

L Definitions

LANDSCAPE SCREEN is a greenbelt used to filter or block the internal views of a site, or site feature, from the public right-of-way or adjoining properties. A landscape screen may also function as a transitional buffer between land uses and/or adjoining parcels. [Refer to **GREENBELT**].

LOADING SPACE is an off-street space on the same lot with a building, or group of buildings, for the temporary parking of a vehicle while loading and unloading people, merchandise, or material.

LOT is a parcel of land separated from other parcels of land by description on a recorded plat or by metes and bounds description, including a condominium unit site in a site condominium subdivision; having frontage upon a public or private street and having sufficient size to comply with the requirements of the Ordinance for minimum area, setbacks, coverage, and open space. A lot shall be specifically designated as part of the public record. (See Figure 2-5).

LOT AREA is the total horizontal area included within lot lines. Where the front lot line is the centerline of a public or private street, the lot area shall not include that part which is in the public right-of-way or governed by easement.

LOT, CORNER is a lot where the interior angle of two adjacent sides at the intersection of two streets is less than one hundred and thirty five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the curve is of less radius than one hundred and fifty (150) feet, and tangents to the curve, at the two points where the side lot lines meet the curve, form an interior angle of less than one hundred and thirty five (135) degrees. (See Figure 2-5)

LOT COVERAGE is the percent of a lot occupied by buildings or structures.

LOT DEPTH is the arithmetic average of the shortest and longest distances from the front lot line to the rear lot line.

LOT, DOUBLE FRONTAGE (THROUGH LOT) is a lot, other than a corner lot, having frontage on two (2) more or less parallel streets. In the case of a row of double frontage lots, one (1) street shall be designated as the front street for all lots in the plat (see Figure 2-5). If there are



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existing buildings in the same block fronting on one or both of the streets, the required minimum front yard setback shall be observed on those streets where buildings presently front. [Refer to **LOT, WATERFRONT**].

LOT, FLAG is a lot so called due to its resemblance to that of a flag (flag shape). The street frontage of a flag lot, and width, are undersized and nonconforming (this being referred to as the “pole” portion of the flag lot). Eventually, the width of the interior portion of the lot expands to a size which normally equals or exceeds lot width requirements (this is the “flag” portion of the lot). [Ordinance No. 283, 10/6/14]

LOT FRONTAGE is the length of the front lot line.

LOT, INTERIOR is a lot other than a corner lot or double frontage lot having only one lot line fronting on a street (see Figure 2-5).

LOT LINE is the line bounding a lot or parcel.

LOT LINES [Refer also to definitions of **REQUIRED SETBACKS** and **YARDS**] (See Figure 2-6)

- a) **Front lot line:** In the case of an interior lot, abutting upon one (1) public or private street, the front lot line shall mean the line separating the lot from the street right-of-way. [Refer also to Paragraph d), following.]
- b) **Rear lot line:** That lot line which is opposite and most distant from the front lot line. In the case of an irregular or triangular shaped lot, a line at least ten (10) feet in length, entirely within the lot, and generally parallel to and most distant from the front lot line.
- c) **Side lot line:** Any lot line not a front or rear lot line. A side lot line separating a lot from a public or private 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. (See definition of **Required Setback**.)
- d) **Building Orientation for Lots with Multiple Street Frontage or Flag Lots** - [Refer also to **SETBACK, REQUIRED**] - In the case of a lot fronting on public or private right-of-way on two or more sides, flag lots or other cases in which the above definitions do not apply, the Zoning Administrator shall designate front, rear, and side lot lines for building and fence orientation purposes, based on the following considerations:

