

ARTICLE 7.02 - CONSTRUCTION OF LANGUAGE AND DEFINITIONS

A. CONSTRUCTION OF LANGUAGE:

The following rules of construction apply to the text of this Ordinance:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
3. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A "building" or "structure" includes any part thereof.
6. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for" or "occupied for".
7. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows:
 - a. "And" indicates that all the connected items, conditions, provisions or events shall apply.
 - b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - c. "Either...or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
9. Terms not herein defined shall have the meaning customarily assigned to them.

B. DEFINITIONS

Accessory Use, or Accessory:

A use, which is clearly incidental to, customarily found in connection with, and located on the same zoning lot, unless otherwise specified, as the principal use to which it is related.

When "accessory" is used in this text, it shall have the same meaning as accessory use.

An accessory use includes, but is not limited to, the following:

1. Residential accommodations for servants and/or caretakers.
2. Outdoor swimming pools, hot tubs and saunas for the use of the occupants of a residence, or their guests.
3. Domestic or agricultural storage in a barn, shed, tool room or similar accessory building or other structure.
4. A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays.
5. Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations.
6. Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.
7. Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located.
8. Uses clearly incidental to a main use such as but not limited to:

offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
9. Accessory off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located.
10. Accessory signs, subject to the sign regulations for the district in which the zoning lot is located.

Adult Book Store or Video Store:

An establishment having, as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, video cassettes, films and other such visual media which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” as defined in this section, or an establishment with a significant segment or section devoted to the sale or display of such material unless such area is physically separated from the remainder of such establishment and which is accessible to adults only.

Adult Motion Picture Theater:

A building or any part thereof or a drive-in theater with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” as defined in this section, for observation by patrons therein.

Adult Mini-Motion Picture Theater:

A building or any part thereof with a capacity of less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”, as defined in this section, for observation by patrons therein.

Adult Establishment:

Any adult book store or video store, adult mini-motion picture theater, adult motion picture theater, cabaret, or any combination thereof.

Alley:

Any dedicated public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

Alterations:

Any change, addition or modification in construction or type of occupancy, or in the structural members of a building such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed".

Amusement Arcades:

Any place, premises, or establishment, or any room or floor space set aside in a commercial establishment, in or at which four (4) or more mechanical amusement devices as defined herein are located.

Apartments:

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

Automobile Repair, Major:

The general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; overall painting and undercoating of automobiles.

Automobile Repair, Minor:

Repairs other than major repair including engine tune-up, muffler shops, shock absorber replacement shops, undercoating shops and tire stores.

Basement:

That portion of a building, which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

Block:

The property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating), or between the nearest such street and railroad right-of-way, un-subdivided acreage, lake, river or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the Municipality.

Building:

Any structure, either temporary or permanent, having a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, chattels, or property of any kind.

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 and gambrel roofs.

Building Line:

A line formed by the face of the building, and for the purposes of this Ordinance, a minimum building line is the same as the front setback line.

Building Inspector:

The Building Code Authority of Lapeer or such other person or persons designated by the City of Lapeer.

Cabaret:

Any establishment which features or presents topless waitresses, dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.

Club:

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.

Convalescent or Nursing Home:

A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and limited medical care.

Day Care Center:

A daytime group facility for more than six (6) children which gives care to children away from their homes.

Day Care Home:

A one-family dwelling which receives children for care during the day.

Development:

The construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use.

District:

A portion of the incorporated area of the Municipality within which certain regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

Drive-in:

An establishment where food, frozen desserts or beverages are sold to the customers in a ready-to-consume state and where the customer consumes food, frozen desserts or beverages in an automobile parked upon the premises or at other facilities provided for customers which are located outside the building.

Drive-Through:

An establishment so developed that some portion of its retail or service character is dependent upon providing a driveway approach and staging area specifically designed for motor vehicles so as to serve patrons while in their motor vehicles, rather than within a building or structure, for carry out and consumption or use after the vehicle is removed from the premises.

Dwelling Unit:

A building, or portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.

