

ARTICLE XIX DEFINITIONS

Section 19.01. For the purpose of this Ordinance, certain terms are herewith defined. Terms not herein defined shall have the meanings customarily assigned to them.

ACCESSORY BUILDING. A building related to and secondary to the main use of the premises. (See accessory structure illustration)

ACCESSORY USE. A use naturally and normally incidental and subordinate to the main use of the premises.

ADULT ENTERTAINMENT FACILITIES. Adult bookstores, being establishments having a substantial or significant portion of their stock in trade, books, magazines, videos, and other items which are characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Anatomical Areas." Also, adult motion picture theaters, either enclosed or open air, used for presenting motion pictures characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual Activities" or "Anatomical Areas" for observation by patrons. "Specified Sexual Activities" for the purpose of this Section are defined as including: 1) human genitals in a state of sexual stimulation or arousal; 2) acts of human masturbation, sexual intercourse or sodomy; or, 3) fondling or other erotic touching of human genitals, pubic region, buttock or female breast. "Anatomical Areas" are defined as less than completely covered: 1) human genitals or pubic region; 2) buttocks; and 3) female breasts below a point immediately above the top of the areola.

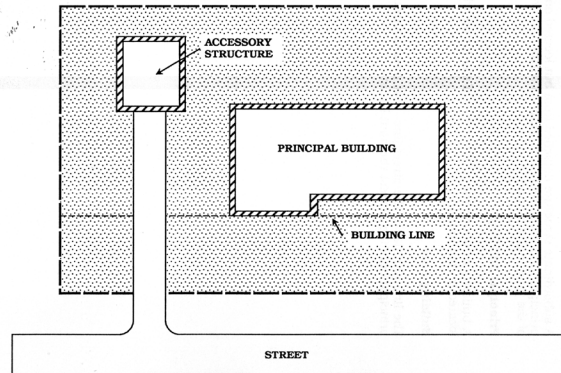
ALTERATIONS. Any change, addition or modification in construction of the structural members of a building, such as walls, partitions, columns, beams, or girders.

BOARD OF APPEALS. The duly appointed Board of Zoning Appeals for the Township of Arcadia.

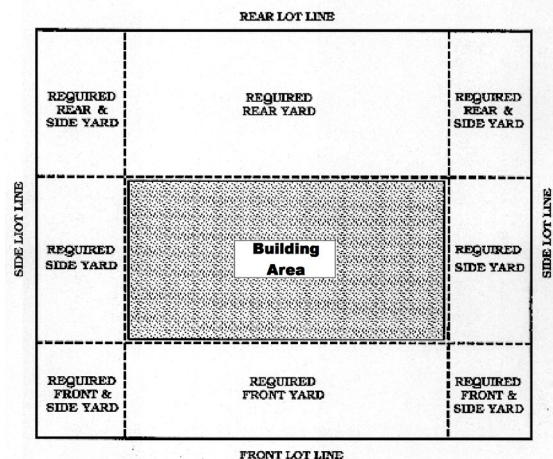
BUILDABLE AREA. The buildable area of a lot is the space remaining after the minimum set back requirements of this Ordinance have been complied with. (See buildable area illustration)

BUILDING. A structure, either temporary or permanent, having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, or personal property. This shall include tents, awnings, vehicles, trailers, or mobile homes situated on private property and used for purposes of a building.

**ACCESSORY STRUCTURE AND
PRINCIPAL BUILDING DEFINITION**



Building Area



BUILDING HEIGHT. The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, and gambrel roofs (See building height illustration). (Ord. No. 108 eff. 5-26-02)

CONDOMINIUM SUBDIVISION PLAN. The site plan illustrating the existing site features and all proposed improvements pursuant to the requirements for site plan review and pursuant to the requirements of Section 66 of the Condominium Act.

CONDOMINIUM UNIT. That portion of the condominium project designed and intended for separate ownership and use, as described in the master deed.

CONDOMINIUM MASTER DEED. The condominium document recording the condominium project as approved by the Township, to which is attached as exhibits and incorporated by reference the approved by-laws for the project and the approved condominium subdivision plan for the site.

CONDOMINIUM, SITE. A condominium development consisting of single-family detached housing on either individual lots or on land held in common (also known as Detached Condominium).

DWELLING, MULTIPLE. A building used or designed as a residence for three (3) or more families.

DWELLING, SINGLE-FAMILY. A building used or designed exclusively as a residence for one (1) family.

DWELLING, TWO-FAMILY. A building used or designed as a residence for two (2) families.

DWELLING UNIT. Any house, building, mobile home, or portion thereof which is designed for or occupied as a residence or sleeping quarters for a person, persons, or family as a single unit.