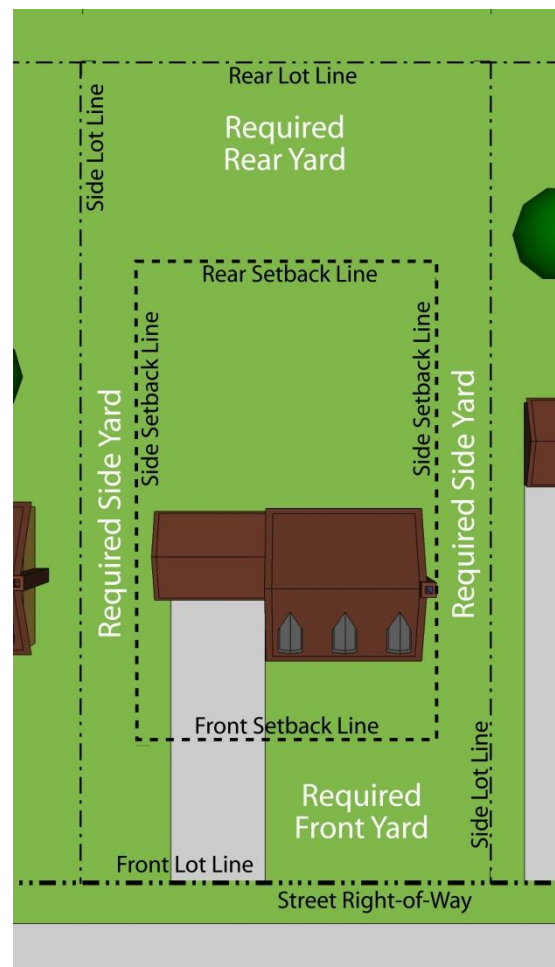


Figure Error! No text of specified style in document.-6: Lot Lines

- 1) Location and orientation of existing or proposed buildings on the lot in question in relation to existing buildings on properties in the same general neighborhood.
- 2) Location and impact of existing vegetation, water, or other natural features affecting the location of buildings or structures on the lot in question.

[Ordinance No. 283, 10/6/14]

LOT, NONCONFORMING is a lot of record which does not meet the dimensional requirements of this Ordinance.

LOT OF RECORD is any parcel of land, the dimensions of which are shown on a document or map on file with the Ottawa County Register of Deeds records as of the date of adoption of this Ordinance or any relevant amendment thereto which would affect the subject lot, which actually exists as shown or any part of a parcel held in record ownership separate from that of the remainder.

LOT, THROUGH (also called a double frontage lot) is an interior lot having frontage on two (2) more or less parallel streets.

LOT, WATERFRONT is a lot with one or more of its lot lines adjoining a stream, river, or lake. [Ordinance No. 273, 12/19/11]

LOT WIDTH is the horizontal distance between side lot lines measured parallel to the front lot line at the front lot line and at the required front setback line. For lots fronting on a cul-de-sac, lot width shall mean the horizontal distance between side lot lines measured parallel to the front lot line at the at the required front setback line. See **SETBACK LINE**.

M Definitions

MANUFACTURED HOME is a mobile home, residential building, dwelling unit, dwelling room or rooms, or a building component which is designed for long-term residential use and is wholly or substantially constructed at an off-site location, transported to a site, and erected. [Refer also to Section 3.200, **Standards Applicable to Single-Family Dwellings.**]

MANUFACTURED HOME PARK (MOBILE HOME PARK) is a parcel or tract of land under the control of a person upon which three (3) or more manufactured 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 incident to the occupancy of a manufactured home. [Refer to Section 3.200, **Standards Applicable to Single-Family Dwellings.**]

MANUFACTURED (MOBILE) HOME SUBDIVISION is a platted or site condominium residential development consisting of manufactured or mobile homes located on individual,

separately-owned lots or condominium units. [Refer to Section 3.200, **Standards Applicable to Single-Family Dwellings.**]

MAP - Refer to **ZONING MAP**.

MASSAGE is the rubbing or kneading of body parts, usually with the hands, in order to stimulate circulation and make muscles or joints supple and/or to relieve tension. Massage shall not include any touching or other stimulation of male or female genitals or female breasts. Massage does not preclude necessary medical treatments performed on any part of the human body if carried out by, or under the direction of, medical practitioners including physicians, chiropractors, and associated medical professionals licensed by the State of Michigan.

MASSAGE CLINIC (Not to include Adult Massage Parlor) is an establishment where for any form of consideration or gratuity, massage services are provided by a licensed medical practitioner including physicians, chiropractors, or persons under the direction of a licensed medical practitioner, and massage therapists who are certified members of the American Massage Therapy Association, International Myomassethics Federation, or any other recognized massage association with equivalent professional membership standards.

