

ARTICLE 2

DEFINITIONS

SECTION 2.01 INTERPRETATION

For the purpose of this ordinance, certain terms or words shall be interpreted as follows:

- A. The word "person" includes a firm, association, organization, partnership, trust, corporation, company, or individual.
- B. The present tense includes the future tense, the singular number includes the plural and the plural number includes the singular.
- C. The word "shall" is mandatory, the word "may" is permissive. The words "used" or "occupied" include "intended", "designed", or "arranged to be used or occupied".
- D. Words used in the masculine gender include the feminine and neuter.
- E. The word "lot" includes the words "plot" or "parcel".
- F. Any word or term not defined herein shall have the meaning of common or standard use that is reasonable for the context in which used herein.

SECTION 2.02 DEFINITIONS

ACCESSORY STRUCTURE, BUILDING OR USE

- A. **ACCESSORY BUILDING OR USE THEREOF:** A detached, subordinate building, the use of which is clearly incidental and related to that of the principal building or use of the lot, and which is located on the same lot as the principal building or use. (Amended by ord. no 166-2012-07 eff. 2-22-12).
- B. **ACCESSORY STRUCTURE:** A detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land, and which is located on the same lot as that of the principal structure or use.
- C. **ACCESSORY USE:** A subordinate use, clearly incidental and related to the principal structure, building or use of land, and located on the same lot as that of the principal structure building or use.

ALLEY: A public or private right-of-way which is not designed for general travel and affords only a secondary means of access to abutting property, and which is not more than thirty-three (33) feet wide.

DEFINITIONS

2.02 Cont.

ALTERATION: Any structural change in the supporting or load bearing member of a building, such as bearing walls, columns, beams, girders, or floor joists.

APARTMENT: A suite of rooms or a room in a multiple-family building arranged and intended for a place of residence of a single-family or group of individuals living together as a single housekeeping unit.

AUTOMOBILE SERVICE STATION: Structures and premises used or designed to be used for the retail sale of fuels, lubricants, or grease, and other operating commodities for motor vehicles, including the customary space and facilities for the installation of such commodities; and including space for temporary minor repair, or servicing such as polishing, washing, cleaning, greasing, and the sale of food and/or groceries, but not including bumping, painting, or refinishing thereof.

BASEMENT: A story of a building having part but not more than one-half its height above grade.

BED AND BREAKFAST OPERATION: A use that is subordinate to the principal use of a structure as a single family detached dwelling unit, in which transient guests are provided with sleeping rooms and limited breakfast meals on a short term basis, in return for payments. (See regulation in Section 5.10 herein).

BILLBOARD: (OUTDOOR ADVERTISING SIGNS) See Section 6.08 of this Ordinance.

BOARDING HOUSE/ROOMING HOUSE: A dwelling where meals and/or lodging are provided for compensation to persons by pre-arrangement.

BODY OF WATER: Any waterway or any body of water having well defined banks, including rivers, streams, creeks, and brooks, whether continuing or intermittently flowing, and lakes and ponds. The boundary of a body of water shall be determined by a reference to the ordinary high water mark of the body of water established by reference to United States Geodesic Datum, Washtenaw County Drain Commissioner's Records, natural vegetation, and any other historical reference.

