

**ARTICLE 2**  
**DEFINITIONS**

**Section 2.1 Definitions**

Accessory Building - Any building related to the principle use of the premises or to an accessory use **either attached or detached**.

*Examples include:* Garages, storage buildings, sheds and gazebos.

Accessory Structure - Anything constructed or erected which requires permanent location on the ground or attachment to something having such location which is subordinate to the principle building on the same lot.

*Examples include:* Above ground swimming pool, fence and freestanding signs. An accessory structure does not include physical improvements that are flush with the ground such as patios, sidewalks, and driveways.

Accessory Uses - A use naturally and normally incidental and subordinate to and devoted exclusively to the main use of the premises.

Adult Foster Care, Group Homes - A group home that has the **approved** capacity to receive adults. Any occupant of a home, other than the licensee or persons who are related to the licensee, live-in staff's spouse and minor children, or a person related to a resident who is not in need of foster care, shall be considered a resident and be counted as part of the licensed capacity. The total number of occupants shall not be more than six (6) over the licensed capacity. Care is provided by paid staff who do not necessarily live on site.

1. Adult Foster Care, Small Group Homes (1-6 persons) - A group home that has the **approved** capacity to receive six (6) or fewer adults.
2. Adult Foster Care, Medium Group Homes (7-12 persons) - A group home that has the **approved** capacity to receive not less than seven (7) or more than twelve (12) adults.
3. Adult Foster Care, Large Group Homes (13-20 persons) - A group home that has the **approved** capacity to receive not less than thirteen (13) or more than twenty (20) adults.

Adult Uses - Any use of land, whether vacant or combined with structures or vehicles thereon by which said property is devoted to displaying or exhibiting material for entertainment, a significant portion of which includes matter or actions depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas".

1. Adult entertainment use shall include, but not be limited to the following:
    - a. Adult Book or Video Establishment - An adult book or video establishment is a business having as a substantial or significant portion of its stock in trade, video tapes, films, books, magazines, and other publications which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".
    - b. Adult Motion Picture Theater - An adult motion picture theater is a building or open-air site used for presenting motion pictures distinguished or characterized by an emphasis on matters depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.
  2. Significant Portion - As used in the above definitions, the phrase "significant portions" shall mean and include:
    - a. The aggregate or portions of the display having a duration equal to ten (10) percent or more of the display.
    - b. The aggregate of portions of the collection of any materials or exhibits composing the display equal to ten (10) percent or more of the display.
  3. Display - As used in the above definitions, the word display shall mean any single motion or still picture presentation, dance or exhibition, live act, or collection of visual materials such as books, films, slides, periodicals, pictures, computer generated images, video cassettes or any other printed or recorded matter which is open to view or available to the general population whether for free or otherwise.
  4. Specified Sexual Activities - As used in the above definitions, the phrase "specified sexual activities" shall mean and include:
    - a. Human genitals in a state of sexual stimulation or arousal, acts or human masturbation, sexual intercourse, or sodomy, and fondling of other erotic touching of human genitals, pubic regions, buttocks, or female breasts.
  5. Specified Anatomical Areas - As used in the above definitions, the phrase "specified anatomical areas" shall mean and include:
    - a. Less than completely covered human genitals, pubic regions, buttocks, and female breasts below a point immediately above the top of the areola.
    - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
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Alley - A public way which affords only a secondary means of access to abutting property and is not intended for general traffic circulation.

Alteration - Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, girders, or any change which may be referred as “altered” or “reconstructed”.

Ambient Sound Pressure - The sound pressure level exceeded 90 percent of the time or L90.

Arcades - A building or part of a building that houses a business whose principal purpose is the operation of pinball machines, video games, pool tables or similar player operated amusement devices.

Architectural Features - Exterior items and features of a building, including but not limited to; cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.

Assisted Living Facilities - A special combination of housing, personalized supportive services, and health care to help individuals to maintain maximum independence and choice outside a skilled setting.

Automotive Dealers - An area of land and structures used to display and sell new and/or used automobiles and may include auto servicing and repair as accessory uses.

Automobile Service Stations - A building or structure designed or used for the retail sale of fuel, lubricants, air, water, and other operating commodities for motor vehicles, including space and facilities for minor repair or servicing, but not including bumping, painting, refinishing, major repairs, and overhauling. The term covers such uses as quick oil change facilities and muffler/brake replacement facilities provided no major repairs as described above are undertaken.

Automobile Wash Establishment - A building, or person thereof, the primary purpose of which is that of washing motor vehicles. These establishments may be self-serve stationary cleaning areas or have the characteristic of a conveyor belt that moves the vehicle through the washing cycle.