MASTER DEED, AND CONSOLIDATING MASTER DEED - (See **CONDOMINIUM, MASTER DEED**).

MASTER PLAN shall refer to the **City of Ferrysburg Master Plan** adopted by the City according to the Michigan Planning Enabling Act (Act 33 of 2008). and shall include any amendments or updates thereto. [Ord. No. 265, 10/4/2010]

MEDICAL CLINIC is an establishment where human patients are admitted for examination and treatment by a group of physicians, dentists, chiropractors, or similar professionals on an out-patient basis. A medical clinic may incorporate customary laboratories and pharmacies necessary or incidental to its operation.

MINI-WAREHOUSE (SELF STORAGE WAREHOUSE) is a building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers strictly for the in-door storage of a customer's non-hazardous goods or wares.

MOBILE HOME is 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 system contained in the structure. Mobile home does not include a recreational vehicle or motor home. For purposes of this Ordinance, those structures which are called variously "modular" or "prefabricated", and are preconstructed in some other location and transported to the housing site, but are built under the standards of a national building code, referred to in the Michigan State Construction Code, under Act 230 of the P.A. of 1972, are not included in this definition of mobile home. Such "modular" and "prefabricated" housing, however, shall meet

the general housing standards of this Ordinance and other applicable City codes and ordinances. [Refer to Section 3.200, **Standards Applicable to Single-Family Dwellings.**]

MOBILE HOME PARK- Refer to **MANUFACTURED HOME PARK.**

MOBILE HOME SITE OR SPACE is a portion of the mobile home park set aside and clearly designated for use by a specific mobile home.

MODULAR HOUSING UNIT (PREFABRICATED) is 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 dwelling unit, and meeting all codes and regulations applicable to conventional single-family home construction. [Refer to **Section 3.200, Standards Applicable to Single-Family Dwellings.**]

MOTEL (MOTOR COURT) is a series of attached, semi-detached, or detached rental units each containing a bedroom, bathroom, and closet space in which transient, overnight, lodging or boarding are offered to the public for compensation. The design of a motel is oriented to the public traveling by motor vehicle with individual sleeping rooms exiting directly to the outside with patron parking located at or near each room exit. A motel may contain restaurants, gift and specialty shops, and lounges provided these uses are clearly accessory to the motel.

MOTOR HOME is a self-propelled, licensed vehicle prefabricated on its own chassis, intended for recreational activities and temporary occupancy.

MUNICIPAL PARK [Refer to **PUBLIC PARK**] is a park owned and/or operated by the City of Ferrysburg, Ottawa County, or other governmental entity.

N Definitions

NON-CONFORMING USE is the use of a building or of land lawfully existing at the time this Ordinance, or amendments thereto, became effective but which does not conform with the use regulations of the district in which it is located.

NON-CONFORMING LOT OF RECORD (SUBSTANDARD LOT) is a lot lawfully existing at the time this Ordinance, or amendments thereto, became effective and which fails to meet the minimum area requirements of the zoning district in which it is located.

NON-CONFORMING STRUCTURE is a structure, or portion thereof, lawfully existing at the time this Ordinance, or amendments thereto, became effective and which fails to meet the minimum requirements of the zoning district in which it is located.

NURSERY, PLANT MATERIAL (See **GARDEN CENTER**)

O Definitions

OBSCURING SCREEN is a visual barrier between adjacent areas or uses. The screen may consist of structures, such as a wall or fence, or living plant material. [Refer to **LANDSCAPE SCREEN** and **GREENBELT**].

OCCUPANCY LOAD is the number of individuals who may safely occupy a building or structure based on the Building Code Standards of the City of Ferrysburg.

OCCUPIED includes the terms arranged, designed, built, altered, converted to, rented, leased, or intended to be inhabited; not necessarily for dwelling purposes.

OFFSET is the distance between the centerline of driveways or streets across the street from one another.

