

CLARENCE TOWNSHIP ZONING ORDINANCE

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

Condominium Unit: That portion of a condominium project 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. A condominium unit may consist of either vacant land as in the case of a site condominium, or space which either encloses or is enclosed by a building. A condominium unit in a site condominium shall be equivalent to the term "lot" for the purposes of determining compliance of the site condominium with the provisions of this ordinance pertaining to minimum lot size, minimum lot width, setbacks, maximum lot coverage, and similar standards pertaining to lots.

Day Care Center: A facility, other than a private residence, receiving 1 or more preschool or school age children for care for periods of less than 24 hours a day, for not less than 2 consecutive weeks, regardless of the number of hours of care per day, and where the parents or guardians are not immediately available to the child. A day care center may also be commonly referred to as a child care center, day nursery, nursery school, parent cooperative preschool, or drop-in center. Day care center does not include a Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization or a facility operated by a religious organization where children are cared for comparatively short periods of time while persons responsible for the children are attending religious services at the same facility.

Day Care, Family Home: A private home 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 24 hours a day for more than 4 weeks during a calendar year, unattended by a parent or legal guardian except children related to an adult member of the family by blood, marriage, or adoption.

Day Care, Group Home: A private home in which the operator permanently resides as a member of the household 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 for more than 4 weeks during a calendar year, unattended by a parent or legal guardian except children related to an adult member of the family by blood, marriage, or adoption.

Deck: A platform, commonly constructed of wood, which is typically attached to a building and which is typically used for outdoor leisure activities.

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. A "district" is also known as a "zone" or "zoning district".

Drive-In / Drive-Through Establishment: A business establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles.

Dwelling, Multiple Family: A building containing three (3) or more dwelling units designed for residential use for three or more families living independently of each other.

Dwelling, Single Family: A detached building or portion thereof designed and used exclusively by one family as a dwelling unit.

Dwelling, Two Family (Duplex): A building containing not more than two separate 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.

Erected: Anything built, constructed, reconstructed, moved upon, or any physical activity upon a premises or lot required for the structure. Excavations, fill, drainage, and the like, shall be considered a part of "erection" when done in conjunction with a structure.

Essential Services: The erection, construction, alteration of 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 towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings, towers, substations, the storage of or shelters for service equipment, maintenance depots, and similar above ground facilities, reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for public health or safety or general welfare.

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

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Extraction Operation: The removal, extraction, or mining of sand, gravel or similar material for commercial gain.

Extraction operations shall not include the removal of sand, gravel or similar material in association with the construction of a structure, building or swimming pool provided such construction has received all necessary approvals under this Ordinance including plot plan or site plan approval, soil erosion and sedimentation control permits, and the issuance of a zoning permit and building permit.

Family:

- a. An individual or a group of two (2) or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, together with not more than two (2) additional persons not related by blood, marriage, or adoption, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit; or
- b. A collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period. This definition shall not apply in instances of group care centers, or state licensed residential facilities as established under P.A. 395 of 1976, as amended.

Farm: Land and associated buildings and machinery dedicated to agriculture, which is operated by a sole proprietorship, partnership, or corporation. See definition for agriculture.

Fence: An accessory structure artificially constructed to serve as an obscuring screen, physical barrier, boundary demarcation and/or decorative landscape element.

Frontage: The total continuous length of the front lot line. In the case of waterfront lots, the term frontage shall also apply to the total continuous length of the rear lot line.

Garage: An accessory building or an accessory portion of a principal building designed or used primarily for the storage of non-commercial motor vehicles, boats, motor homes, snowmobiles, and similar vehicles owned and used by the occupants of the building to which it is accessory.

Gasoline Station: A facility for the retail sale and dispensing of fuel or lubricants together with the fixed equipment from which the fuel is dispensed directly into motor vehicles, the retail sales of oil, grease, batteries, tires and other operational fluids and accessories for automobiles and the installation of such items, and where minor automobile repairs may occur such as engine tune-ups, wheel alignment or balancing, oil change or lubrication, and the servicing of brakes, air conditioning, exhaust systems; or similar minor servicing and repairs. Such "minor servicing and repairs" shall not be construed to include refinishing, body work or painting, or the storage or dismantling of vehicles for the purpose of reuse or resale of parts. A service station may also include floor area devoted to the sale of convenience items such as beverages, food products, and magazines, and similar convenience items.