Bakeries, Retail – Those bakeries which produce small quantities of baked goods on-site or receive baked goods from a wholesaler and then sell the baked goods on-site. Goods produced on-site are not intended for mass distribution to off-site locations.

Bars, Cocktail Lounges, Taverns and Nightclubs - A business serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches, snacks and other prepared food may also be sold. Establishment may also include dancing.

Basement - A story of a building having fifty (50) percent or more of its height below

average grade.

Bed and Breakfast Establishments - A house, or portion of a house where short-term lodging rooms and meals are provided. A bed and breakfast is distinguished from a motel or hotel in that it shall have only one (1) set of kitchen facilities, employ only those living in the house or up to one (1) additional employee, and have a facade consistent with the surrounding homes.

Boarding Houses - A dwelling where meals, or lodging and meals, are provided for compensation to three (3) or more persons by pre-arrangement for definite periods of not less than one (1) week. A boarding house is to be distinguished from a hotel, motel, or a convalescent or nursing home.

Boat Dock or Slip - A boat dock or boat slip shall mean a space designed for the mooring of a watercraft(s). Such spaces may extend from a dock or a shoreline.

Boathouse - A structure especially designed for the storage of watercraft located on or next to open water.

Buildable Area - The buildable area of a lot is the space remaining after the minimum setback requirements of this Ordinance have been complied with. Wetlands, floodplains or submerged land such as lake, pond or stream shall be excluded from the calculation of buildable area.

Building - A structure, either temporary or permanent, having a roof supported by columns, or walls for the shelter or enclosure of persons, animals, or chattels, is a building. This shall include tents, awnings, or vehicles situated on private property and used for purposes of a building. When any portion thereof is completely separated from every other part thereof by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

Building Area - The horizontal area measured within the outside of the exterior walls of the ground floor of all principal and accessory buildings on the lot.

Building Height - The vertical distance measured from the established grade at the center of the front of the building to the highest point of the roof structure if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs.

Building, Main or Principal - A building in which is conducted the principal use of the lot on which it is situated.

Business Service Establishments - Establishments which are primarily engaged in rendering services on a contract or fee basis to business establishments.

*Examples include:* Office machine repair, computer repair, printing and other uses similar

to a compatible with above establishments.

Campgrounds - A parcel or tract of land under the control of a person or company on which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters in tents or other recreational vehicles. Campgrounds include a children's camp and adult foster care camp.

1. Campgrounds, Permanent - A campground where the sites are sold or leased for long term use, including semi-permanent installation of campers, trailers or mobile homes at the campsite.
2. Campgrounds, Transient - A campground where the sites are rented out on a nightly or weekly basis and does not involve the long-term installation of campers, trailers or mobile homes at the campsite.

Cemeteries - Land used or intended to be used for the burial of the deceased.

Child Care Centers - See Day Care Center, Commercial

Clubs - An organization of persons for special purposes or for the publicizing of agriculture, sports, arts, science, literature, politics or the likes, but not for a profit. A club must be recognized or certified as a non-profit organization.

Commercial Outdoor Display, Sales or Storage - A permitted or accessory use, including sales or storage of; building/lumber supply, contractors' yards, flea markets, auctions, garden/landscape supplies, nurseries, greenhouses, stone, farm implement, automobiles, trucks, recreation vehicles, mobile homes, boats, jet skis, mowing equipment, construction equipment and similar materials or equipment.

Commercial Vehicles - Any vehicle bearing or required to bear commercial license plates.

Communication Towers - A radio, telephone or television transmission, reception or relay structure including but not limited to monopole, skeleton framework, or other design which is attached directly to the ground or to another structure, used for the transmission or reception of radio, television, microwave, or any other form of telecommunication towers and any tower erected by a public entity for hazard warning or other communication purpose.

1. Communication Antennae - Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals and radio frequencies.
2. Alternative Tower Structure - Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or

conceal the presence of antennas or towers.

3. Backhaul Network - The lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long-distance providers, or the public switched telephone network.

Condominium Project - A development in which ownership interest is divided under the authority of the Condominium Act (PA 59 of 1978) and in which the condominium unit consists primarily of dwelling or other principal structure and most of the land in the development is part of the general common area.

Contractor Establishment – A facility for the operation of a building contractor or similar business, including office facilities, including either indoor or outdoor storage of equipment and supplies.

Convalescent or Nursing Home - See Long Term Care

Cul-de-sac Length – The length of a cul-de-sac is measured from the middle of the last intersection with a two-lane roadway meeting the design criteria established in the Ordinance for such intersections and roadways and ending at the middle of the cul-de-sac circle.

