

ARTICLE TWO (2)

DEFINITIONS

Sec. 2.01 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. 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.
- h. 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 may apply

singly or in any combination.

2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 3. "Either...or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
- i. Words in the singular number shall include the plural number and words in the plural number shall include the singular number. The masculine gender shall include the feminine and the feminine gender shall include the masculine.
 - j. 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.
 - k. 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. 2.02 Definitions:

For the purpose 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 customarily incidental and subordinate to the principal building 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.

Agriculture: Any land or building used for pasturage, floriculture, dairying, horticulture, forestry, and livestock or poultry husbandry.

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.

Automobile 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.

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.

Bed & Breakfast: A residential home with 5 or less bedrooms for rent by travelers with private or shared bathrooms. Only breakfast will be served on premises.

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: The Board of Zoning Appeals of the Township of Moran.

Boat well: An unenclosed structure used to store boats.

Breezeway: An enclosed 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 having a roof supported by columns or walls, for the shelter, support, enclosure of persons, animals or property

Building Height: The vertical distance measured from the mean elevation of the natural ground to the highest point on the roof (see definition of grade).

Building Line: A line parallel to the front lot line, which, for purposes of this Ordinance, is the same, as the minimum required front setback line. (See illustration).

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

the lot on which said building is located.

Campground: A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes.

Campground, Rustic: A campground that does not have an associated improved commercial areas such as a store, restaurant, or recreational facility (such as a miniature golf course or pool).

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.

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.

Cluster Development: A form of development that permits a reduction in lot area and bulk requirements in exchange for open space.

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.

Commercial 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.

Condominium: A form of property ownership and land development as detailed in the State of Michigan Condominium Act, Public Act 59 of 1978, as amended.

- a. Condominium Project: A plan or project consisting of not less than two (2) condominium units established in conformity with P.A. 59 of 1978, as amended.
- b. Condominium Unit: That portion of a condominium project designed and intended for separate ownership and use, as described in the master deed, whether it is intended for residential, office, industrial, business, recreational, use of a time share unit, or other type of use, in accordance with P.A. 59 of 1978, as amended.

- c. Condominium, Standard: For the purposes of clarifying the intent of this Ordinance, a Standard Condominium is defined as any plan or project where two or more Condominium Units have a common boundary, abut against one another, or are within two (2) feet or less of separation between the legal descriptions of one another, and are not separated on all sides by co-owned or common lands from another Condominium Unit, whether it is intended for residential, office or other use as described above. Uses of Standard Condominiums are equivalent to multi-family dwellings, resort hotels, office complexes, and shopping malls.

- d. Condominium, Site: For the purposes of clarifying the intent of this Ordinance, a Site Condominium is defined as any plan or project where two or more Condominium Units do not have a common boundary, do not abut against one another, or are separated by more than two (2) feet between legal descriptions of one another, and are separated on all sides by co-owned or common lands from another Condominium Unit, whether it is intended for residential, office or other use as described above. Uses of Site Condominiums are equivalent to single family residences, campgrounds, individual offices, and separate retail shops.

Daycare Center: See Nursery School definition.

Density: The number of dwelling units situated on or to be developed on a net 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 for or occupied exclusively by one family.

Dwelling, Standard: A dwelling unit that meets the following requirements:

- a. The dwelling complies with the minimum square footage and performance requirements for the district within which located;

- b. The dwelling complies in all respects with the Michigan State Construction Code as promulgated by the State Construction Commission in accordance with Act 230 of the Public Acts of 1972, as amended;
- c. The dwelling is firmly attached to a permanent foundation constructed on the site in accordance with the Township building code;
- d. The dwelling is compatible in design and appearance with other residences in the vicinity including either a roof overhang of not less than six inches on all sides or alternatively with window sills or roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling; and has not less than two exterior doors with the second one located in either the rear or side of the dwelling;
- e. The dwelling has no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein;
- f. The dwelling complies with all pertinent building and fire codes;
- g. The forgoing standards do not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required by the Township pertaining to such parks.

Dwelling, Two Family: A building, designed for or occupied by two families living independently of each other.

Dwelling, Multiple Family: A building used or designed as a residence for three or more families living independently of each other.

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.

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.

Efficiency Apartment: 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.