Dwelling, One-Family:

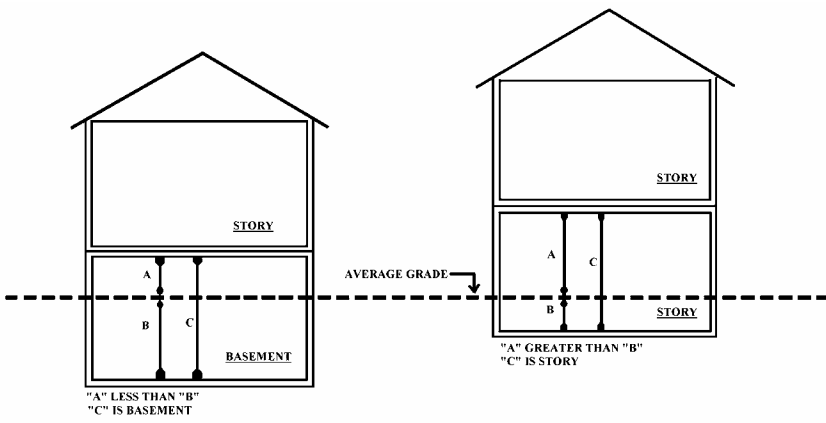
A building designed exclusively for and occupied exclusively by one (1) family.

Dwelling, Two-Family:

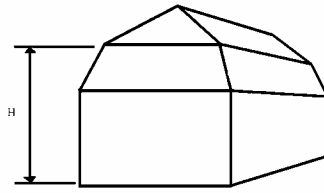
A building designed exclusively for occupancy by two (2) families living independently of each other.

Dwelling, Multiple-Family:

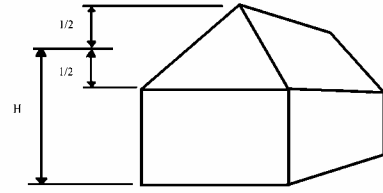
A building, or a portion thereof, designed exclusively for occupancy by three (3) or more families living independently of each other.



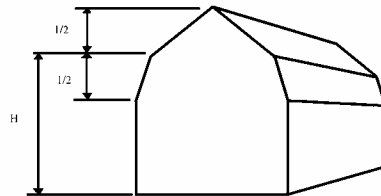
BASEMENT & STORY



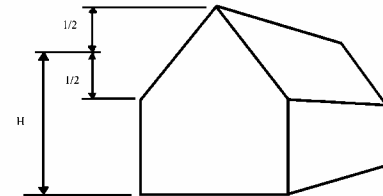
MANSARD ROOF



HIP ROOF



GAMBREL ROOF



GABLE ROOF

H = HEIGHT OF BUILDING

BUILDING HEIGHT



BUILDING LINE

Erected:

Built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for construction, excavation, 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, fuel or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals and hydrants in connection herewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety or welfare.

Excavation:

Any breaking of ground, except common household gardening and ground care.

Family:

A single individual or a number of individuals domiciled together whose relationship is of a continuing non-transient, domestic character and who are cooking and living together as a single, nonprofit housekeeping unit. This shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose relationship is of a transitory or seasonal nature or for anticipated limited duration of school terms or other similar determinable period.

Farm:

The carrying on of any agricultural activity or the raising of livestock or small animals as a source of income.

Fence:

A man-made structure constructed for the purpose of or to have the effect of enclosing or screening the area it is constructed upon.

Fence Ornamental:

An open or semi-open man-made structure, ornamental in nature, but not intended to provide a permanent barrier to passage or for screening. Ornamental fences shall not be chain link or wire construction.

EFFECTIVE DATE OF AMENDMENT: March 12, 2003

Floor Area, Residential:

For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the same of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement is exclusive of areas of basements, unfinished attics, attached garages, breeze ways, and enclosed and unenclosed porches.

Floor Area, Usable (For the purposes of computing parking):

That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways or for utilities or sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the same of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

Garage, Private:

An accessory building or portion of a main building designed or used solely for the storage of motor-driven vehicles, boats and similar vehicles owned and used by the occupants of the building to which it is accessory.

Garage Sale:

Any sale of personal effects, jewelry, or household items, furnishings and equipment belonging to the owner or occupant of the property held in any district by the owner, occupant or his personal representative.

Garage, Service:

Any premises used for the storage or care of motor-driven vehicles, or where any such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

Gasoline Service Station:

A place for the dispensing, sale or offering for sale of motor fuels directly to users of motor vehicles, together with the sale of minor accessories and services for motor vehicles, but not including major automobile repair.

Grade:

The ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Greenbelt:

A planting of trees and shrubs to serve as a screening device between abutting land uses.

Guarantee:

A cash deposit, certified check, irrevocable bank letter of credit, surety bond or such other instrument acceptable to the City.

Hotel:

A building or part of a building, with a common entrance, or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and in which one or more of the following services are offered:

maid service, furnishing of linen, telephone, secretarial, or desk service, and bellboy service.

A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms or meeting rooms.