Day Care, Adult - These facilities provide temporary care for less than a twenty-four (24) hour period for persons over the age of eighteen (18) in a supervised environment. Generally, these establishments provide care for the elderly or disabled.

1. Day Care, Adult (1-6 persons) - There shall be no more than six (6) clients cared for on the property at any given time.
2. Day Care, Adult (7 or more persons) - There shall be no less than seven (7) clients cared for on the property at any given time.

Day Care Centers, Commercial - Day care centers are facilities (publicly or privately operated), other than a private home, having as their principal function the receiving or one (1) or more preschool or school age children (under the age of eighteen (18) for care and supervision. Day care centers include facilities that provide care for not less than two (2) consecutive weeks, despite the number of hours per day of care. Day care centers receive minor children for care for periods of less than twenty-four (24) hours a day, where the parents, relatives, or legal guardians are not immediately available. Day care centers are also commonly known as childcare centers, day nurseries, childcare facilities, nursery schools, parent cooperative preschools, play groups, or drop-in centers. These may also include inter-generational day care facilities for both children and the elderly.

Day Care Homes - A childcare facility that provides licensed day care in private homes for unrelated minor children under the age of eighteen (18). Children receive care and

supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian for more than four (4) weeks during a calendar year. Facilities that provide care to thirteen (13) or more minor children constitute a commercial day care center.

1. Day Care Homes (1-6 persons) - There shall be no more than six (6) unrelated children cared for on the property at any given time.
2. Day Care Homes (7-12 persons) - There shall be no less than seven (7) or no more than twelve (12) unrelated children cared for on the property at any given time.

Deck - A platform other than a porch, either freestanding or attached to a building that is supported by pillars or posts above ground.

Detention - The process of restricting the rate of stormwater flowing off a parcel as a result of rain or snowfall.

District - A portion of the Village within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain regulations and requirements apply under the provisions of this Ordinance.

Doggie Day Care – A commercial establishment that provides care for dogs for a period of less than 12 consecutive hours and may include both indoor and outdoor facilities. It is an accessory use to dog grooming, veterinary clinics, and kennels, providing that such use is clearly incidental to the principal use and the number of dogs cared for are consistent with the number of dogs cared for under the principal use, and outdoor use is only permitted if outdoor activity is permitted for the principal use.

Drive-thru Establishments - An establishment that by design, physical facilities, service or by packaging procedures encourages or permits customers to conveniently make deposits or receive other services, or obtain goods without leaving their motor vehicles, and then proceed elsewhere. Distinguished from a drive-in establishment by the absence of parking while the service is being provided or brought to the customers.

Drive-in Establishments – An establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle.

Dry Cleaning Facilities – A building, portion of a building or premises used for the cleaning of fabric, textiles, wearing apparel or other articles with volatile solvents. A dry cleaning facility may provide drop off and pick-up by individuals or may serve satellite drop off and pick-up sites only.

Driveway - A private roadway providing vehicular ingress / egress to a parcel of property to an improved street for accessing parking space, a garage, dwelling or other structure.

Dwelling Unit - A dwelling unit is any house or portion thereof having cooking facilities, which is occupied wholly as the home, residence or sleeping place of one (1) family, either permanently or transiently, but in no case shall a travel trailer, automobile chassis, tent or portable building be considered a dwelling. In the case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part occupied shall be deemed a dwelling unit for the purpose of this Ordinance and shall comply with the provisions thereof relative to dwellings.

Egress - A defined path or means of exiting a parcel or structure.

Entrance Feature- A building or other structure including but not limited to: walls, columns, gates, gazebos and gatehouses designed to mark the entrance to subdivisions, housing projects, office complexes, shopping centers, industrial parks and similar developments.

Erected - The work erected includes built, constructed, reconstructed, moved on to, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like shall be considered a part of erection.

Essential Services – The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface, or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems, including hydrants, towers, poles, and other similar equipment, and accessories.

Excavating / Excavation - The removal of sand, stone, gravel or fill dirt below the average grade of the surrounding land and/or road grade, whichever is the highest.

Fence Height - The vertical distance between the ground, on the exterior side of the fence, and the highest point of the fence, excluding gates, posts, and other decorative features.

Filling – Placing material to alter land contours or displace water with soil, paving or similar materials.

Floor Area, Gross - The sum of horizontal areas of all the floors of a building, measured from the interior faces of the exterior walls, not including breezeways, unenclosed porches and attached garages.

Floor Area, Usable - Usable floor area, for the purpose of computing parking needs for off-street parking spaces, is net floor area used for or intended to be used for the sale of merchandise or services or for the use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage of merchandise, or for utilities shall be excluded from this computation of Usable Floor Area. Measurement of floor area shall be the sum of horizontal areas of the floors of the building, measured from the interior faces of the exterior walls.