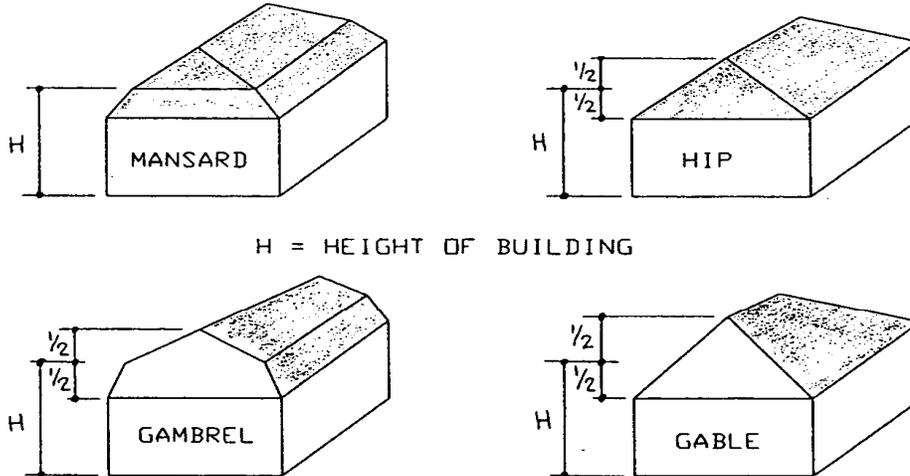
BUILDING: An enclosed structure having a roof supported by columns, walls or other devices and used for housing, shelter, or enclosure of persons, animals, or chattels.

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,

DEFINITIONS

2.02 Cont.

and gambrel roofs. Where a building is located on sloping terrain, the height shall be measured from the average ground level of the grade at the building wall. The drawings below are illustrative of this definition and are part thereof.



BUILDING LINE: The minimum distance required by this Ordinance between a structure's location and a property line.

BUILDING, PRINCIPAL: A building which houses the main use or uses of the lot on which said building is located.

CEMETERY: Land used or intended to be used for burial of the human dead and dedicated for such purposes. Cemeteries include accessory columbaria and mausoleums, but exclude crematories.

CLINIC: An establishment where human patients are examined and treated by one or more physicians, dentists, or similar professions. A clinic shall not include overnight room or boarding facilities.

COMMERCIAL TRAILER: A trailer or vehicle without motive power designed to be drawn by a motor vehicle or commercial vehicle, and constructed or used for transportation of goods, materials or merchandise.

COMMERCIAL VEHICLE: Any motor vehicle which is used for the transportation of passengers for hire or which is

DEFINITIONS

2.02 Cont.

constructed or used for the transportation of goods, materials or merchandise, or which is designed and used for towing other trailers or vehicles.

CONDOMINIUM

- A. **Condominium Act** - Act 59, Public Acts of 1978, as amended.
- B. **Condominium Documents** - The master deed, recorded pursuant to the Condominium Act, and any other instrument referred to in the master deed or bylaws which affects the rights and obligations of a co-owner in the condominium.
- C. **Condominium Lot** - The land in a condominium unit, together with the land in the adjacent and appurtenant limited common elements, if there is such a limited common element.
- D. **Condominium Subdivision Plan** - The drawings and information prepared in accordance with Section 66 of the Condominium Act.
- E. **Condominium Unit** - The portion of a condominium project designed and intended for separate ownership and use, as described in the master deed.
- F. **Consolidating Master Deed** - The final amended master deed for a contractible or expandable condominium project, or a condominium project containing convertible land or convertible space, which final amended master deed fully describes the condominium project as completed.
- G. **Contractible Condominium** - A condominium project from which any portion of the submitted land or buildings may be withdrawn in accordance with this Ordinance and the Condominium Act.
- H. **Conversion Condominium** - A condominium project containing condominium units some or all of which were occupied before the filing of a notice of taking reservations under Section 7 of the Condominium Act.
- I. **Expandable Condominium** - A condominium project to which additional land may be added in accordance with this Ordinance and the Condominium Act.
- J. **Master Deed** - The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan for the project, and all other information required by Section

DEFINITIONS

2.02 Cont.

8 of the Condominium Act.

- K. Notice Of Proposed Action** - The notice required by Section 71 of the Condominium Act, to be filed with City of Chelsea and other agencies.
- L. Site Condominium** - A condominium development containing residential, commercial, office, industrial, or other structures or improvements for uses permitted in the zoning district in which located, in which each co-owner owns exclusive rights to a volume of space within which a structure or structures may be constructed, herein defined as a condominium unit, as described in the master deed.