Junk:

Any abandoned, discarded, unusable, or unused objects or equipment including, but not limited to, furniture, stoves, refrigerators, freezers, cans, implements, parts of motor vehicles, machinery, cloth, rubber, bottles, any metals, boxes, cartons or crates.

Junk Yard:

An area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled including but not limited to:

scrap iron and other metals, paper, rags, rubber tires and bottles.

A "Junk Yard" includes automobile wrecking yards and includes any open area of more than two hundred (200) square feet for storage, keeping or abandonment of junk.

Kennel, Commercial:

Any lot or premise on which three (3) or more dogs, cats or other household pets are either permanently or temporarily boarded or bred and raised for remuneration.

Loading Space:

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

Lot:

A parcel of land occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on public records.

Lot, Corner:

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 for the purposes of this Ordinance if the arc is of less radius than one hundred and fifty (150) feet and the tangent to the curve, at the two (2) points where the lot lines meet the curve or the straight street line extended, form an interior angle of less than one hundred and thirty-five (135) degrees.

Lot, Interior:

Any lot other than a corner lot.

Lot, Through:

Any interior lot having frontage on two more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard setbacks shall be provided as required.

Lot, Zoning:

A single tract of land, located within a single block which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single ownership or control.

A zoning lot shall satisfy this Ordinance with respect to area, size, dimensions and frontage as required in the district in which the zoning lot is located. A zoning lot, therefore, may not coincide with a lot of record as filed with the County Register of Deeds, but may include one or more lots of record.

Lot Area:

The total horizontal area within the lot lines of the lot.

Lot Coverage:

The part or percent of the lot occupied by buildings including accessory buildings.

Lot Depth:

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

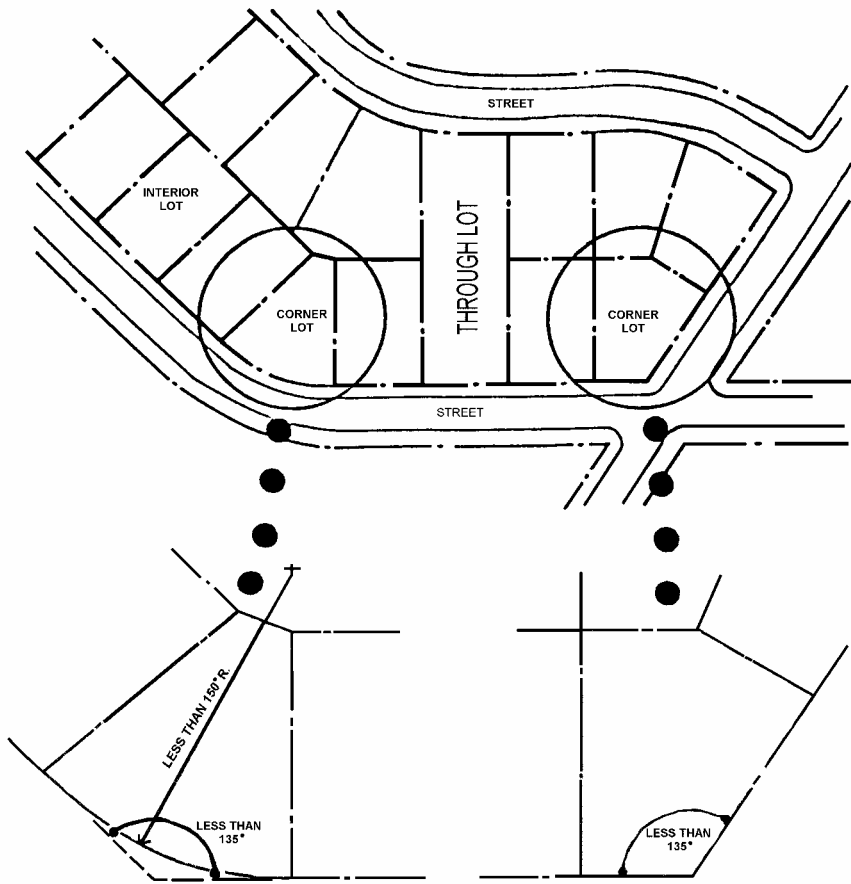
Lot Lines:

The lines bounding a lot as defined herein:

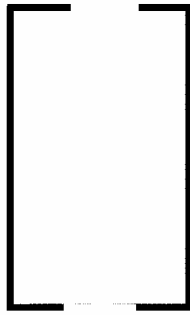
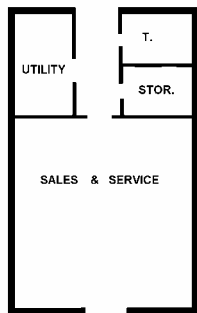
- a. **Front Lot Line:**
In the case of an interior lot, is that line separating said lot from the street. In the case of a through lot, is that line separating said lot from either street.
- b. **Rear Lot Line:**
The lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.
- c. **Side Lot Line:**
Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

Lot of Record:

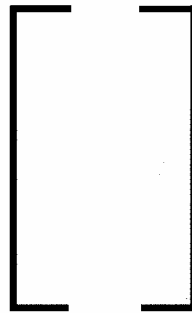
A parcel of land, the dimensions of which are shown on a document or map on file with the County Register of Deeds or in common use by Municipal or County Officials, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.



INTERIOR, THROUGH & CORNER LOTS



TOTAL FLOOR AREA



USABLE FLOOR AREA
(FOR PURPOSES OF COMPUTING PARKING)

FLOOR AREA

Lot Width:

The horizontal straight line distance between the side lot lines, measured between the two points where the front setback line intersects the side lot lines.

Main Building:

A building in which is conducted the principal use of the lot upon which it is situated.

Major thoroughfare:

An arterial street, which is intended to serve as a large volume traffic way for both the immediate municipal area and the region beyond, and is designated as a major thoroughfare, parkway, freeway, expressway or equivalent term on the Major Thoroughfare Plan to identify those streets comprising the basic structure of the Major Thoroughfare Plan.

Master Plan:

The Comprehensive Community Plan including graphic and written proposals indicating the general location for streets, parks, schools, public buildings, and all physical development of the Municipality, and includes any unit or part of such plan, and any amendment to such plan or parts thereof. Such plan may or may not be adopted by the Planning Commission and/or the Legislative Body.

Mechanical Amusement Device:

Any machine or device which, upon the insertion of a coin, slug token, plate or disc, operates or may be operated as a game of contest of skill or amusement when the element of skill in such operation predominates over chance or luck. It shall include mechanical, electrical, or electronic video games, mechanical grabbing devices, pinball games, mechanical, electrical, or electronic baseball, football, basketball, hockey and similar sports-type games, mechanical, electrical, or electronic card games, shooting games, target games, or any other machine, device or apparatus which may be used as a game of skill and wherein the player initiates, employs or directs any force generated by such machine.

Mezzanine:

An intermediate floor in any story occupying not to exceed one-third (1/3) of the floor area of such story.

Mobile Home:

Any structure, transportable in one or more sections, which is built on a chassis and designed to be sold 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. Mobile home does not include recreational equipment.

Motel:

A series of attached, semi-detached or detached rental units containing a bedroom, bathroom and closet space. Units shall provide for overnight lodging and are offered to the public for compensation, and shall cater primarily to the public traveling by motor vehicle.

Municipality:

The City of Lapeer, Michigan.

Nonconforming Building:

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

Nonconforming Use:

A use which lawfully occupied a building or land at the effective date of this Ordinance, or amendments thereto, and that does not conform to the use regulations of the district in which it is located.

Nursery, Plant Materials:

A space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

Nuisance Factors:

An offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to:

- a. noise,
- b. dust,
- c. smoke,
- d. odor,
- e. glare,
- f. fumes,
- g. flashes,
- h. vibration,
- i. shock waves,
- j. heat,
- k. electronic or atomic radiation,
- l. objectionable effluent,
- m. noise of congregation of people, particularly at night,
- n. passenger traffic,
- o. invasion of non-abutting street frontage by traffic,
- p. a burned out structure,
- q. a condemned structure.

Off-Street Parking Lot:

A facility providing off-street vehicular parking spaces and drives or aisles for the parking of more than three (3) vehicles.

Open Front Store:

A business establishment so developed that service to the patron may be extended beyond the walls of the structure, not requiring the patron to enter the structure. The term "Open Front Store" shall not include automobile repair or gasoline service stations.

Parking Space:

An area of definite length and width, said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

Principal Use:

The main use to which the premises are devoted and the principal purpose for which the premises exists.

Public Utility:

A person, firm, or corporation, municipal department, board or commission duly authorized to furnish and furnishing under Federal, State or Municipal regulations to the public:

gas, steam, electricity, sewage disposal, communication, telegraph, transportation or water.

Recreational Equipment:

Travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers, boats, and boat trailers, snowmobiles, horse trailers, dune buggies, and other similar equipment.