Golf Course/Country Club: A facility where the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges as a principal use.

Grade, Finished: The elevation of the ground surface upon the completion, or intended completion, of construction and improvements.

Home Occupation: Occupations engaged within a dwelling unit by the resident or residents of the same.

Hospital: An institution which is licensed by the Michigan Department of Community Health to provide in-patient and out-patient medical and surgical services for the sick and injured, and which may include such related facilities as laboratories, medical testing services, staff offices, pharmaceutical services, and other support facilities and services.

Hotel: See "motel."

Junk Yard: Any land or building used for commercial storage and/or sale of paper, rags, scrap metals, other scrap or discarded materials, or for the commercial dismantling, storage or salvaging of automobiles or other vehicles not in running condition, or of machinery or parts thereof. A junkyard may also be referred to as a salvage yard. A junk yard shall not be construed to mean a facility where such materials are discarded on site, commonly referred to as a dump or landfill.

Kennel: A facility where three (3) or more dogs, or three (3) or more cats, or a total of six (6) or more domesticated animals, six (6) months of age or older, are kept either permanently or temporarily for the purposes of breeding, boarding, training, sale, or transfer.

Landscaping Services: A facility comprised of an office along with the storage of supplies and equipment, in association with the provision of landscape services to off-site locations. Landscape services may include lawn mowing and maintenance, snow removal, landscape design and installation, and the sale and delivery of landscape materials such as mulch, plants, seed, fertilizer, gravel, soil, pavers, and similar landscape supplies.

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Lot: A parcel of land, or contiguous parcels of land under one (1) ownership, described with fixed boundaries of sufficient size and configuration to meet the site development requirements of this ordinance and having access to a road. A lot may or may not be specifically designated as such on public records. A lot may include a platted lot or portion thereof, a parcel of land described by metes and bounds or a portion of such parcel described by metes and bounds. Within a site condominium, a condominium unit shall be synonymous with a lot for the purposes of compliance with this Ordinance.

Lot Area: The area of the horizontal plane within the lot lines of a lot, exclusive of any public or private road right-of-way or easement abutting any side of the lot.

Lot, Corner: A lot abutting upon two (2) or more streets at their intersection, provided that the interior angle at the intersection of such two streets is less than one hundred thirty-five (135) degrees. A lot abutting a curved street shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. (see Figure 24-1 at end of this Article).

Lot Coverage: That portion of the area of lot that is covered by all buildings and structures, measured as a percent of the entire lot area. Lot coverage shall be deemed to include all buildings, roofed porches, breezeways, and patio roofs, whether open box types and/or lathe roofs, or fully roofed. Lot coverage shall be measured from the drip line of the roof or from the wall or foundation if there is no projecting portion of the roof.

Lot Depth: The distance from the front lot line to the rear lot line, or the two (2) front lot lines of a through lot, measured midway between the side lot lines,.

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

Lot Line, Front: The line separating a lot from the right-of-way or easement from which the lot gains access, except as provided below:

1. In the case of a corner or through lot, the line separating said lot from the right-of-way or easement and from which the driveway extends or is to extend, except as may be otherwise approved on a plat, or on an approved plot plan or site plan.
2. In the case of a waterfront lot, the line comprising the ordinary high water mark or, where a seawall has been erected, the edge of the water along such seawall.
3. In the case of a flag lot, the interior lot line most parallel to and nearest the road from which access is obtained.

Lot Line, Rear: The lot line which is opposite and most distant from the front lot line. In case of an irregular shaped lot, a line ten (10) feet in length entirely within the lot and parallel to and at the maximum distance from the front lot line shall be considered the rear lot line for the purpose of determining required rear yard setbacks and lot depth.

Lot Line, Side: Any lot line other than a front or rear lot line.

Lot, Through: A lot having frontage on two (2) roads other than a corner lot (see Figure 24-1).