Foster Care - A private home in which up to six (6) minor children who are not related to an adult member of the household by blood, marriage, or adoption, are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive three (3) weeks for compensation.

Funeral Homes or Mortuaries - A building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services used for preparation of the dead for burial, the performance of autopsies and other surgical procedures, the storage of caskets, funeral urns, and other related funeral supplies, and storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall be permitted.

Gasoline Service Station - A facility used for the retail sale of gasoline, oil, and similar fuels for motor vehicles.

Greenbelt - A strip of land of specified width and location reserved for the planting of vegetation or installation of landscaping intended to serve as a buffer or screen.

Greenhouses, Non-retail – A non-retail commercial operation which sells agricultural products grown or produced on the site to buyers located off-site.

Greenhouses, Retail – A commercial retail operation which sells plants and planting materials including material not grown or produced on-site.

Halls - A building or structure used for the purpose of public assembly that may be rented to individuals for use. Halls may also be used by and/or located on the premises of clubs as defined in this Ordinance. The term hall includes assembly, rental, dance, country clubs, banquet halls or other places of public assembly when conducted within an enclosed building.

Height – When referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna. For buildings see “Building Height”.

Home Occupations - A business or commercial pursuit conducted by a person or business entity in a residential dwelling.

Hospitals - An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to sick or injured human patients and including accessory facilities such as laboratories, out-patient departments, training facilities and staff offices.

Hotel - A building used as a temporary abiding place of individuals or groups of individuals in which there are more than five (5) sleeping rooms sharing a common entrance to the structure.

Industrial Parks - An area of land with or without buildings, planned and developed to provide appropriate sites for industrial operations, offices, and other similar types of uses.

Industrial Service Establishments - These establishments are engaged in the repair or servicing of industrial, business or consumer machinery, equipment products or by-products. Establishments that service consumers goods do so manly providing a centralized service for separate retail outlets. Building maintenance services and similar uses and services that are performed off-site. In most cases, few customers, especially the general public, come to the site.

Ingress - A defined path or means of access to a parcel or structure

Internet Sales – A transaction involving products or services that are sold or provided primarily through the use of the World Wide Web.

Junk - Any motor vehicle, machinery, appliances, products, or merchandise with parts missing or scrap metals or other scrap materials that are damaged, deteriorated, or are in a condition which cannot be used for the purpose for which the product was manufactured.

Junk Yard - Any outdoor area used for the storage or abandonment of junk, or for the dismantling or abandonment of automobiles or other vehicles or machinery or parts thereof.

~~Kennels - The housing or keeping of more than (3) dogs over four (4) months of age, for any purposes or the keeping of any number of dogs for training, breeding, or boarding.~~

A kennel is a shelter for the breeding or boarding of dogs and /or cats. A kennel owner is a person, partnership, firm, company, or corporation professionally engaged in the business of sheltering dogs or cats for breeding, boarding, sale, training, hunting, companionship, or other purposes.

Laboratories - A place devoted to experimental, routine study or basic study such as testing and analytical operations and in which manufacturing of a product or products, except prototypes, is not performed.

Land Use Master Plan – A plan developed and adopted by the Village of Otter Lake Planning Commission.

Landscape Contractor – A business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds. Such business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., drainage facilities, sprinkler systems, low voltage lighting systems) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.

Light Fabrication Facilities – Fully enclosed industrial operation involving the manufacturing, processing, assembling, or packaging of finished or semi-finished products from previously prepared material. Manufacturing processes do not include those that generate excessive noise, vibration, smoke, or odor or which use or store excessive amounts of hazardous materials or chemical treatment such as etching with acid. Plastic extrusion is permitted but extrusion or casting of metals is part of sales. Goods are generally not displayed or sold on-site, but if so, they are subordinate part sales. Relatively few customers come to the manufacturing site.

Loading Spaces - An off-street space on the same lot with a building or group of buildings, for temporary parking for a commercial vehicle while loading and unloading merchandise or materials.

Long Term Care Facilities - Establishments primarily engaged in providing in-patient nursing and health related personal care, other than a private home, in which one (1) or more adults who are aged or physically impaired by accident, disease, or otherwise disabled are received for care and supervision for extended periods. Establishments of this type include; nursing homes, subacute care facilities, home for the aged, intermediate care facilities, hospice, convalescent homes and rest homes.

Lot - A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) main building with its accessory buildings, and providing the open spaces, parking spaces, and loading spaces required by this Ordinance. In the case of a site condominium, each condominium unit and its contiguous associated limited common area shall constitute a lot.