Room:

For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room or bedroom, equal to at least eighty (80) square feet in area. A room shall not include the area in kitchen, sanitary facilities, utility provisions, corridors, hallways and storage. Plans presented showing 1, 2 or 3 bedroom units and including a "den," "library" or other extra room shall count such extra room as a bedroom for the purpose of computing density.

Setback:

The distance required to obtain minimum front, side or rear yard open space provisions of this Ordinance.

Sign Definitions:

The following definitions a. through f. are related to signs:

a. Sign:

Any announcements, declaration, display, billboard, illustration and insignia when designed and placed so as to attract general public attention. Such shall be deemed to be a single sign whenever the proximity, design, content or continuity reasonable suggest a single unit, notwithstanding any physical separation between parts. "Sign" shall include any banner, bulbs or other lighting devices, streamer, pennant, balloon, propeller, flag (other than the official flag of any nation or state) and any similar device of any type or kind whether bearing lettering or not.

1. **Decorative Display:**

A decorative, temporary display designed for the entertainment or cultural enrichment of the public and having no direct or indirect sales or advertising content.

2. **Freestanding Sign:**

A sign other than a ground sign or portable sign, which is not attached to a building and is capable of being moved from one location to another on the site on which it is located.

3. **Ground Sign:**

A display sign supported by one or more columns, uprights or braces in the ground surface.

4. **Marquee Sign:**

A display sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line.

5. **Portable Sign:**

A sign and sign structure which is designed to facilitate the movement of the sign from one zoning lot to another. The sign may or may not have wheels, changeable lettering and/or hitches for towing. A sign shall be considered portable only if such sign is manifestly designed to be portable to facilitate its movement from one zoning lot to another. Signs utilized to be movable other than from one zoning lot to another shall be considered freestanding signs under this Ordinance.

6. **Projecting Sign:**

Projecting sign means a sign, which is affixed to any building or structure, other than a marquee, and any part of which extends beyond the building wall more than twelve (12) inches.

7. **Roof Sign:**

A display sign, which is erected, constructed and maintained above the roof of the building.

8. **Temporary Sign:**

A display sign, banner, or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary materials, with or without a structural frame, or any other sign intended for a limited period of display, but not including decorative displays for holidays or public demonstration.

9. **Wall Sign:**

A display sign, which is painted or attached directly to the building wall.

b. **Sign Area:**

The gross surface area within a single continuous perimeter enclosing the extreme limits of a sign, and in no case signage through or between any adjacent elements of same. Such perimeter shall not include any structural or framing elements, lying outside the limits of such sign, and not forming an integral part of the display. For computing the area of any wall sign, which consists of letter, mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure, which can encompass all the letters and descriptive matter.

c. **Erect:**

To build, construct, attach, hang, place, suspend, affix or paint.

d. **Noncombustible Material:**

Any material, which will not ignite at or below a temperature of twelve hundred (1,200) degrees Fahrenheit and will not continue to burn or glow at that temperature.

e. **Sign, Accessory:**

A sign, which pertains to the principal use of the premises.

f. **Sign, Non-accessory:**

A sign, which does not pertain to the principal use of the premises.

Single Housekeeping Unit:

All of the associated rooms in a dwelling unit available to and occupied by all of the occupants with a single set of cooking facilities also available to and utilized by all of the occupants of the dwelling unit.

Story:

That part of a building, except a mezzanine as defined herein, included between the surface of one floor and the surface of the next floor, or if there is no floor above, than the ceiling next above. A basement shall not be counted as a story.

Story, Half:

An uppermost story lying under a sloping roof having an area of at least two hundred (200) square feet with a clear height of seven feet six inches (7'-6"). For the purposes of this Ordinance, the usable floor area is only that area having at least five (5) feet clear height between floor and ceiling.

Street:

A dedicated public right-of-way, more than an alley, which affords the principal means of access to abutting property.

Structure:

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

Transition:

For the purposes of this Ordinance, the word or term transition or transitional shall mean a zoning district which may serve as a district of transition; i.e., a buffer zone between various land use districts or land use types.

Temporary Use or Building:

A use or building permitted by the Board of Appeals to exist during a specified period of time.

Travel Trailer:

A vehicle designed as a travel unit for occupancy as a temporary or seasonal vacation living unit.

Use:

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

Wall, Obscuring:

A structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this Ordinance.

Yards:

The open spaces on the same lot with a main building unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance, and as defined herein:

a. **Front Yard:**

An open space extended across the full width of the front of a lot, adjoining a public street or an approved private street, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building, measured at right angles to the street.