OFF-STREET PARKING LOT is a facility providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, so as to provide safe and efficient access for entrance and exit for the parking of more than two (2) vehicles, provided, however, a driveway serving a single-family detached dwelling or duplex which is capable of holding more than two (2) vehicles shall not be considered an off-street parking lot.

OPEN AIR BUSINESS is a retail sales establishment operated substantially in the open air (out of doors).

ORDINARY HIGH WATER MARK is the line between upland and bottom land 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 markedly distinct from the upland and is apparent in the soil itself, the configuration of the surface soil, and the vegetation.

OUTDOOR FURNACES: Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. [Ordinance No. 223, 6/6/05]

OUTDOOR RECREATION ESTABLISHMENT is a privately owned facility designed and equipped for the conduct of sports, amusement, or leisure time activities and other customary recreational activities outdoors (outside of an enclosed building) and operated as a business and open for use by the public and/or through membership, including guests thereof. Outdoor recreational activities include, but are not necessarily limited to, tennis courts, archery ranges, golf courses, miniature golf courses, golf driving ranges, marinas, and children's amusement parks. A user fee may or may not be charged.

P Definitions

PAD is the disturbed or leveled area on the slope of a dune upon which a portion of a structure exists. The term includes the areas adjacent to the structure itself used for walkways, driveways, and other features.

PARAPET WALL is an extension of a building wall above the roof which may serve to screen roof-mounted mechanical equipment.

PARCEL is a lot described by metes and bounds or described in a recorded plat.

PARKING SPACE (AREA) is a designated stall, open or enclosed, for parking of motor vehicles.

PLANNED UNIT DEVELOPMENT (PUD) is a form of land development comprehensively planned as an entity via a unitary site plan which permits flexibility in building, siting, usable open spaces, and the preservation of significant natural features. A planned unit development may contain a single type of use or mix of uses if provided for by the underlying zone district.

PLANNING COMMISSION is the City of Ferrysburg Planning Commission as duly created under Act 33 of the Public Acts of 2008, as amended. By official action of the City Council of the City of Ferrysburg, the powers and duties of the Zoning Board/Commission, as delineated under Act 110 of the Michigan Public Acts of 2006, as amended, have been transferred to the Planning Commission. [Ordinance No. 265, 10/4/2010]

PLAT is a map of a subdivision of land.

PONDS AND LAKES are natural or artificial impoundments that retain water year round.

PRINCIPAL BUILDING OR STRUCTURE is a building or structure in which is conducted the principal use of the lot upon which it is situated.

PRINCIPAL USE is the main use to which the premises are devoted and the principal purpose for which the premises exist.

PRINCIPAL USE PERMITTED is a use permitted in each zoning district by right.

PRIVATE CLUB is an organization of persons for special purposes or for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit.

PRIVATE STREET is any street, road or thoroughfare for vehicular traffic which is privately owned and maintained and which provides the principal means of access to abutting properties. A private street shall meet the design and construction standards of the City of Ferrysburg.

PUBLIC AND SEMI-PUBLIC INSTITUTIONAL BUILDINGS, STRUCTURES AND USES are buildings, structures, and uses of governmental agencies and non-profit organizations including but not limited to office buildings, municipal parking lots, post offices, libraries, and community centers. [Refer to **INSTITUTIONAL USES**.]

PUBLIC OPEN SPACE is any primarily undeveloped land, intended for passive recreational pursuits, within the jurisdiction and control of a governmental agency.

PUBLIC PARK [Refer also to **MUNICIPAL PARK**] is any undeveloped park, natural area, or parcel used for passive recreational purposes [e.g. hiking, nature photography, etc.] and any developed park; playground; beach; outdoor swimming pool; and, other facilities intended for active recreational pursuits, within the jurisdiction and control of a governmental agency.

PUBLIC PARKING AREA is an open area, other than a street or other public way used for the parking of automobiles and available for public use whether for a fee, free, or as an accommodation for clients or customers.

PUBLIC STREET is a public thoroughfare which affords the principal means of access to abutting property.