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

Lot Corner - A lot located at the intersection of two (2) streets, or a lot bounded on two (2) sides by a curving street.

Lot Coverage - That part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

Lot Depth - The mean horizontal distance from the front street line to the rear lot line.

Lot, Lake - A lot having frontage on a natural or man-made lake, excluding rivers, streams, channels, and ponds.

Lot Lines - The property lines bounding the lot.

1. Front Lot Line - In the case of an interior lot, abutting upon a public or private street, the front lot line shall mean the line separating said lot from such street right-of-way. In the case of a through lot, the front lot line shall mean the line separating said lot from that street which is designated on the zoning permit. In

case of a corner lot, both street lot lines are front lot lines.

2. Rear Lot Line - Ordinarily, that lot line which is opposite and most distant from the front lot line of that lot. In the case of an irregular or triangular shaped lot, the Zoning Administrator shall designate the rear lot line.
3. Side Lot Line - Any line not a front lot line or rear lot line.
4. Alley Lot Line – A lot line separating the lot from the right-of-way of an alley and shall be consisted as a rear lot line.

Lot of Record - A lot which actually exists in a subdivision plat or condominium plan as shown on the records of the County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot, Through - A lot having its front and rear yards each abutting a street or road.

Lot Width - The horizontal distance between the side lot lines, measured at the required front yard setback or the actual front yard setback, whichever is less.

Manufactured Home - A factory built single family structure that is manufactured under the authority of the National Manufactured Housing Construction and Safety Standards Act of 1974.

Medical Care Establishments - Healthcare facilities that provide medical, dental, surgical, preventive health services and other related services to patients.

Mezzanine - An intermediate floor in any story occupying one third (1/3) or less of the floor area of said story.

Motel - A series of attached, semi-detached, detached rental units containing bedroom, bathroom and closet space wherein each unit has a separate individual entrance leading directly from the outside of the building.

Municipal Offices or Buildings - A building or office used and dedicated for the official functions of the Village.

Non-conforming Building - A building or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, and which does not conform to the provisions of this Ordinance in the zoning district in which it is located.

Non-conforming Use - A use of land or structure for purposes which conflict with the provisions of this Ordinance.

Nursery Schools - See "Child Care Centers"

Nursing Homes - See “long Term Care Facilities”

Occupied - The word occupied includes arranged, designed, built, altered, converted to rented or leased, or intended to be occupied.

Off-street Parking Lot - An off-street parking lot shall consist of space for parking motor vehicles with properly related access to a public street, alley and maneuvering room, and located in an area with the land use to which it is related.

Office Establishments - Office establishments are characterized by activities conducted in an office setting and generally focusing on business, government, professional, financial, or other related services.

On-Site Wind Energy Systems - A land use for generating electric power from wind and is an accessory use that is intended to primarily serve the needs of the consumer at that site.

Open Storage - All outdoor storage of building materials, equipment, and other supplies.

Outdoor Display – An area of designated size and location used for display of merchandise.

Parking Space - An area for parking of individual automobiles or motor vehicles, such space being exclusive of necessary drives, aisles, entrances, or exits and being fully accessible for the parking of permitted vehicles.

Parks - An area or parcel open to the general public and reserved for the recreational, educational or scenic purposes.

Pawnshops – An establishment where merchandise is left as security for a loan of money and abandoned or resold if repayment of the loan has not been made with a specified period of time.

Pavilion or Gazebo - An open decorative shelter, display stand or other open structure in a park or large garden.

Personal Service Establishments - Personal service establishments are primarily engaged in providing services involving the care of a person or this or her personal goods, apparel, or other belongings.

Photography Studios – A facility for the staging and production of photographic pictures, including indoor and outdoor areas with limited facilities for the procession of film.

Planned Unit Developments - A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways,

utilities, buildings, open spaces, and other site features and improvements.

Porch - A covered open or enclosed entrance to a building or structure which projects out from the main wall of said building or structure and has a separate or integral roof with the principal building or structure to which it is attached.

Premises - A lot, together with all of the buildings, structures on it and other improvements.

Recreation, Indoor Commercial - Indoor entertainment establishments providing recreation that diverts, amuses, entertains, or provides entertainment or other hospitality that may include food service or accommodations, but does not include drive-through establishments. Additional regulations apply to indoor establishments that service alcohol.