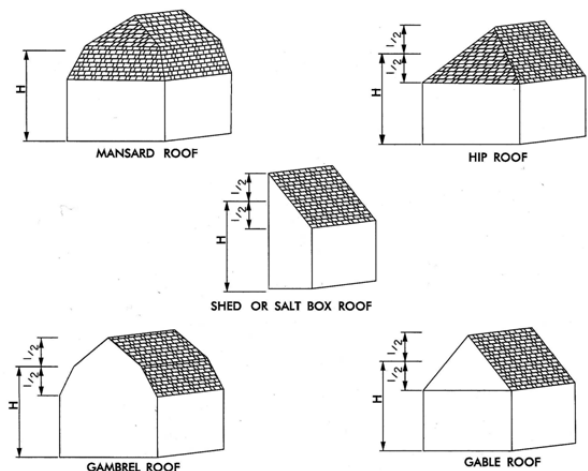
ERECTED. The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required to construct a building. Excavations, fill, or drainage relating to the construction or placement of a structure shall be considered a part of erecting.

ESTABLISHED GRADE. The finished ground level at the building foundation. In the event of sloping terrain, the established grade shall be the average ground level along the building foundation, at the front building line. (Ord. No. 108 eff. 05-26-02)

EXCAVATING. The removal of sand, stone, gravel or dirt from its natural location.

FAMILY DAY CARE HOME, A private home in which at least one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. A 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.

BUILDING HEIGHT

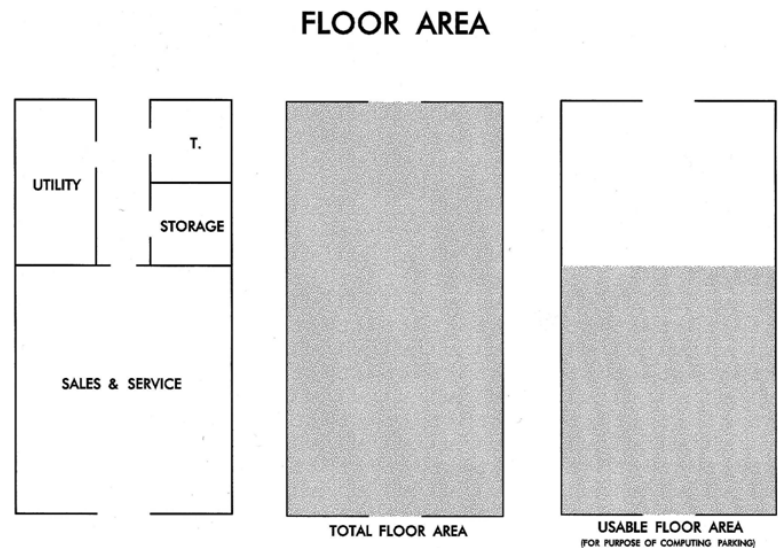


FARM. All of the associated land, operated as a single unit on which bona fide farming is carried on, including livestock and poultry raising, dairying, crop production, forestry, tree and shrub nurseries, greenhouses, sod farms, and similar enterprises involving agricultural production.

FARM BUILDING. Any building or structure, other than a dwelling, which is customarily used on farms for the pursuit of their agricultural activities.

FILLING. The depositing or dumping of any matter onto or into the ground.

FLOOR AREA. The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls. The “floor area” of a building shall include the basement floor area when more than one-half (1/2) of the basement height is above the finished lot grade. (See floor area illustration)



GROUP DAY CARE HOME. A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. A group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

JUNK. Any motor vehicles, machinery, appliances, product, merchandise, scrap metals or other scrap materials that are deteriorated, or are in a condition which cannot be used for the purpose that the product was manufactured.

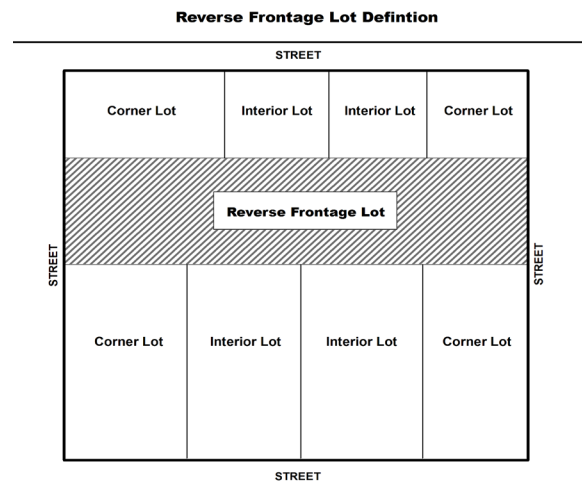
JUNK YARD. Any property used for the storage, keeping, dismantling, or abandonment of junk outside of an enclosed building.

