

**ARTICLE 32**

**DEFINITIONS**

Updated 12-22-14

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

**Sec. 32.01 USAGE.**

The word “person” includes a firm, association, organization, partnership trust, company, or corporation as well as an individual. Words used in the present tense include the future tense. The singular includes the plural; the plural includes the singular. The word “lot” includes the words “plot” or “parcel”. The word “shall” is mandatory; the word “may” is permissive, the word “used” or “occupied” includes the words “intended, designed, or arranged to be used or occupied”.

**Sec. 32.02 DEFINITIONS (A).**

**ACCESSORY USE OR STRUCTURE.**

A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

**ADULT FOSTER CARE SMALL**

**GROUP HOME.** A private home which provides resident services for 6 or less persons under 24-hour supervision or care for persons in need of such care.

**AFFILIATE FARM.** A farm under the same ownership or control as a farm market.

**AGRICULTURAL LABOR HOUSING.**

A tract of land and all tents, vehicles,

buildings and other structures pertaining thereto which is established, occupied or used as living quarters for five (5) or more migratory workers engaged in agricultural activities including related food processing, and licensed under the provisions of PA 289 of 1965, as amended.

**AGRICULTURAL RELATED SERVICE ESTABLISHMENT.**

Any premises used in performing agricultural, animal husbandry or horticultural services on a fee or contractual basis, including but not limited to centralized bulk collection, refinement, storage and distribution of farm products to wholesale and retail markets (such as grain cleaning and shelling; sorting, grading and packing of fruits and vegetables, and agricultural produce milling and processing); the storage and sale of seed, feed, fertilizer and other products essential to agricultural production; hay baling and threshing; crop dusting; fruit picking; harvesting and tilling; farm equipment sales, service and repair; kennels; veterinary services; packing plants; processing plants; slaughterhouses; cold storage facilities; and facilities used in the research and testing of farm products and techniques.

**ALTERATIONS, STRUCTURAL.** Any change in the supporting members of a building such as bearing walls, columns, beams or girders, or any substantial change in the roof.

**ANIMAL RAISING, INTENSIVE.** The use of any premises for the raising or keeping of animals at a density exceeding the limits established in Section 23.02.A or B.

**AUTOMOBILE REPAIR-MAJOR.** General repair, rebuilding, or reconditioning of engines, motors or trailers; or collision service, including body repair and frame straightening; or painting and upholstering; vehicle steam cleaning and undercoating; and tire retreading.

**AUTOMOBILE REPAIR-MINOR.** Minor repairs, incidental replacement of parts and motor service such as tune-ups, lubrication, tire repair, and electrical work, to passenger automobiles and trucks not exceeding two (2) tons capacity, but not including any operation specified under “Automobile Repair-Major”.

**Sec. 32.03 DEFINITIONS (B).**

**BEDROOM.** A private room within a dwelling unit utilized, planned or intended for sleeping which has one or more windows and closets and is separated from other rooms by a door.

**BOARDER.** A person occupying a dwelling for a period that exceeds six (6) consecutive days, or ten non-consecutive days in a three-month period where meals or lodging are provided for compensation, and who is not a member of the family or household that may also occupy the dwelling.

**BOARDING HOUSE.** A dwelling where meals or lodging are provided for compensation to three (3) or more persons who are not members of the family that occupies the dwelling for a period that exceeds six (6) consecutive days, or ten non-consecutive days in a three-month period.

**BUILDING.** Any enclosed structure, either temporary or permanent, having a roof that is intended to be used for the purpose of housing persons, or of storing animals or chattels, or of carrying on business activities, or of other similar uses.

**BUILDING, HEIGHT OF.** The vertical distance measured from finished grade (as defined by this Ordinance) to a certain point on the roof of the building, determined as follows:

1. **Flat roof:** The certain point is the highest point.
2. **Mansard roof:** The certain point is the deck line.
3. **Gable, shed, warped or hip roof:** The certain point is the average distance between the plate of the building and ridge of the roof.
4. **Gambrel roof:** The certain point is the average distance between the break line and the ridge of the roof.

**BUILDING, MAIN OR PRINCIPLE.** A building in which is conducted the principle or main use of the lot on which it is situated.

**BUILDING PERMIT.** The written authority issued by the building inspector on behalf of the Township, permitting the construction, moving, alteration, or use of a building or structure in conformity with the provisions of this ordinance and the Township building code.

