological, or historical characteristics, or other notable natural features.

STATE LICENSED RESIDENTIAL FACILITY

A residential care facility licensed by the State of Michigan under Act 287 of 1972 of the Public Acts of Michigan, as amended, or Act 116 of 1973 of the Public Acts of Michigan, as amended, which provides resident care services under twenty four (24) hour supervision or care, but does not include facilities licensed by the State of Michigan for care and treatment of persons released from or assigned to correctional institutions.

A. A State Licensed Residential *Family* Facility includes a state licensed residential facility providing resident services to six (6) or fewer persons.

B. A State Licensed Residential *Group* Facility includes a state licensed residential facility providing resident services to more than six (6) persons.

STORY

That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. For the purpose of this Ordinance, a basement or cellar shall be counted as a story only if over fifty percent (50%) of its height is above the level from which the height of the building is measured, or, if it is used for business purposes.

STORY, HALF

That part of a building between a pitched roof and the uppermost full story, said part having a floor area which does not exceed one-half (½) the floor area of said full story, provided the area contains at least two hundred (200) square feet and has a clear height of at least seven and one-half (7½) feet at its highest point.

STREET, PRIVATE

A privately owned and maintained thoroughfare meeting the requirements of the Lyndon Township Private Road Ordinance.

STREET, PUBLIC

A public thoroughfare including any rights-of-way and traveled surfaces which afford traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and other thoroughfare; except an alley.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something on the ground.

SUBSTANTIAL IMPROVEMENT

A. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before improvement or repair is started. If the structure has been damaged and is being restored, the value shall be that which existed before the damage occurred.

B. 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.

C. The term does not, however, include either 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 any alteration of a structure listed on the National Register of Historic Places or the Michigan Register of Historic Places.

SECTION 2.20 DEFINITIONS - T

TEMPORARY BUILDING OR USE

A structure or use permitted by the Zoning Administrator to exist during periods of construction of the main building or for special events as permitted by this Ordinance.

TRAVEL TRAILER

A vehicular, portable unit built on a chassis designed to be used as a temporary dwelling for travel and recreational purposes, generally not exceeding eight (8) feet in width or thirty-five (35) feet in length. It includes folding campers and truck mounted campers.

SECTION 2.21 DEFINITIONS - U

USE, PRINCIPAL

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

SECTION 2.22 DEFINITIONS - V

VEHICLE REPAIR

Any major activity involving the general repair, rebuilding or reconditioning of motor vehicles, engines, or trailers; collision services, such as body, frame, or fender straightening and repair; overall painting and vehicle rust-proofing; refinishing or steam cleaning.

VEHICLE SERVICE STATION

A building and lot or parcel designed or used for the retail sale of fuel, lubricants, air, water or other operating commodities for motor vehicles (including trucks, aircraft and boats) and including the customary space and facilities for the installation of such commodities on or in such vehicles and including space for storage, hand washing, minor repair, and servicing, but not including vehicle repair as defined in this Chapter.

VEHICLE WASH ESTABLISHMENT

A building, or portion thereof, the primary purpose of which is that of washing motor vehicles.

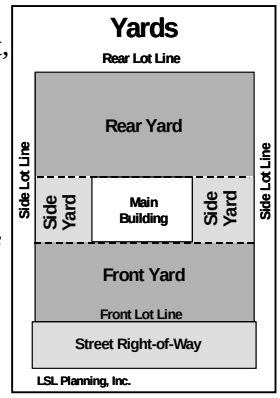
SECTION 2.23 DEFINITIONS - Y

YARD

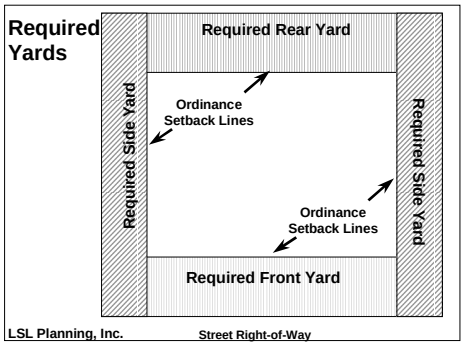
A yard is an open space on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

A. A *Front Yard* is an area extending the full width of the lot, the uniform depth of which is measured at right angles to the front lot line.

B. A *Rear Yard* is an area extending across the full width of the lot, the uniform depth of which is measured at right angles to the rear lot line.



C. A *Side Yard* is an area between a main building and the side lot lines, extending from the front yard area to the rear yard area. The width of the side yard shall be measured horizontally from and at right angles to the nearest point of the side lot line.



YARD, REQUIRED

The required yard shall be that set forth in the applicable chapters of the Lyndon Township Zoning Ordinance as the minimum yard requirement for each zoning district.

SECTION 2.24
DEFINITIONS - Z

ZONING ACT

The Township Zoning Act; Act 184 of 1943 of the Public Acts of Michigan, as amended.

ZONING ADMINISTRATOR

The person designated by the Township Board to administer the provisions of this Zoning Ordinance.

ZONING BOARD OF APPEALS, OR BOARD.

The Zoning Board of Appeals of Lyndon Township.