In the case of an irregularly shaped lot or a main building situated on the lot in an unconventional manner relative to the street and/or lot lines, due regard shall be given to the orientation of the main building in determining the depth of the front yard.

EFFECTIVE DATE OF AMENDMENT: March 12, 2003

b. **Rear Yard:**

An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage.

c. **Side Yard:**

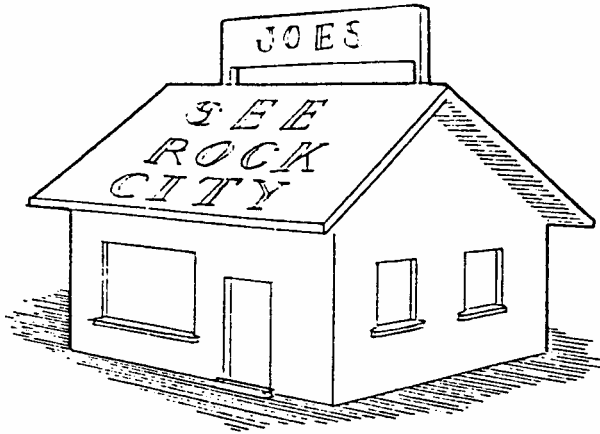
An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building.

1. **Side Yard, Exterior:**

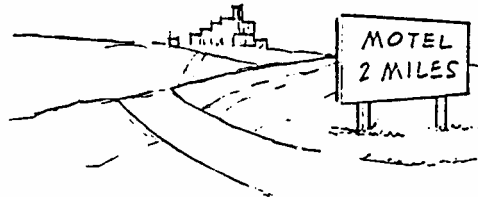
A side yard abutting upon the street.

2. **Side Yard, Interior:**

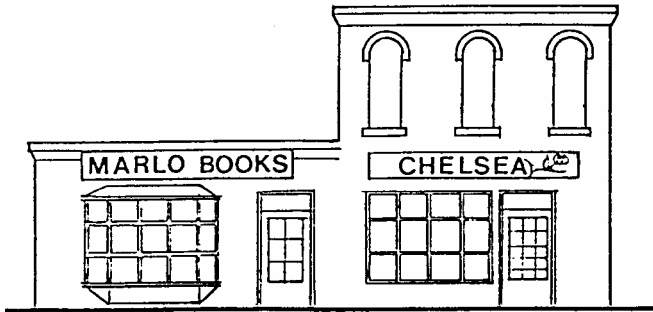
A side yard that does not abut upon a street.



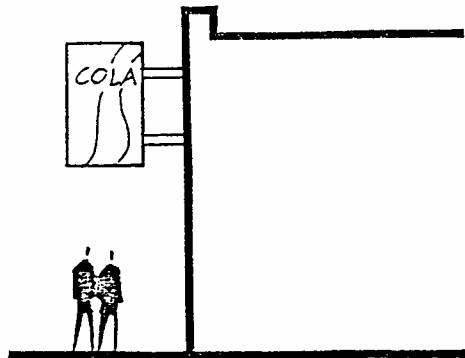
ROOF SIGNS



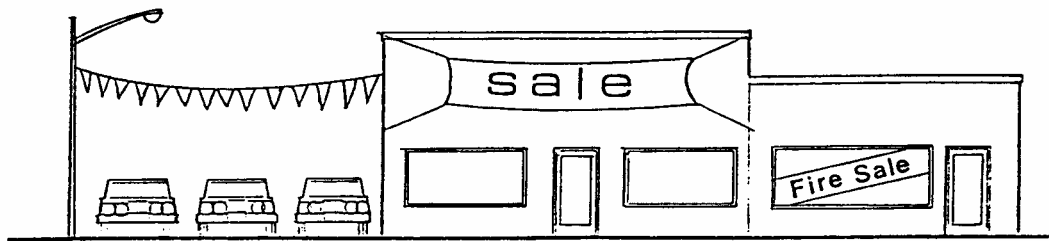
NON ACCESSORY SIGN



WALL SIGNS



PROJECTING SIGN



TEMPORARY SIGNS

PORTABLE SIGN

Zoning Exception:

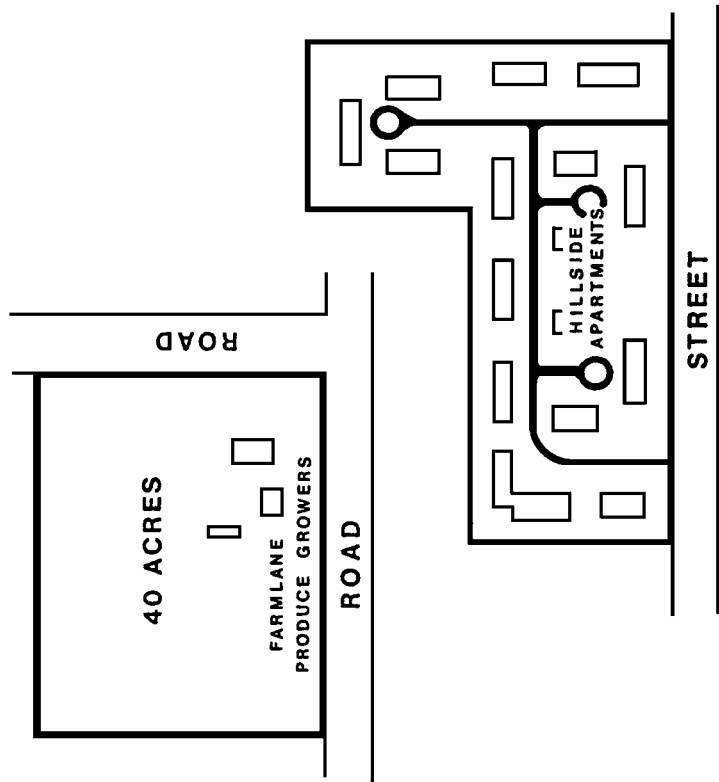
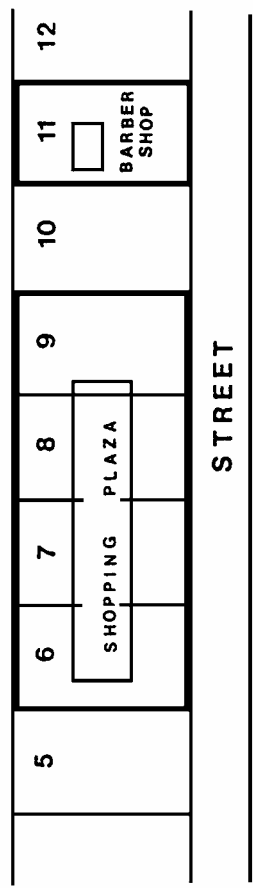
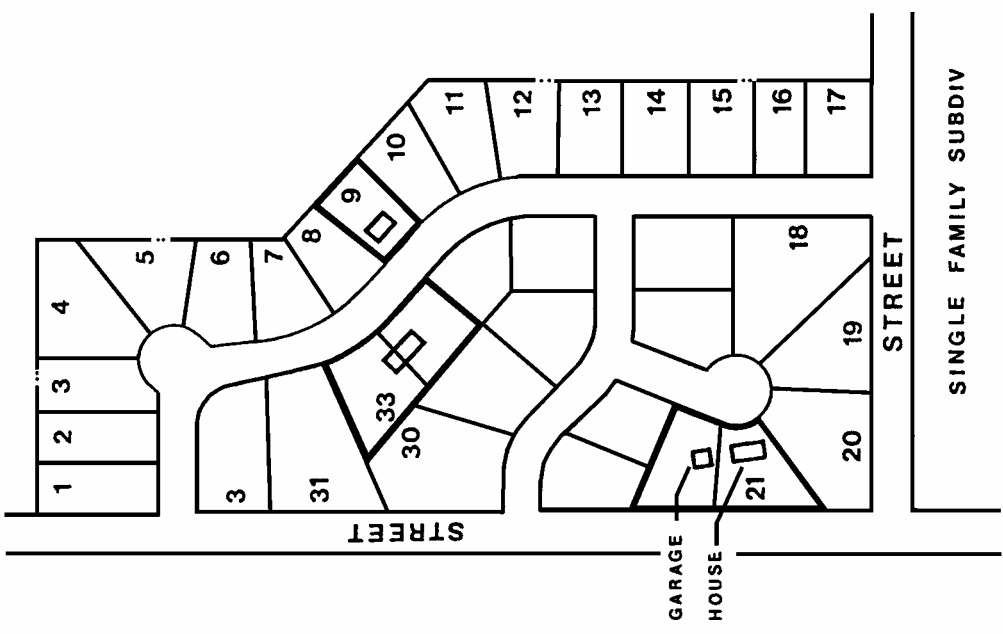
A use permitted only after review of an application by the Board of Appeals or Legislative Body or a modification in the standards of this Ordinance specifically permitted after review by the Board of Appeals, Planning Commission or Legislative Body' such review being necessary because the provisions of this Ordinance covering conditions precedent or subsequent are not precise enough to all applications without interpretation and such review and exception is provided for by this Ordinance. An exception is not a variance.