**Sec. 32.04 DEFINITIONS (C).**

**CHILD CARE CENTER.** A facility other than a home where one or more children are received for care and supervision. Two staff persons are required. Preschools and day nurseries are included in this definition.

**CHURCH.** A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith.

**CLINIC, DENTAL, OR MEDICAL.**

A building in which a group of physicians, dentists, or physicians and dentists or related medical professionals and their allied professional assistants are associated for the purpose of practicing their profession. The clinic may include a medical or dental laboratory. It shall not include in-patient care or operating rooms for major surgery.

**COMMERCIAL ESTABLISHMENT.**

A business operating independent of any other business located in a freestanding building; in a strip mall, a business completely separated from other businesses by walls from the ground up and with a door which may regularly be used by the public for exclusive ingress and egress to that business; in an enclosed structure with a

shared climate controlled area, a business completely separated from other businesses by walls from the ground up and with a door or entrance which may regularly be used by the public for exclusive ingress and egress to that business and which may be closed to the public even while the common area is open to the public and in an office building, a business holding itself out to the public as a single entity independent of other businesses or persons.

**CONDOMINIUM ACT.** Public Act 59 of 1978, as amended. *(Ord.2014-4, Eff.3-16-14)*

**CONDOMINIUM, SITE**

**CONDOMINIUM PROJECT.** A plan or project consisting of not less than two condominium units or two site condominium units established in conformance with the Condominium Act. *(Ord.2014-4, Eff.3-16-14)*

**CONDOMINIUM UNIT.** That portion of the condominium project designed and intended for separate ownership and use, as described in the Master Deed of the condominium project, within which a building or other improvements may be constructed by the condominium unit owner.

**CONVALESCENT, NURSING OR**

**GROUP HOME.** A home in which more than six (6) resident persons are cared for. Said home is for the aged or infirm, or a place for those suffering bodily disorders, mental illness, mental retardation, or for the care of children. Said home shall conform and qualify for license under State law.

**CONFINED FEEDING OPERATION.**

A feedlot or facility, other than a pasture, where animals have been, are, or will be confined, maintained, or stabled for a total of 45 consecutive days or more in any 12 month period.

**CUL-DE-SAC.** That portion of a dead end public or private street which consists of a circular or semi-circular section of street which allows for a vehicle turn-around.

*(Ord.2014-4, Eff.3-16-14)*

**Sec. 32.05 DEFINITIONS (D).**

**DENSITY.** The number of bedrooms or dwelling units per unit of land as regulated by this Ordinance.

**DEVELOPMENT.** Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

**DEVELOPMENT SITE.** Any land on which development has taken place or is planned to take place.

**DORMITORY.** A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same household group.

**DWELLING.** Any building or portion thereof which is occupied in whole or in part as a home, residence, or sleeping place, either permanently or temporarily by one or more persons.

1. **Dwelling, Single-Family:** A detached residence, designed for use or occupancy by one (1) household only, with housekeeping facilities.
2. **Dwelling, Two-Family:** A residence designed for use or occupancy by two (2) households only, with separate housekeeping facilities for each.
3. **Dwelling, Multi-Family:** A residence designed for use or occupancy by three (3) or more households, with separate housekeeping facilities for each.

**DWELLING UNIT.** One (1) room or a suite of two (2) or more rooms designed for use or occupancy by one (1) household for living and sleeping purposes with housekeeping facilities.

**DWELLING, FARM.** A dwelling unit located on a farm which is used or intended for use by the farm’s owner, operator, or person employed thereon. Only one farm dwelling shall be permitted on each farm.

**DWELLING, NON-FARM.** A dwelling unit located in the AG zoning district which is not a “farm dwelling” and which is designed for occupancy by a single family.

**Sec. 32.06 DEFINITIONS (E).**

**Sec. 32.07 DEFINITIONS (F).**

**FABRICATION.** Fabrication means the stamping, cutting, or otherwise shaping of processed materials into useful objects.

**FAMILY.** One (1) or more persons occupying a single non-profit housekeeping unit, organized as a single entity in which the members share common kitchen facilities in a domestic relationship based on consanguinity, marriage, adoptions, or other domestic bond. This definition does not include any society, combine, club, fraternity, sorority, association, federation, lodge, coterie, organization or any other group whose domestic relationship is of a transitional or seasonal nature or for an anticipated limited duration.