PUBLIC UTILITY is any person, municipal department, board or commission duly authorized to furnish and furnishing under state or municipal regulations to the public: gas; steam; electricity; sewage disposal; land line telephone service, telegraph, and cable; transportation; or, water. Commercial wireless telecommunication service facilities shall not be considered public utility uses, and are defined separately.

Q Definitions

Reserved for future use.

R Definitions

RADIOACTIVE MATERIALS are materials defined as radioactive under Michigan Department of Natural Resources, Michigan Department of Environmental Quality, or the United States Environmental Protection Agency regulations for transportation of radioactive materials or under Ottawa County Health Department regulations, whichever is determined to be applicable.

RECREATIONAL VEHICLE is a vehicle intended and designed primarily for recreational use, such as motor homes, camper trailers, travel trailers, boats, snowmobiles, off-road and all terrain vehicles, and similar vehicles or trailers. The term "recreational vehicle" shall not include motorcycles or motorbikes or other similar means of transportation intended primarily for daily on-street use.

RESIDENTIAL DISTRICTS – The RD, Low Density Dune Residential, RG1, Low Density Residential, RG2; Medium Density Residential, RG3 High Density Residential and MHP Manufactured Home Park zoning districts. [Ordinance No. 273, 12/19/11]

RESTAURANT is an establishment in which the sole or primary activity is the preparation and sale of food for on-site consumption or take-out. Subordinate activities may, with the consent of the City Council as required by the Liquor Control Act, include provisions for the sale of alcoholic beverages, including the brewing thereof, for on-site consumption, provided, however, the sale of any beverages shall clearly be incidental to the preparation, sale, and consumption of food.

Subordinate activities may, with the consent of the City Council as required by the Liquor Control Act, include provisions for a live band or singer, recorded music, video presentations, dance floor, or similar activities. [Refer to **RESTAURANT**.]

RETAIL STORE is any building or structure in which the indoor (inside) sales of goods, wares, or merchandise are sold to the consumer for direct consumption and/or use and not for resale.

RIGHT-OF-WAY is a street, alley or other thoroughfare or easement permanently established for passage of persons or vehicles and under the legal authority of the agency having jurisdiction over the right-of-way.

S Definitions

SALVAGE - Refer to **JUNK**.

SALVAGE YARD - Refer to **JUNK YARD**.

SATELLITE DISH ANTENNA is a device incorporating a reflective surface that is solid, open mesh, or bar configured; is in the shape of a shallow dish, parabola, cone or horn. Such a device shall be used to transmit and/or receive television, radio, or other electromagnetic communication signals between terrestrially or extraterrestrially-based sources. This definition includes, but is not limited to, devices commonly referred to as satellite earth stations, TVRO's (Television Reception Only satellite antennas), and satellite microwave antennas.

SCREEN is a structure such as a fence, wall, landscape screen, or combination of same, providing enclosure and a visual barrier between the area enclosed and the adjacent property.

SERVICE DRIVE is a drive which generally parallels the public right-of-way but runs along the back of a land use which fronts on the public street. A service drive may provide access to properties on both sides, and vary in width and design. Service drives as defined above are often used for the delivery and pick-up of goods and merchandise, but may also be used for other vehicular movement. [Refer to **FRONTAGE DRIVE**].

SETBACK is the horizontal distance between a front, rear, or side lot line and a building line. [Refer to **SETBACK, REQUIRED** and **YARD**.]

SETBACK LINE is a line, generally parallel to a front, rear, or side lot line, which reflects the minimum **REQUIRED SETBACK** for a lot or parcel as specified by underlying zone district standards. The setback line for a yard abutting a street shall be measured from the street right-of-way line.

SETBACK, REQUIRED is the required minimum horizontal distance between a front, rear, or side lot line and a building line, provided, however, this horizontal distance shall be measured from the street right-of-way line whenever a yard abuts a public or private street. On lots with multiple street frontage, such as corner lots, all sides of the lots abutting a street shall be

considered front yards pursuant to required setback. [Separate definitions for condominium projects are listed under "**CONDOMINIUM, SETBACKS.**" Refer also to **LOT LINE**. Refer also to **ARTICLE 3, GENERAL PROVISIONS, for information regarding setback from certain easements.**]

SETBACK, PARKING LOT is the required horizontal distance between the improved portion of a parking lot (e.g. area on which vehicles circulate and park) and the adjacent property line, excluding necessary and approved driveways.