Recreation, Outdoor Commercial - Outdoor recreation and entertainment establishments provide continuous, intermittent, or seasonal recreation and/or entertainment-oriented activities largely in an outdoor setting. There may be concessions, restaurants, retail shops selling items related to the recreation or entertainment uses, office for management functions, spectator seating and service areas, including locker rooms and restrooms, caretaker's quarters, maintenance facilities and other facilities in addition to structures for the principal uses. Additional regulations apply to outdoor entertainment establishments that serve alcohol. *Examples Include:* Tennis courts, archery courts, shuffleboard, horseshoe courts, children's amusement park or other type of amusement and water parks, theme parks, fairgrounds, go-carts, racetracks, amphitheaters, air gun or survival games, batting cages, skateboard parks and other uses similar to and compatible with the above establishments.

Recreational Vehicles - Any vehicle or craft intended and designed primarily for recreational use, such as motor homes, camper trailers, boats, pontoons, jet-skis, snowmobiles, all-terrain and off-road vehicles and other similar vehicles or trailers required to bear state issued license plates, license numbers, or license tags. The term "recreational vehicle" shall not include motorcycles or motorbikes, or other similar means of transportation intended primarily for daily on-street use.

Religious Institutions - Institutions that primarily provide meeting areas for religious activities for the general public. They may be associated with a convent (group housing) or provide housing or a parsonage on-site as an accessory use.

Residential - Dwelling intended for use as a residence by a single person, a single family or a group of individuals living together as a single housekeeping unit.

1. Apartments - A group of rooms or suites which include bath(s) and kitchen facilities in a two-family or multiple dwelling arranged and intended for use as a residence by a single family or a group of individuals living together as a single housekeeping unit.

2. Duplex - Two (2) residences attached by a common wall or ceiling/floor.
3. Efficiency Unit - A dwelling unit consisting of one (1) room, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room providing not less than three hundred fifty (350) square feet of floor area.
4. Multiple Family - A building used or designed as a residence for three (3) or more families living independent of each and each doing their own cooking in said building. This definition includes three (3) or more family houses and apartment houses which share common entrances.
5. Single Family Attached - An attached building designed for or occupied exclusively by one (1) family. This definition includes townhouses, patio, or row houses.
6. Single Family Detached - A detached building designed for or occupied exclusively by one (1) family.
7. Mobile Home – A structure, transportable in one (1) or more sections, which is built on a chase 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.

Residential, Mobile Home Park – A parcel or tract of land under the control of a person upon which three (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 change 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.

Residential, Mobile Home Subdivision – The development of property under the subdivision provisions of the Land Division Act (PA 288 of 1967) for the purpose of creating lots for siting mobile homes that may not meet the standards for a single-family residence under this ordinance.

Restaurants - An establishment serving prepared food or beverages for consumption on the premises, and which may or may not include accessory “take-out” services.

Retail Establishments - An establishment that is primarily engaged in the purchase and resale of goods or merchandise to the public for personal, household, or business use or consumption and rendering services incidental to the sale of such goods. These may be some processing of products incidental or subordinate to the selling activities.

Retention - The process of preventing stormwater from flowing off a parcel as a result of rain or snowfall.

Retirement Communities, Mixed Use – These facilities include a range of housing options

and medical and household services to serve the elderly and retirees with a range of medical and social needs.

Riparian - To have rights to water, including access to a body of water.

Riparian Lot - A lot that is contiguous to a body of water so as to provide the owner of the lot riparian rights with respect to the body of water.

Rotor – An element of a wind energy system that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.

Senior Citizens Center - A facility that houses an organization of persons over a defined age, either privately or publicly funded, for the purpose of social fellowship.

Senior Housing - Housing type that provides individual dwelling units to allow seniors to live independently with regards to cooking, housekeeping, laundry, and general activities of daily living.

Setback - The minimum horizontal distance between the principal building, excluding steps and unenclosed porches and the lot line. In the case of a lot adjacent to a lake, the setback is measured from the nearest point on the shore. **In the case of lot on a cul-de-sac or curvilinear street, the setback is measured from the midpoint of the lot width on the front lot line.**

Shadow Flicker – Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as but not limited to a window at a dwelling.

Shed. Storage - A simple roofed structure used for storage or to shelter animals.

Sign - A device and/or structure that is designed to inform, advertise, or attract attention.

Sign Area - The total of the surface of a sign, computed in square feet in accordance with the following:

1. One (1) Sided Signs - The total shall be determined by multiplying the total height of the sign surface by the total width of the sign surface, edge to edge.
2. Two (2) Sided Signs - The total of the surface of one (1) side of the sign determined by multiplying the total height of the side surface by the total width of the sign surface, edge to edge.
3. No signs with more than two (2) sides shall be permitted.

Sign, Permanent - Any sign designed or intended to be placed on a parcel of land for more than six (6) months.