DAY CARE FACILITY: A facility for the care of children under 18 years of age, as licensed and regulated by the State under Public Act 116 of 1973 and the associated rules of the State Department of Social Services. Such organizations are further defined as follows:

- A. Family Day Care Home** - means a private home in which one but not more than 6 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. It includes a home that gives care to an unrelated child for more than 4 weeks during a calendar year.
- B. Group Day Care Home** - means a private home in which more than 6 but not more than 12 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 the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than 4 weeks during a calendar year.
- C. Child Care Center** - means a facility, other than a private residence, receiving more than 6 pre-school or school age children for group care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative pre-school, play group, or drop-in center. Child care center does not include a Sunday school conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while

DEFINITIONS

2.02 Cont.

persons responsible for such children are attending religious services.

DAY CARE HOME: An occupied dwelling unit in which day care is provided for persons unrelated by blood or marriage. Such unit shall be limited to eight (8) or fewer persons including the persons living in the home, and shall meet the requirements for licensing by the State of Michigan.

DRIVE-IN RESTAURANT: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready to consume state, and whose design or method or operation includes one or both of the following characteristics:

1. Foods, frozen desserts, or beverages are served directly to the customer in a motor vehicle either by a carhop or by other means which eliminate the need for the customer to exit the motor vehicle.
2. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building, is allowed, encouraged, or permitted.

DWELLING UNIT: One room or rooms connected together, constituting a separate, independent housekeeping unit for owner occupancy or rental or lease, and physically separated from any other rooms or dwelling units which might be located within the same structure. A dwelling unit shall contain independent kitchen, bathroom, sleeping, and living facilities, and shall be designed for and occupied by one (1) family only.

DWELLING - SINGLE FAMILY: A detached building, including a mobile home, designed for or occupied as one (1) dwelling unit with common cooking and utilities.

DWELLING - TWO-FAMILY: A detached building, not including a mobile home, designed for or occupied as two (2) dwelling units, with separate cooking and utilities for each unit.

DWELLING - MULTIPLE FAMILY: A building, not including a mobile home, designed for or occupied as three (3) or more dwelling units with separate cooking and utility facilities for each.

EASEMENT: Any private or dedicated public way other than a street or alley, providing a secondary means of access to a property having a width of not less than twenty (20) feet.

DEFINITIONS

2.02 Cont.

ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance by public utilities or municipal departments, commissions, or boards, of underground, surface, or overhead gas, electric, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals or signs, and fire hydrants, and other similar equipment and accessories in connection therewith.

FAMILY: An individual or group of two (2) or more persons related by blood, marriage, or adoption, including domestic employees, together with not more than two (2) additional persons not related by blood, marriage, or adoption, living together as a single housekeeping unit. A family shall also be defined as not more than two (2) persons living together as a single housekeeping unit who are not related by blood, marriage or adoption.

FENCE: Any constructed or planted barrier, or structure of any material, or combination of materials, or gate or berm erected as a dividing marker, barrier, or enclosure on any parcel or lot within the City limits.

FLOOR AREA: The area of any floor of a building measured from the outside face of exterior walls.

GROUND FLOOR AREA: The area of the floor located at ground level.

TOTAL FLOOR AREA: The sum of the areas of all floors of all buildings on a lot. Basements, attic storage areas, balconies, porches and uncovered decks shall be excluded. All measurements shall be from the outside face of exterior walls.

FLOOR AREA RATIO: The total floor area of all the buildings on a lot divided by the lot area.

GOVERNMENT OR COMMUNITY-OWNED BUILDINGS: A building or buildings which shall serve as essential services and safety of the community, but shall not serve as a residential facility.

HOME OCCUPATION: An accessory use of a dwelling unit for gainful employment involving the sale of goods and or services.

HOTEL/MOTEL: A building containing guest rooms in which lodging is provided, with or without meals, for compensation and which is open to transient or permanent guests, or both, and where no provision is made for cooking in any guest room.

DEFINITIONS

2.02 Cont.

IMPERVIOUS AREA: The sum of all impervious areas on a lot.