Lot Width: The straight line horizontal distance between the side lot lines, measured at the front lot line and extending toward the rear lot line over a minimum of seventy percent (70%) of the lot area.

Lot, Waterfront: Any lot which abuts a lake or pond in excess of twenty (20) acres in surface area, where such lake or pond was not artificially created.

Manufactured Housing Community: A parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual, non-recreational 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 mobile home. A manufactured housing community may also be referred to as a mobile home park and may include accessory facilities such as a swimming pool, club house, and laundry facility.

Marina: A water body or portion thereof used for the principal purpose of docking watercraft in water for which a fee is paid for such docking, including fees in the form of membership or association dues for rights to use the marina, and where additional accessory services may be offered including watercraft repair, fueling and servicing, and dry storage.

Master Plan: The statement of policy by the Planning Commission relative to the agreed upon and officially adopted guidelines for a desirable physical pattern for future community development, land use, and preservation. The plan, developed pursuant to Public Act 33 of 2008, the Planning Enabling Act, consists of maps, charts and written material representing in summary form the soundest concept for addressing community growth and preservation.

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

Mini Storage: A building or group of buildings that contains individual compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares which are generally not used on a daily basis.

Mobile Home: A structure, transportable in one 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. The term mobile home shall not apply to recreational vehicles as defined herein.

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Motel: A building or group of buildings, whether detached or in connecting units, used as individual sleeping or dwelling units designed primarily for transient automobile travelers. The term "motel" shall include buildings designated as hotels, auto courts, tourist courts, motor courts, motor hotel, and similar appellations which are designed as integrated units of individual rooms under common ownership. A motel shall not be construed as a multiple family dwelling. A motel may include support services, including recreation facilities and the serving of meals, where approved for such.

Motor Home: A self-propelled, licensed vehicle prefabricated on its own chassis, intended for recreational activities and temporary occupancy.

Nonconforming Building or Structure: A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or an affecting amendment thereto, that does not conform to the provisions of this Ordinance relative to height, bulk, area, placement, yards or similar features for the District in which it is located.

Nonconforming Lot: A lot lawfully existing at the effective date of this Ordinance, or affecting amendment, and which fails to meet the area and/or dimensional requirements of the District in which it is located.

Nonconforming Use: A use of a building or structure, or of a parcel or tract of land, lawfully existing at the time of adoption of this Ordinance or an affecting amendment thereto, that does not conform to the regulations of the District in which it is located.

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.

Open Space: An area open to the sky that is generally free of buildings and structures and which is of a predominantly vegetated state.

Open Space Preservation Community (OSPC): A means of developing land residentially, such as in the case of a platted subdivision or site condominium, under more flexible standards available to OSPCs according to this Ordinance and Section 506 of the Michigan Zoning Enabling Act, that more effectively encourages the preservation of the Township's natural resources, sensitive environmental areas, and rural character. This heightened preservation goal is achieved by, in part, the grouping or clustering of new homes on smaller lots than typically required by the District within which the OSPC is proposed to be located so that the remainder of the site can be preserved as permanent open space.

Owner: The owner of the premises or lesser estate in the premises, a mortgagee or vendee in possession, an assignee of rents, receiver, executor, trustee, leasee, or any other person, sole proprietorship, partnership, association, or corporation directly or indirectly in control of a building, structure, or real property, or his or her duly authorized agent.

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

Park: A parcel used principally for outdoor recreational purposes including but not limited to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and leisure time activities, and which may include buildings or structures associated with recreation.

Parking, Off-Street: A land surface or facility providing vehicular parking spaces off of a road right-of-way along with drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of vehicles.

Parking Space: An area of definite length and width as designated in this Ordinance for parking an automobile or other vehicle, and which is fully accessible for such purposes.

Patio: A surfaced area, commonly constructed of concrete, stone or brick, which is typically used for outdoor leisure activities.

Plat: A map of a subdivision of land recorded with the Register of Deeds pursuant to the platting requirements of the Land Division Act of 1996, as amended, or a prior statute.

Plot 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. A plot plan generally contains less comprehensive and detailed information about improvements proposed on the site than does a site plan, and is required for such uses as single family dwellings and two family dwellings. Plot plan approval is generally delegated to the Zoning Administrator.