Sign, Temporary - Any sign designed or intended to be placed on a parcel of land for less than six (6) months. Also, any sign, which is not permanently attached to real estate in accordance with the construction requirements of the building code.

Sight Line - A line across the width of a lake lot which connects the point closest to the lake on the foundation to the principal structure on either side of the lot or parcel of land upon which the proposed structure is to be constructed.

If there is no principal structures located on contiguous properties to the lot or parcel upon which the proposed structure is to be constructed the sight line will be established from the point closest to the lake on the foundation of the next principal structure within three hundred (300) feet on either side.

If there is not a principal structure within three hundred (300) feet on either side of the lot on which the proposed structure is to be built, the Zoning Administrator will establish a site line intended to provide adequate protection of the view of the lake for future development in the area.

Special Land Use - Authority granted by the Planning Commission for a specific use on a specific parcel authorized by a Special Use Permit in the zoning district in which the parcel is located.

Special Use Permit – Authorization granted by the Planning Commission for a specific use on a specific parcel authorized by Special Use Permit in the zoning district in which the parcel is located.

Stables and/or Riding Academies – An accessory building in which horses are cared for and kept either private and/or public use.

Stacking Space - A space designed to accommodate a motor vehicle waiting to use a drive-through facility.

Storage Facilities - A building or series of buildings containing separate storage spaces of varying sizes leased or rented as individual leases. Facilities may or may not include separate storage spaces and areas outside of buildings used for storage.

Story - That portion of a building, other than a basement or mezzanine, including between the surface of any floor and floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

*Exception:* A mezzanine shall be deemed a full story when it covers more than fifty percent (50%) of the area of the story underneath said mezzanine, or if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more.

Story, Half - That part of a building between a pitched roof and the uppermost full story, said part having a floor area which does not exceed one half ( $\frac{1}{2}$ ) the floor area of said story.

Strip Malls - A group of stores attached or separate, all of which are accessed from a separate outside entrance.

Structure - Anything constructed or erected which requires permanent location on the ground or attachment to something having such location. A structure does not include physical improvements that are flush with the ground such as patios, sidewalks, and driveway.

1. **Temporary:** Anything constructed or erected which does not require permanent location on the ground or attachment to something having such a location
2. **Seasonal:** Anything constructed or erected which does not require permanent location on the ground or attachment to something having such location and which is associated with a seasonal activity.
3. **Alteration:** Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beam or girders, or any change in the width or number of exists, or any structural change in the roof.

Swimming Pool - Any structure or container intended for swimming, located in-ground, on-ground and above ground designed to hold water to a depth greater than twenty-four (24) inches.

Temporary Building – A building or structure permitted by procedures established in this ordinance to exist during a specified period of time.

Temporary Outdoor Use – A use carried out in an open uncovered area or temporary structure, which is discontinued when the designated time period, activity, or use for which the temporary structure was erected, has ceased.

Tents - A shelter of fabric 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.

Tower - Any ground or roof mounted pole, spire, structure, or combination thereof taller than fifteen (15) feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above ground.

Use - The purpose for which land or premises of a building thereon is designed, arranged, or intended or for which it is occupied, maintained, let, or leased.

Variance - An authorized permitting change in the requirements of this Ordinance by the Zoning Board of Appeals in cases where the general requirements of this Ordinance and the literal enforcement of such would result in a practical difficulty upon the variance applicant.

Variance, Use – Authorization from the Zoning Board of Appeals to establish use in a zoning district in which the use is otherwise prohibited.

Veterinary Clinic - A facility for the examination and treatment of animals, excluding temporary boarding facilities.

Wildlife Habitat – An area that, because of climate, soils, vegetation, relationship to water and other physical properties, has been identified as important to the maintenance of wildlife species.

Wind Energy System - A land use for generating power by use of wind; utilizing use of a wind turbine generator and includes the turbine, blades, and tower as well as related electrical equipment. This does not include wiring to connect the wind energy system to the utility grid.

Wireless Telecommunication Antennae/Towers - See “Communication Towers”

Wholesale and Warehousing - These establishments or places of business are primarily engaged in the selling of merchandise to retailers or storing of merchandise, to industrial, commercial, institutional, or professional business users, to other wholesalers, or acting as agents or broker and buying merchandise for or selling merchandise to such individuals or companies. There is little on-site sales activity with the customer present. Accessory use may include offices, truck fleet parking, fueling and maintenance.

Woodworking, Commercial - A business involved in the construction of cabinets, case goods, furniture, small portable structures, and similar products, primarily out of wood.

Yard - An open space of identified width or depth on the same land with a building or group or buildings, which open space lies between building or group of buildings, and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein. This regulation shall not exclude eaves provided that an eight (8) foot height clearance is provided above the ground level.