SHOPPING CENTER See **BUSINESS CENTER**. [Ordinance No. 265, 10/4/2010]

SHORELINE is the edge of a body of water measured at the ordinary high water mark.

SIGHT DISTANCE is the length of roadway visible to the driver. Generally related to the distance or time (perception/reaction time) sufficient for the driver to execute a maneuver (turn from driveway or side street, stop or pass) without striking another vehicle or object in the roadway.

SIGN - Refer to Article VII, **SIGNS**, Section 7.20.

SIMILAR shall mean a use or service that is comparable, consistent, corresponding, or equivalent to the range of uses and services provided for within a zone district in which the use or service may be placed.

SITE PLAN is a scaled drawing(s) illustrating existing and proposed conditions and containing the elements required herein as applicable to the proposed development to ensure compliance with this Ordinance.

SPECIAL LAND USE is a use of land not permitted by right, but, which is permitted within a particular zoning district after demonstration of compliance with specific special land use standards. A special land use requires that a special use permit be obtained.

SPECIFIED ANATOMICAL AREAS for purposes of this Ordinance shall be defined as follows:

- a) Less than completely and opaquely covered: (1) human genitals or pubic region; (2) buttock; and, (3) female breast below a point immediately above the top of the areola.
- b) Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

SPECIFIED SEXUAL ACTIVITIES for the purposes of this Ordinance shall be defined as follows:

- a) Human genitals in a state of sexual stimulation or arousal.

- b) Acts of human masturbation, sexual intercourse, or sodomy.
- c) Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

STACKING (VEHICULAR) refers to occupied vehicles positioned in a line, either idling or moving at very slow speeds, while awaiting service at a drive-up window, entry into a wash bay, entry into a bay for vehicular service, movement as part of a procession, entry to or from a driveway or roadway, or other function resulting in a line of vehicles awaiting movement. Vehicular stacking is also referred to as **QUEUING**.

STATE LICENSED RESIDENTIAL FACILITY (6 OR FEWER PERSONS) is a structure constructed for residential purposes that is licensed by the State pursuant to the Adult Foster Care Facility Licensing Act (Act No. 218 of the Public Acts of Michigan of 1979; MCL 400.701 et seq., as amended) or the Child Care Organizations Act (Act No. 116 of the Public Acts of Michigan of 1973; MCL 722.111 et seq., as amended), which provides resident services or care for six (6) or fewer persons under twenty-four (24) hour supervision for persons in need of that supervision or care. A "state licensed residential facility (six or less persons)" as defined by this section shall not include an establishment commonly described as an alcohol or substance abuse rehabilitation center, a residential facility for persons released from or assigned to adult correctional institutions, a maternity home, or a hotel or rooming house that does not provide or offer to provide foster care.

STORY is that portion of a building, other than a basement or mezzanine, included between the upper surface of any floor and the upper surface of the floor next above it, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused space is more than six (6) feet above grade, this usable or unused under-floor space shall be considered a story.

STREET is a public or private thoroughfare which affords the principal means of access to abutting property.

STRUCTURE is anything constructed, assembled or erected, the use of which requires location on the ground or attachment to something having location on the ground. This term shall include, but is not necessarily limited to, buildings, pads, parking lots, fences, tanks, towers, dish antennae, advertising devices, tents, trailers, or similar structures on wheels or other support used for business or living purposes. The word "structure" shall not apply to wires and their supporting poles or frames, electrical or telephone utilities (poles and wires), or to service utilities below the ground.

STRUCTURAL ALTERATIONS are any changes in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls or any expansion or addition to the floor space of a building by the addition of bearing walls, columns, beams, or girders.

SUBDIVISION is the partitioning or splitting of a parcel or tract of land in accordance with the requirements of Public Act 288 of 1967, as amended, the State of Michigan Subdivision Control Act and this Ordinance.