KENNEL. Any lot or premises on which four (4) or more dogs, six (6) months old or older, are kept either permanently or temporarily.

LIVESTOCK. Horses, cattle, sheep, goats, mules, donkeys, hogs, and other hooved animals.

LOT OF RECORD. Any parcel of land which is separately described in a deed, land contract, or similar legal document evidencing a conveyance of ownership and recorded with the Lapeer County Register of Deeds.

LOT, REVERSE FRONTAGE. A lot (excluding corner lots) which has two opposite sides abutting two parallel or approximately parallel streets typically where the front of the lot is interior to the development.



MOBILE HOME. (includes house trailer, trailer coach, and double-wide mobile homes). A dwelling unit designed for long term occupancy and designed to be transported after fabrication on its own wheels as one or more units. This includes all units which could be licensed under the provisions of Act 300 of the Public Acts of 1949, as amended.

MOBILE HOME PARK. Any parcel of land which has been designed, improved, or used for the placement of three or more mobile homes for dwelling purposes.

PARKING SPACE. An area of not less than nine and one-half (9-1/2) feet wide by twenty (20) feet long, designed for the parking of a motor vehicle, such space being exclusive of necessary drives, aisles, entrances, or exits and being fully accessible for the storage or parking of permitted vehicles.

PLANNING COMMISSION. The duly appointed Planning Commission of Arcadia Township, as authorized by Michigan Public Act 110 of 2006, as may be amended. (Ord. No. 114 eff. 12-19-06)

POND EXCAVATION LINE. The point at which the natural soils are dug or excavated below the current existing grade. (Ord. No. 103 eff. 02-19-97)

QUARRYING. The removal of sand, clay, gravel, soil or similar material from its natural location for sale or use on a parcel of land other than the parcel on which the material was originally located.

RECREATIONAL VEHICLES. Travel trailers, motor homes, truck campers and similar vehicles not exceeding forty (40) feet in length. Mobile homes shall not be deemed to be recreational vehicles.

SETBACK. The distance between a building and the center of a road right-of-way or a property line.

SIGN. Any device designed to inform, advertise or attract attention.

SINGLE-FAMILY DETACHED CONDOMINIUM. A condominium unit which is physically separated from any other condominium unit, and which is designed and intended for occupancy by a single-family.

STRUCTURE. Anything constructed, erected, or placed on a parcel of land which is permanently located on the ground or attached to something having a permanent location. This shall include mobile homes, pre-manufactured units, modular units, truck or bus bodies, and similar structures. Any structure located on the same premises for more than six months shall be deemed to be permanently located within the meaning of this definition.

SUBDIVISION ACT. The Subdivision Control Act of the State of Michigan.

SWIMMING POOL. Any structure or container intended for swimming, located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches. Ponds shall not be deemed to be swimming pools.

TEMPORARY ANEMOMETER TOWER. A structure, including all accessory facilities, temporarily erected, on which an instrument for measuring and recording the speed of the wind is mounted for the purpose of researching whether or not a site has wind resources sufficient for the operation of a wind energy conversion system.

TOWNSHIP BOARD. The duly elected or appointed Township Board of the Township of Arcadia.

TRAVEL TRAILERS. (including recreational vehicles, camping trailers, truck campers, and motor homes). Vehicular-type portable structures primarily designed as temporary living accommodations for recreational camping or travel use. These vehicles can either be towed, hauled or affixed to another vehicle and driven from one site to another without requiring a Special Transportation Permit for travel.

TRAVEL TRAILER PARK. Any parcel of land, designed, improved, or used for the placement of three (3) or more travel trailers or tents (used for recreation, camping or travel use) for overnight accommodations.

USE. The purpose for which a parcel of land or a building is designed, arranged, or intended or the purpose for which it is occupied, maintained, or leased.

WIND ENERGY CONVERSION SYSTEM (WECS). A system which converts wind energy into electricity through the use of a wind turbine generator and includes the turbine, blades, and tower, as well as related electrical equipment. This does not include wiring to connect the wind energy system to the electrical grid.

WIND ENERGY CONVERSION SYSTEM, ON-SITE. A wind energy conversion system that has a rated capacity of not more than 100 kilowatts (kW) and which is primarily intended to reduce on-site consumption of utility power.

YARD. An open space or prescribed width or depth 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. (See yard illustration below).

ZONING ADMINISTRATOR. An individual or organization appointed by the Township Board with the responsibility of enforcing this Ordinance and carrying out the duties specified in the Ordinance.

EXAMPLE OF YARD DEFINITION