1. Front Yard - An open space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.
2. Rear Yard - An open space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building.

3. Side Yard - An open space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the side lot line and nearest line of the main building.

Zoning Board of Appeals - The Zoning Board of Appeals for the Village established under the authority of Public Act 168 of 1959.

Zoning District - A portion of the Village within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established by this Ordinance.

Zoning Permit - Written verification from the Village Zoning Administrator or their designee, that a proposed land use, new construction, addition, or excavation or grading of property complies with the terms of this Ordinance.

**End of Article 2**

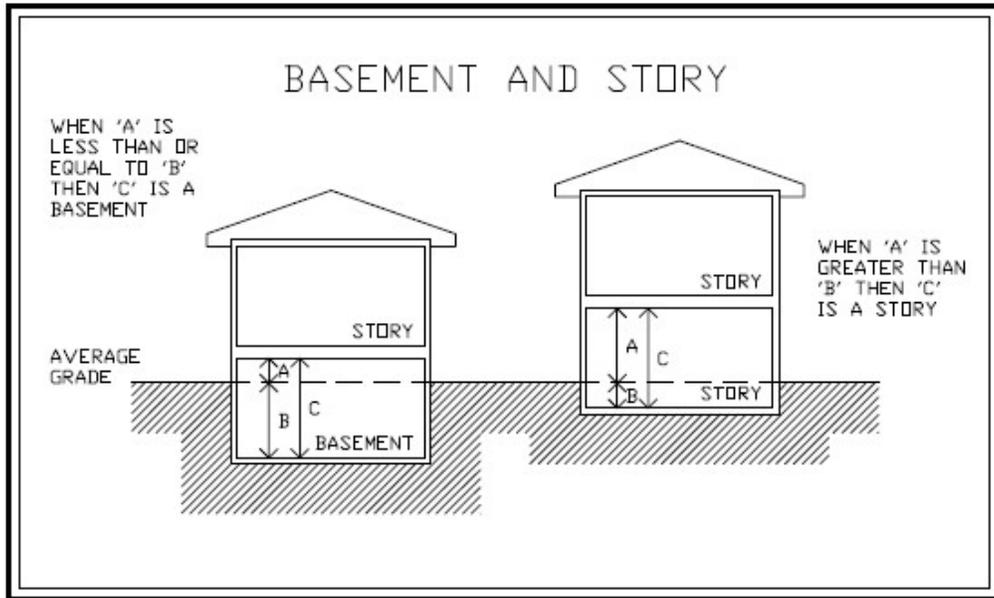


Figure 2.1

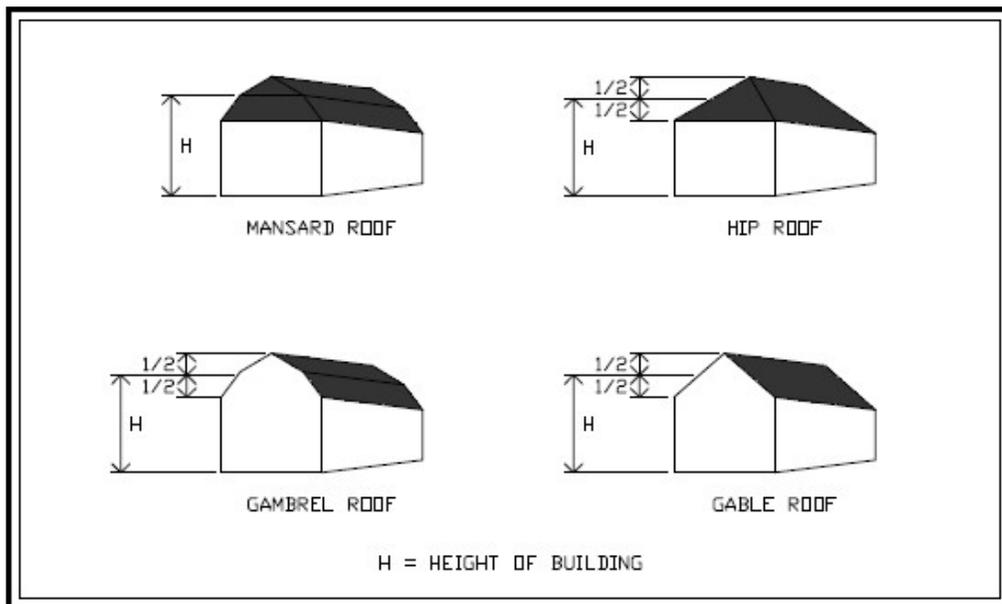


Figure 2.2