SUBSTANTIAL IMPROVEMENT is any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either; (1) before the improvement or repair is started, or, (2) if the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either; (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or, (2) any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places. For purpose of this definition, market value shall be based on the assessment records of the City of Ferrysburg or, if records are not available, the City Assessor's determination of estimated market value.

SWIMMING POOL is any outdoor structure or container whether located above or below ground designed to hold water to a depth of greater than twenty four (24") inches, intended for swimming, relaxation, therapeutic purposes, or bathing. A swimming pool shall be considered an accessory building for purpose of determining required yard setbacks.

T Definitions

TEMPORARY BUILDING, STRUCTURE OR USE is a building, structure, or use authorized for a specific period of time according to the provisions of this Ordinance.

TEMPORARY USES - Parades, carnivals, outdoor concerts, rodeos, block parties utilizing public streets, seasonal or holiday-themed events or productions, or designer showcases or any similar use of event occurring on a temporary or sporadic basis in any zoning district where fifty (50) or more persons will attend or may be expected to attend. A temporary use shall not include residential social events such as family gatherings, reunions, wedding and other similar events not generally open to the public. Temporary uses shall not include uses of a permanent nature for which zoning approval has been obtained, or uses which are necessary to and normally associated with a lawful permanent use or structure. [Ordinance No. 220, 12/20/04]

TENT shall mean a shelter of canvas, plastic, or the like supported by poles and fastened by cords or pegs driven into the ground and shall not include those types of tents used solely for children's recreational purposes.

U Definitions

USE is the purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.

V Definitions

VARIANCE is a relaxation or modification of the requirements of this Ordinance as authorized by the Board of Zoning Appeals under the provisions of this Ordinance and Act 110 of the Public Acts of 2006, including any amendments thereto. [Ordinance No. 265, 10/4/2010]

VEHICLE is any device in, upon, or by which any person or property is or may be transported or drawn upon any street or highway, excepting devices exclusively moved by human power or used exclusively upon stationary rails or tracks.

VEHICLE REPAIR is a building or land used for caring for, servicing, repairing, refinishing, equipping, adjusting or otherwise working on vehicles for compensation. For the purposes of this Ordinance, there shall be two classes:

Vehicle Repair, Minor includes but is not limited to sale and installation of oil and other fluids (other than fuel); installation of tires, batteries, brakes, exhaust and other components that are manufactured elsewhere; interior upholstery; and other repairs and refurbishing of a minor nature.

Vehicle Repair, Major includes, but is not limited to, major engine, mechanical and body work, painting and rustproofing, and other vehicle repair work creating noise, glare, fumes, or smoke, not including wrecking, junking, or salvaging of vehicle parts.

[Ordinance No. 265, 10/4/2010]

VETERINARY CLINIC is a building, or any portion thereof, used for the treatment of animals as outpatients. Kenneling of animals shall be indoors and shall be limited to those requiring overnight care due to medical reasons.

VIDEO ARCADE (VIDEO ESTABLISHMENT) is a gallery, mall, or space used for the installation and commercial operation of electronic recreational game equipment (machines), including computerized game equipment. This equipment incorporates images, or images and sound combined, which may or may not be partially administered through hand controls. Normally, each machine in a video arcade is used by only one (1) or two (2) patrons at any one (1) time. [Refer also to **ADULT MOTION PICTURE ARCADE.**]

W Definitions

WATERFRONT refers to that portion of a lot or parcel abutting a body of water (e.g. lake, stream, creek, etc.). For purposes of this Ordinance, the yard on the street side of a lot with water frontage shall be considered the front yard.

WETLAND is land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.

WETLAND, REGULATED is certain wetlands regulated by the Michigan Department of Natural Resources or Michigan Department of Environmental Quality under the provisions of Act 203 of the Public Acts of 1979, as amended, and generally defined as land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support wetland vegetation or aquatic life and is commonly referred to as a bog, swamp, or marsh.

WHOLESALE STORE is any building or structure in which goods, wares, or merchandise are sold to a retailer for resale and not direct consumption.

X Definitions

Reserved for future use.