Porch: A roofed entrance to a building or structure that projects out from the main wall of such building or structure, and which is less than twenty-five percent (25%) enclosed along all sides except the side attaching to the building or structure.

Principal Building: The main building on a lot in which the principal use exists or is served by.

Principal Use: The main use to which a lot is devoted and the main purpose for which the premises exist.

Prohibited Use: A use of land which is not permitted within a particular zoning district.

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Public Facility: Land and associated structures and buildings used to carry out a governmental function(s) or provide a governmental service(s), such as a use or service owned or managed by a city, village, township, county, state, or public school board and including commissions or other arms of such entities. Examples of such facilities may include, but are not necessarily limited to, parks, cemeteries, museums, police and fire protection facilities, courts of justice, sewage treatment facilities, and government offices.

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, transportation or water.

Racetrack: A course where animals or machines are entered in competition against one another or against time.

Recreational Vehicle: A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle.

Restaurant, Class 1: A restaurant whose principal method of operation includes one or more 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.
- b. a cafeteria-type operation where food and beverage are consumed within a building.
- c. customers are served by a delivery service by the restaurant to the customer at another location.
- d. customers are served from a counter for consumption by the customer off-site, commonly referred to "take out."

Restaurant, Class 2: A restaurant whose principal method of operation includes one or both of the following characteristics:

- a. customers are served from a drive-through window in motor vehicles, commonly referred to as a "drive-through."
- b. customers are served by a delivery service from the restaurant building to the customer in the customer's vehicle other than by a drive-through window, for consumption in the vehicle on the restaurant property, commonly referred to as a "drive-in."

Retreat Center: A facility used for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing and recreation for participants during the period of the retreat, and where individual sleeping quarters do not include kitchen facilities. This term shall not apply to facilities utilized by the general public for meals or overnight accommodations.

Right-of-Way: A public or private road 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.

Right-of-Way Line: The legal line of demarcation between a right-of-way and abutting land.

Road: A thoroughfare that affords the principal means of access to abutting property. The term "road" also includes the term "street."

1. Private Road: A private way or means of approach which meets the requirements of this Ordinance to provide access to two (2) or more lots, and which is constructed and maintained by the owner or owners and is not dedicated for general public use.
2. Public Road: Any public thoroughfare dedicated and maintained for the use and operation of vehicular traffic by the Calhoun County Road Commission.

Setback: The minimum horizontal distance a building or structure, or any portion thereof, or use, is required to be located from the boundaries a lot line of the lot upon which the same is situated, except where a different point of measurement may be specified by this Ordinance.

Shooting Range: An outdoor facility designed for and devoted to the shooting of firearms or archery equipment, including what are commonly referred to as a gun club, hunt club, sportsman club, rifle range, pistol range, trap/skeet range, sporting clay range, and archery range. The private use of a lot by its owner for the shooting of firearms or archery equipment shall not be construed to be a shooting range.

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or other representation, or combination thereof, which is located upon any land or on any building or structure and is visible from a public road or other properties, and is used to announce, direct attention to, or advertise, such as the designation of an individual, a firm, an association, a profession, a business, a service, or a commodity or product.

Site or Plot 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. A site plan contains more comprehensive and detailed information about improvements proposed on the site than does a plot plan because of the more complex nature of land uses required to receive site plan approval, such as business, industrial, and multiple family developments.

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Solid Waste: Garbage, rubbish, paper, cardboard, metal containers, yard clippings, wood, glass, bedding, crockery, demolished building materials, ashes, incinerator residue, street cleaning, municipal and industrial sludges, and solid commercial and solid industrial waste, animal waste, but does not include human body waste, liquid or other waste regulated by statute, ferrous or non-ferrous scrap directed to a scrap metal processor or a reuser of ferrous or non-ferrous products, and slag or slag products directed to a slag processor or to a reuser of slag or slag products.

Solid Waste Disposal Area: Those methods that are described in Public Acts 641 of 1978 for the disposing and/or treatment of solid waste.