Zoning Variance:

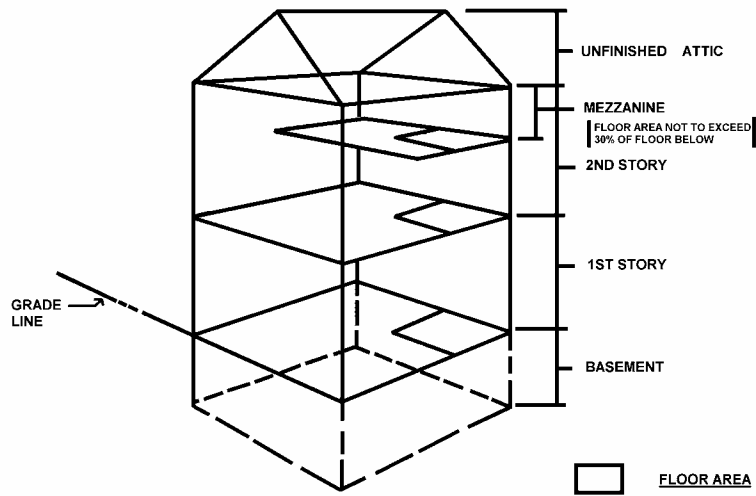
A modification of the literal provisions of the Zoning Ordinance granted when strict enforcement of the Zoning Ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The crucial points of variance are:

- (a) undue hardship,
- (b) unique circumstances, and
- (c) applying to property.

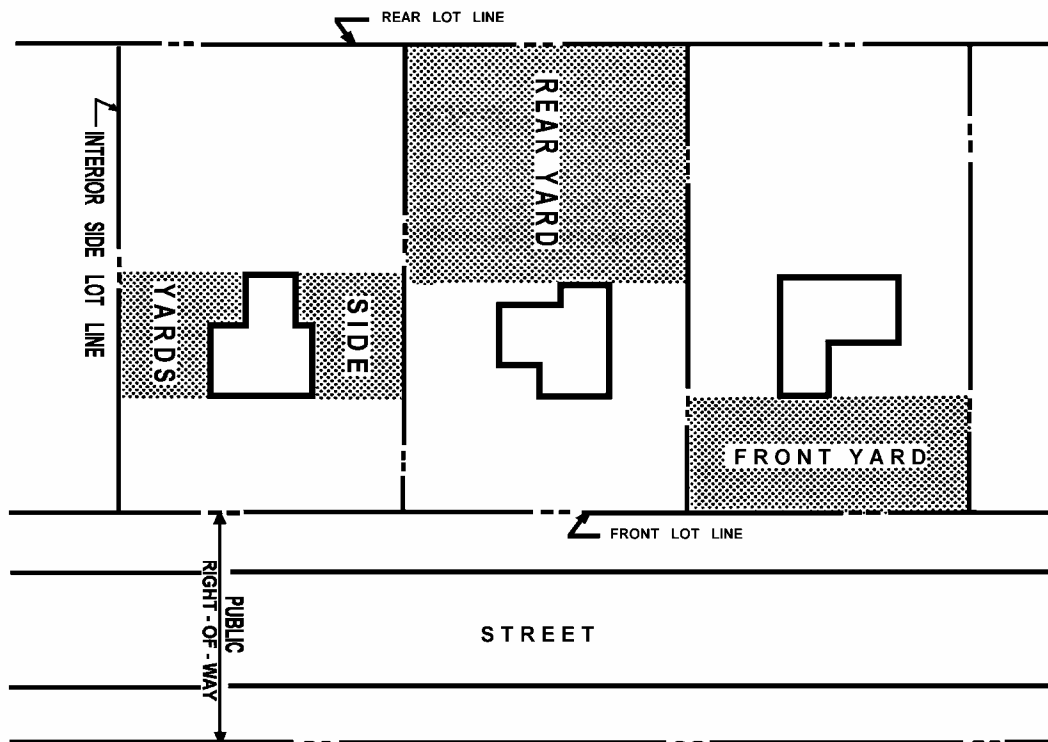
A variance is not justified unless all three elements are present in the case. A variance is not an exception.



EXAMPLES OF ZONING LOTS



BASIC STRUCTURAL TERMS



YARDS