Y Definitions

YARD (See Figure 2-7)

a) A space open to the sky and unoccupied or unobstructed, except by encroachments specifically permitted by this Ordinance, on the same lot with a building or structure. A yard is measured between the applicable lot line and the nearest foundation line of a building or structure.

b) **Front yard:** A yard extending across the full width of the lot, the depth of which is the distance between the front lot line and foundation line of the building or structure. **In the case of a waterfront lot, the yard on the street side shall be the front yard.**

The **Required Front Yard** shall mean the yard to be established as a result of compliance with the **Required Front Yard Setback**.

c) **Rear yard:** A yard extending across the full width of the lot, the depth of which is the distance between the rear lot line and rear foundation line of the main building.

The **Required Rear Yard** shall mean the yard to be established as a result of compliance with the **Required Rear Yard Setback**.

d) **Side yard:** A yard between the foundation line of the main building and the side lot line extending from the required front yard to the required rear

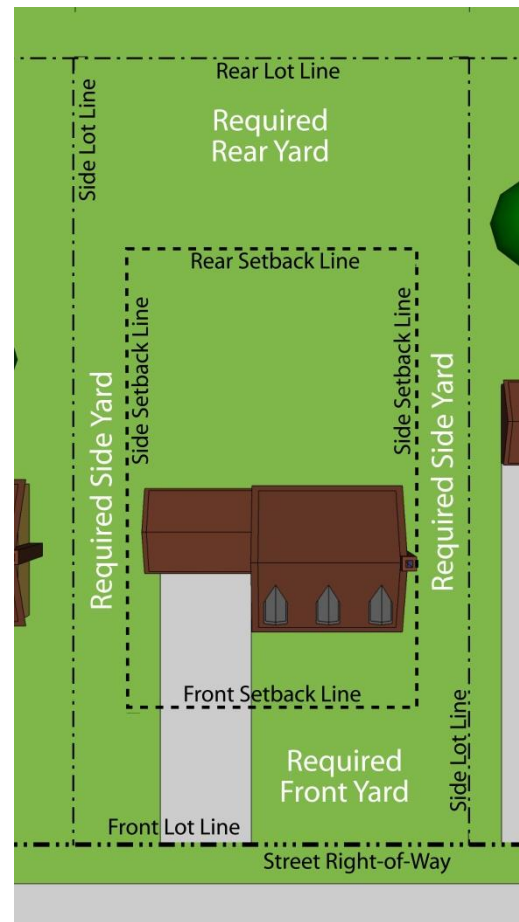


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yard.

The **Required Side Yard** shall mean the yard to be established as a result of compliance with the **Required Side Yard Setback**.

- e) **Waterfront Yard:** Any yard on a waterfront lot, other than a front yard, lying between the water's edge and the principal structure and extending the full width of the lot. A yard separated from the waterfront only by a public or private beach or pedestrian access easement (but not a street right-of-way) shall be a waterfront yard. [Ordinance No. 243, 03/03/08]

Z Definitions

ZONING ACT is Michigan Act 110 of 2006, including any amendments thereto, provided, however, the powers and duties of the Zoning Commission have been transferred to the Planning Commission of the City of Ferrysburg under the provisions of Michigan Act 33 of the Public Acts of 2008, including any amendments thereto. [Ordinance No. 265, 10/4/2010]

ZONING ADMINISTRATOR is an individual appointed by the City Manager of the City Ferrysburg delegated to administer the City Zoning Ordinance.

ZONING BOARD OF APPEALS is the City of Ferrysburg Zoning Board of Appeals created under Act 110 of the Public Acts of 2006, as amended. [Ordinance No. 265, 10/4/2010]

ZONING DISTRICT is a portion of the City within which certain regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

ZONING MAP is the Official Zoning Map of the City of Ferrysburg, approved by the Ferrysburg City Council, upon which the zone districts and zone district boundaries as specified by this Ordinance are depicted, including pertinent information associated therewith. The Official Zoning Map shall be considered a part of this Ordinance.

ZONING PERMIT - Refer to **BUILDING PERMIT FOR ZONING COMPLIANCE**.