Special Land Use: Uses and structures which are generally accepted as reasonably compatible with the primary uses and structures permitted in a District, but could present potential injurious effects upon the primary uses and structures within the District or are otherwise unique in character, and therefore require special consideration in relation to the welfare of adjacent properties and to the Township as a whole. All such uses are subject to a public hearing. A special land use may also be referred to as a special exception use.”

State Construction Code: Michigan Law governing the construction, alteration, demolition, moving, occupancy, and use of buildings and structures. Specifically, Act 230 of the Public Acts of 1972, as amended.

Stable, Commercial: A facility where, for remuneration, twelve (12) or more horses are bred, reared, trained and/or boarded. The phrase “commercial stable” shall also apply to any facility characterized by a gathering of more than fifty (50) persons for the purpose of attending and/or participating in a horse show or exhibit.

Stop Work Order: An administrative order which is either posted on the property or mailed to the property owner which directs a person not to continue, or not to allow the continuation of an activity which is in violation of this Ordinance.

Story: That portion of a building that is included between the surface of any floor and the surface of the floor immediately above it or, if there is no floor immediately above it, the space between the floor and ceiling immediately above it. A basement, as defined in this Ordinance, shall not be considered a story.

Street: See “Road.”

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

Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having such location on the ground including but not limited to all buildings, independently supported decks, satellite dishes and free-standing signs; excepting anything lawfully in a public right-of-way including but not limited to utility poles, sewage pumping stations, utility manholes, fire hydrants, electric transformers, telephone boxes, and related public facilities and utilities defined as essential public services. Fences shall not be considered as “structures,” but shall comply with all applicable standards of this Ordinance.

Swimming Pool: Any permanent, non-portable structure located either above or below grade designed to hold water to a depth of greater than twenty-four (24) inches, intended for swimming or bathing. A swimming pool shall be classified as a structure.

Township Engineer: The licensed staff engineer of the Township or a licensed engineer the Township may hire from time to time as needed.

Use: The purpose for which land or a building is arranged, designed or intended, or for which land or a building may be occupied.

Variance: A variance is a modification of the literal provisions of the Zoning Ordinance where such variance will not be contrary to the public interest and will mitigate an otherwise practical difficulty, and the issuance of which is based upon standards in this Ordinance. See Article XVII.

Vehicle/Car Wash: A facility designed and used for the washing of one (1) or more vehicles, irrespective of whether the washing process is automated or performed manually.

Vehicle Repair Shop: A facility for the purpose of rebuilding or reconditioning of motor vehicles, collision service such as body, frame and fender repair, and painting.

Veterinary Clinic: An establishment which is licensed by the State of Michigan to provide for the care, diagnosis, and treatment of sick or injured animals, including those in need of medical or surgical attention, and may include support facilities such as laboratories, offices, and fully enclosed pens or cages for the overnight boarding of animals receiving medical treatment, and accessory retail sales.

Wireless communication tower: A relay structure, including both antenna and structural supports, attached directly to the ground or to another structure, used for the transmission or reception of radio, television, telephone, microwave, or any other form of telecommunications signals. Not included within this definition are: citizen band radio facilities; short wave receiving facilities; federally licensed amateur (ham) radio facilities; satellite dishes; and governmental facilities which are subject to state or federal law or regulations that preempt municipal regulatory authority.

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Yard: An open space, on the same lot with a principal building, unoccupied and unobstructed from the ground upward by a building or structure, except as otherwise permitted in this Ordinance and as further defined below (see Figure 24-3 at end of this Article):

- a. **Front Yard:** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the principal building or use. A corner lot has a front yard along each road side.
- b. **Rear Yard:** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal building or use. In the case of corner lots, there shall only be one rear yard.
- c. **Side Yard:** An open space between the principal building or use and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the principal building or use. In the case of a corner lot, there shall only be one side yard.

Zoning Administrator: The principal authorized individual charged with the responsibility of administering this Ordinance including the issuance of zoning permits, and appointed by the Township Board of Trustees.

Zoning District: See "District".

Zoning Permit: A permit signifying compliance with the provisions of this Ordinance and issued by the Zoning Administrator upon approval of a proposed land use or development plan by the designated approving body.

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