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, structures which are enclosures or shelters for service equipment, maintenance depots, telecommunications towers, or wind energy conversion systems.

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

Exotic Animal: Any animal that is not indigenous to Moran Township, used for agricultural purposes, or commonly raised (such as a cat or dog).

Family: An individual, or two or more persons related by blood, marriage or adoption, or parents along with their direct lineal descendants, and adopted or foster children (including domestic employees) or a group not to exceed two persons not related by blood or marriage, occupying a premises and living as a single housekeeping unit with single cooking facilities. Every additional group of two or less persons living in such housekeeping units shall be considered a separate family for the purpose of this Ordinance. Said definition shall not apply to state licensed residential facilities.

Family Daycare: A private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for periods of less than 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. Family Daycare includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

Farm: Any parcel of land containing at least five (5) acres, which is used for agricultural purposes. It includes the necessary farm structures and the storage of equipment used. It excludes the raising of fur-bearing animals, commercial dog kennels, riding academies and stone, gravel or sand quarries.

Farm Animal: Any horse, swine, cattle, sheep, goat, llama, chicken, goose, turkey, or rabbit or any other animal that, other than dogs and cats that is raised for commercial purposes.

Fence: An artificially constructed barrier of wood, metal, stone, or any manufactured materials erected for the enclosure of yard areas.

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.

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 by the 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 patron, 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.

Forestry or Silviculture: The practice of raising, managing and harvesting trees within a plan prepared by a professional forester trained in the methods of the practice.

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 therewith.

Golf Course, Standard: A development or parcel of land used for recreational purposes for the sport of golf spread over a large area consisting of nine (9) or more holes with tees, fairways, greens and related items.

Golf Course, Miniature, Mountain, Putt-Putt: A development or parcel of land used for recreational purposes for the sport of imitating golf on a small parcel of land intensively developed.

Grade: The mean elevation of the established natural grade for the purpose of controlling 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. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the structure.

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

Hotel: An establishment that provides lodging, usually meals, and services for travelers and other paying guest.

Home Occupation: Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not involve any alteration of the structure or change the character thereof.

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 inoperable motor vehicles, machinery, appliances, products, or merchandise with parts missing or scrap metals or other scrap materials that 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, 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.

Lot: Land occupied or to be occupied by a building, structure, land use or group of buildings together with such open spaces or yards as are required under this Ordinance and having its principal frontage upon a street.

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

Lot, Corner: A lot which has at least two contiguous sides abutting upon a street for their full length.

Lot, Depth Of: The average distance from the front lot line of the lot to its opposite rear line measured in the general direction of the sidelines of the lot.

Lot, Interior: A lot other than a corner lot.

Lot, Lake: Any lot having frontage on any body of water, including the Great Lakes, Inland Lakes and all streams and rivers.

Lot Line(s): Any of the lines bounding a lot as defined herein. (See Illustration).

- (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. On lake lots the front lot line shall be the lot line facing the street.
- (b) Rear Lot Line: That lot lines 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. On lake lots the rear lot line shall be the lot line facing the water.
- (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, Mackinac 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, Mackinac County, Michigan, prior to the adoption 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 between the two points where the building 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.

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

Mobile Home: A moveable or portable dwelling which is constructed to be towed on its own chassis, is capable of being connected to public utilities, and is designed for year-round living as a single-family dwelling unit without the necessity for a permanent foundation. The term "mobile home" shall not include pick-up campers, travel trailers, motor homes, converted buses, tent trailers, or other transportable structures designed for temporary use.

Mobile Home Park: Any lot, parcel or tract of land under the control or management of any person, occupied or designated for occupancy by more than two (2) mobile homes including any accessory building, structures or enclosures comprising facilities used by park residents. To be a Mobile Home Park, the facility must be properly licensed by the Michigan Mobile Home Commission and meet all state and federal regulations.

Mobile Home Subdivision: A subdivision of land in accordance with Public Act 288 of 1967, as amended, and platted for the sole purpose of providing for the sale of individual lots for mobile home owners.

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 standard dwellings.

Moran Township Master Land Use Plan: A statement of policy 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 thereby creating the very best community living conditions.

Motel: An establishment providing lodging for motorists usually having direct access to parking area.

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 this Ordinance relative to height, bulk, area, placement or yards for the zoning district in which it is located.