IMPERVIOUS AREA RATIO: The impervious area on a lot divided by the lot area.

JUNKYARD: A structure or parcel of land where junk, waste, discarded, salvage, or similar materials such as old iron or other metal, wood, lumber, glass, paper, rags, cloth, leather, rubber, bagging, cording, barrels, containers, etc., are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto wrecking yards, inoperative machines, used lumber yards, house wrecking, and structural steel materials, and equipment and including establishments for sale, purchase, or storage of salvaged machinery and processing of used, discarded, or salvage materials, for any thirty (30) consecutive days.

KENNEL: Any lot or premises on which three (3) or more dogs, four (4) months old or more are confined either permanently or temporarily.

LOT: A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area; and to provide such yards and other open spaces as herein required. Such lot may consist of a single lot of record; a portion of a lot of record; a combination of contiguous lots of record, or contiguous portions of lots of record; or a parcel of land described by metes and bounds.

LOT AREA: The area within the lines of a lot as defined preceding. A lot area shall not include any land in a stream, wetland or covered by a body of water, or any portion in a road or street right of way.

LOT-CORNER/ (CORNER LOT): A parcel of land at the junction of and fronting or abutting on two or more intersecting streets.

LOT COVERAGE: The ground floor area of all buildings on the lot divided by the lot area.

LOT DEPTH: The horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

LOT OF RECORD: A lot which is part of a subdivision and is shown on a map which has been recorded in the Office of the Register of Deeds of Washtenaw County, or a lot described by metes and bounds, the deed to which has been recorded in said office.

LOT-THROUGH (DOUBLE FRONTAGE): An interior lot having frontage on two parallel or approximately parallel streets.

DEFINITIONS

2.02 Cont.

LOT WIDTH: Lot Width shall be measured as follows:

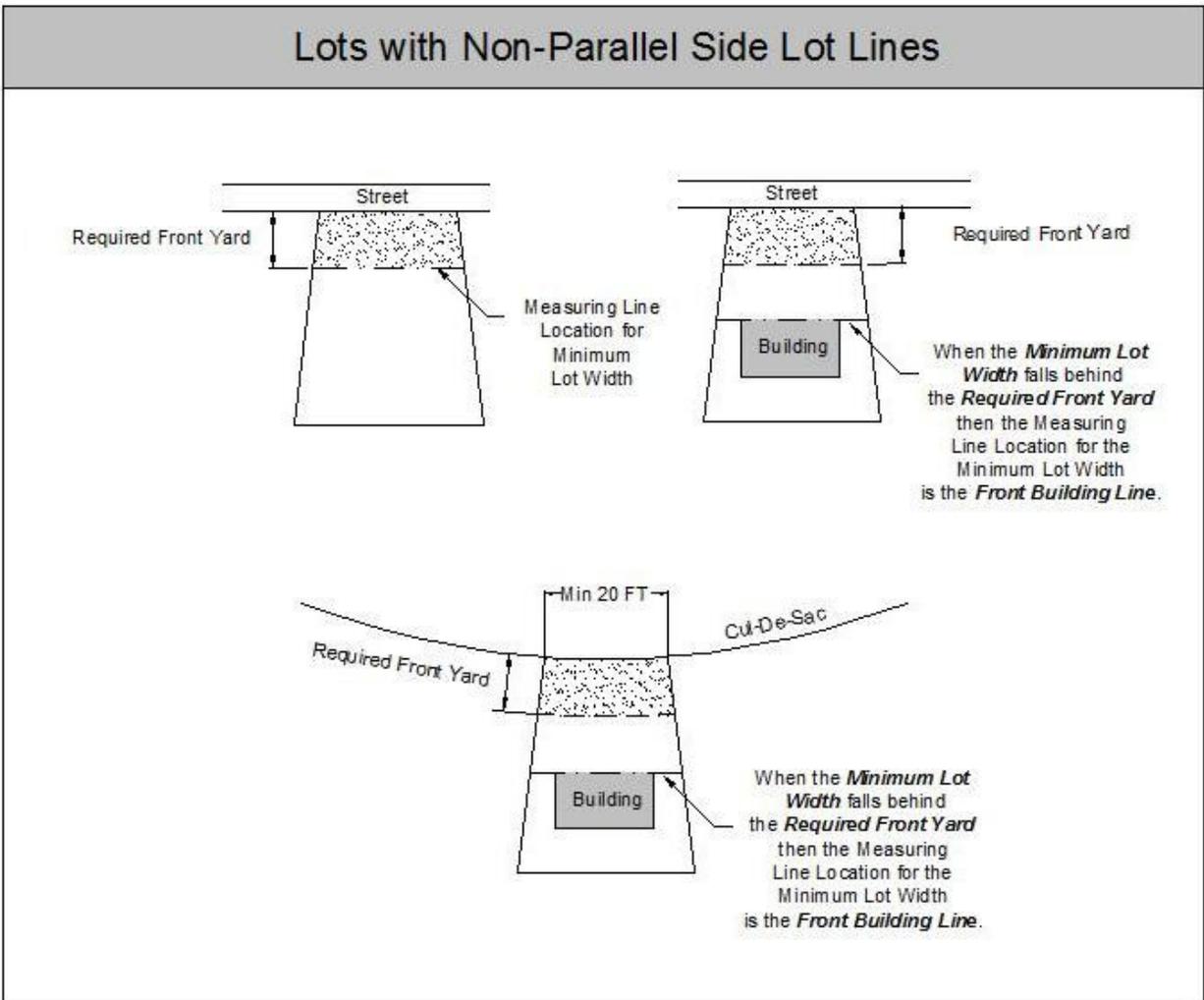
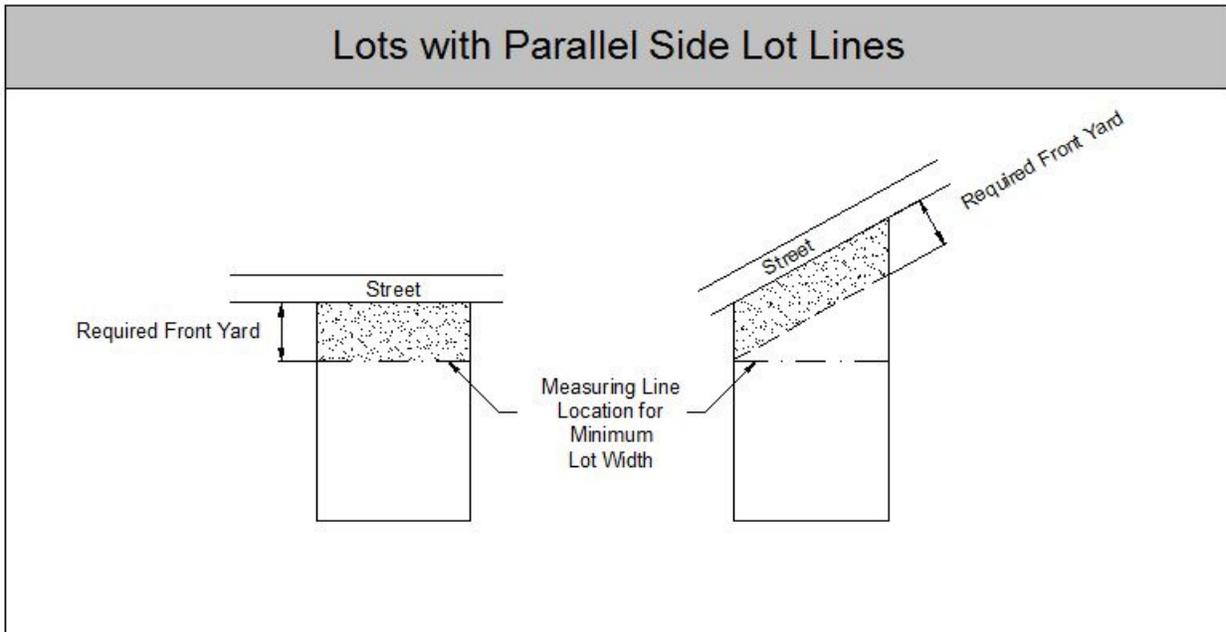
- A. Lots with Parallel Side Lot Lines** - The required width shall be measured on a straight line which is perpendicular to the side lot lines. No part of such measuring line shall be closer to the front property line than the depth of the required front yard.
- B. Lots with Non-Parallel Side Lot Lines** - The required lot width shall be measured on a straight line, which shall be a measuring line, which is parallel to a straight line which connects the side lot lines where they intersect the front property line. The measuring line shall be located at least the distance of the required front yard from the front property line. If the measuring line is located behind the rear line of the required front yard, the measuring line shall be the front building line.