Nonconforming Use: A use or activity that was lawful prior to the adoption, revision, or amendment of the zoning ordinance but does not comply with the present requirements of the zoning district because of an adoption, revision, or amendment.

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.

Nuisance, Attractive: A use, practice, structure or condition that meets the criteria as contained in the "classic statement of the doctrine of attractive nuisance" (2 Restatement of Torts, 2d 339, p 167; 76 Mich. App. 137 - June 1977).

Nursery School (Day-Care Center): A public or private school, kindergarten or child care facility wherein day-care, or day-care and education is provided for five (5) or more minors.

Nursing Home: An installation other than a 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.

Parking Space: An area of not less than one hundred eighty (180) square feet in area, exclusive of drives, aisles or entrance giving access thereto, and shall be fully accessible for the storage or parking of permitted vehicles.

Planned Unit Development (PUD): A tract of land of ten (10) acres or more in size developed under single ownership or management as a separate neighborhood or community unit. The development shall be based on an approved site plan which allows flexibility of design not available under normal zoning district requirements. The plan may contain a mixture of housing types, common open space and other land uses. The plan may consist of regular subdivisions, standard condominiums, site condominiums, performance subdivisions or any combination thereof.

Planning Commission: The Township Planning Commission of the Township of Moran.

Point of Intersection: The triangular area formed by the intersecting street right-of-way lines and a straight line intersecting them at points which are on said right-of-way lines.

Porch: A roofed open area, which may be screened, that is attached to the structure.

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

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.

Residential Facility, State Licensed: A building constructed for residential purposes that is licensed by the State to provide residential services for 6 or less persons under 24-hour supervision or care for persons in need of that supervision or care, including foster care homes. This definition does not apply to persons released from or assigned to correctional institutions.

Restaurant, Drive-In or 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 or in outdoor areas designed for people to eat, such as decks and porches;
- (b) within a motor vehicle parked on the premises; or
- (c) off the premises as carryout orders, and whose principal method of operation 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 within a building or in outdoor areas specifically designed for eating;
- (b) a cafeteria-type operation where food and beverage generally are consumed within the restaurant building or in outdoor areas specifically designed for eating.

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.

Roadside Stand: A structure that is used seasonally for display and sale of agricultural produce. The operation of a roadside stand shall not constitute a commercial use.

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 maintained in accordance with the provisions of Michigan Public Act 541 of 1994, as amended.

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 required 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 provide 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: Any device including words, numerals, figures, designs, pictures or trademarks painted upon or otherwise affixed to a building, wall, board, or any structure, so as to inform or attract attention.

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 issued by the Township Board stating that the special use meets all the required conditions and provisions.

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 basement shall not be counted as a story.

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, and free-standing signs and not including sidewalks, drives, patios, and utility poles.

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.

Subdivision: The division of a lot, tract, or parcel of land into lots, tracts, or parcels of land, in accordance with all standards, regulations, and permits as stipulated in the Land Division Act, P.A. 288 of 1967, as amended, for the purpose, whether immediate or future, of sale or of building development.

(a) Subdivision, Regular: A regular subdivision consists of individual lots with no provisions for clustering of structures, reduction of lot sizes below the specified lot area, or required community or neighborhood open space. A

regular subdivision is characterized by division of the entire subject parcel into individual lots.

- (b) Subdivision, Performance: Performance subdivisions permit the developer considerable freedom in design. It allows adjustments in lot sizes and clustering of dwelling units to better adjust to the constraints of a site or of adjoining uses. Further, it insures adequate open space for the residents of each such subdivision.

Substandard Lot: A lot or parcel of record as the time of adoption of this Ordinance which does not meet the lot area or width requirements of the district within which it is located.

Township Board: The Township of Moran Trustees.

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.

Wind Energy Conversion System- Small (Residential): A wind energy conversion system as defined herein, consisting of a wind turbine, a tower, and associated control or conversion electronics, which a rated capacity of not more than 100 Kilowatts (Kw) and which is intended to primarily reduce on-site consumption of utility power.

Wind Energy Conversion System-Large (Commercial): A wind energy conversion system as defined herein, consisting of a wind turbine, a tower, and associated controls or conversion electronics, which has a rated capacity of more than 100 kilowatts (Kw).

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 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 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 employee by the Township Board.