The required minimum straight-line distance between the side lot lines where they intersect the front property lines shall be determined as follows:

1. For all lots not located on a turning circle of a cul-de-sac street, said distance shall not be less than eighty (80) percent of the required lot width.
2. For lots located on a turning circle of a cul-de-sac street said distance shall be at least twenty (20) feet. (See diagram on next page)

DEFINITIONS

2.02 Cont.



DEFINITIONS

2.02 Cont.

MOBILE HOME: (MANUFACTURED HOME) A structure, transportable in one or more sections, that is built on a chassis and designed to be used as a dwelling with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. Mobile home shall not include a recreational vehicle.

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

MOBILE HOME SITE: The entire area in a mobile home park that is designed for use by a specific mobile home.

RECREATIONAL VEHICLE: A vehicle designed and intended for temporary occupancy during leisure time/recreation activities, either self-propelled or designed to be carried on the chassis of another vehicle or pulled by a vehicle. Such unit shall not exceed eight (8) feet in width and shall not be designed or intended for full-time residential occupancy. The term recreational vehicle shall include among others, such commonly named vehicles as travel trailer, travel camper, pick-up camper, tent camper and motor home.

SETBACK: See definition of yards.

SIGN: See Section 6.02 of this Zoning Ordinance.

SIGN AREA: See Section 6.02 of this Zoning Ordinance.

SPECIAL USE: A use that would be detrimental to other uses permitted in the same zoning district unless carefully controlled as to number, area, size, exterior design and location or relation to the adjacent properties and to the neighborhood.

STREET: A public or private thoroughfare which affords the principal means of access to abutting property having a right-of-way not less than sixty six (66) feet wide.

STRUCTURE: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures shall include buildings, mobile homes, walls, billboards, signs and towers.

VARIANCE: A variance is a relaxation of regulations of the

DEFINITIONS

2.02 Cont.

zoning ordinance with respect to a specific lot, where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the ordinance would result in unnecessary hardship or practical difficulty.

YARD, FRONT: An open, unoccupied spaced extending the full width of the lot between the front lot line and the nearest line of the principal building on the lot.

YARD, FRONT - REQUIRED: The minimum required yard extending the full width of the lot and situated between the front line and the front building line, parallel to the street line. The depth of the required front yard shall be measured at right angles to the street line, in the case of a straight-line street, and radial to the street line, in the case of a curved street line.

YARD, REAR: An open, unoccupied space extending the full width of the lot between the rear line of the lot and the rear line of the principal building on the lot.

YARD, REAR - REQUIRED: The minimum required yard extending the full width of the lot and situated between a rear property line and the rear building line, parallel to the rear property line. The depth of the required rear yard shall be measured at right angles to the rear property line.

YARD, SIDE: An open, unoccupied space on the same lot with the principal building, between the side line of the principal building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard, and if no front yard is required.

YARD, SIDE - REQUIRED: The minimum required yard extending between the front and rear building lines and situated between a side property line and the side building line, parallel to the side property line. The width of the required side yard shall be measured at right angles to the side property line.