**FAMILY DAY-CARE HOME.** A private home in which one to six children are received for care and supervision, including those children less than 7 years old in the resident family. This number shall not include more than two children younger than 12 months old.

**FARM.** Real property used for commercial agriculture, comprising at least forty (40) contiguous acres which may contain other non-contiguous acreage, all of which is operated by a person, including all necessary farm buildings, structures and machinery. In addition, a tract of land may be considered a farm if it is between 5 and 40 acres and it is devote primarily to an agricultural use, and has produced a gross annual income from agriculture of \$200.00 or more per year per acre of cleared and tillable land.

**FARM BUILDINGS.** Any building or accessory structure other than a farm dwelling unit, which is used for farm operations, such as but not limited to a barn, silo, grain bin, farm implement storage building, or milk house.

**FARM MARKET.** A place, area, or buildings from which farm products produced on and by an affiliate farm are sold. A farm market must also meet one of the following requirements: the square footage devoted to the sale of such farm products must constitute at least 50 percent of the total square footage used to display all of the products offered for retail sale or at least 50 percent of the gross dollars of products sold must be from farm products produced on and by the affiliated farm.

**FARM OPERATIONS.** A condition or activity which occurs on a farm in connection with commercial agriculture, and includes but is not limited to marketing of produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.

**FARM PRODUCTS.** Those plants and animals useful to man including but not limited to: forages and sod crops, dairy and dairy products, poultry and poultry products, livestock, fruits and vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products; or any other product which incorporates the use of food, fiber, feed, or fur.

**FLOOD.** A temporary rise in stream's flow or stage that results in water overflowing its banks and inundating areas adjacent to the channel or an unusual and rapid accumulation or runoff or surface waters from any sources.

**FLOOD HAZARD AREA.** The land within the township subject to a one percent (1%) chance of flooding in any given year. This land is identified as “zone A” on the official map.

**FLOODPROOFING.** Any combination of structural and non-structural additions, changes, or adjustments to structures, including utility and sanitary facilities, which would preclude the entry of water. Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.

**FLOOD, 100-YEAR.** The condition of flooding having a one percent (1%) chance of annual occurrence.

**FLOOR AREA.** The sum of the gross horizontal areas of the several finished floors of a building measured from the exterior faces of the exterior walls or from the centerline of wall separating two (2) buildings. Floor area shall not include elevator shafts, floor space having headroom of seven (7) feet or less, balconies or mezzanines. Any space devoted to off-street parking or loading shall not be counted as floor area. Areas of basements, mechanical rooms, breezeways, porches or attached garages are not included, except that the floor area of the building shall include all finished stories above grade area.

**FRATERNITY OR SORORITY HOUSE.** A dwelling or dwelling unit maintained exclusively as a residence for members of the fraternity or sorority, and affiliated with

a college or university or chartered by a scholastic or professional organization.

**FRONT SETBACK LINE.** That line generally parallel to the front lot line marking the inside boundary of the required front yard.

**Sec. 32.08 DEFINITIONS (G).**

**GENERAL RULES .** The General Rules of the Michigan Department of Community Health, issued in connection with the MMMA. (*Ord. 2014-1, 12-22-14*)

**GRADE OR FINISHED GRADE.** A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line, or when the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building.

**GREENBELT.** A strip of land of definite width and location reserved for landscaping according to the requirements of this Ordinance.

**GROSS SITE AREA.** The total horizontal area within the lot lines of a lot including any easements and any area within a public or private street right of way if such area is included within the property description of the lot.

**GROUP DAY-CARE HOME.** A private home where from seven to twelve children

are received for care and supervision. This number shall not include more than two children younger than two years old. Two staff persons are required.

**GROUP HOUSING.** A dormitory, rooming house, boarding house, fraternity or sorority house, or any other dwelling unit whose household living arrangement is not in compliance with Section 3.15.B. either subsection 1, 2, 3, or 4.

**Sec. 32.09 DEFINITIONS (H).**

**HEIGHT.** See Building, Height of.

**HOME OCCUPATION.** Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary the use of the dwelling for residential purposes and does not involve any alteration of the structure or change the character thereof, and which complies with the requirements of Section 23.07.

**HOUSEHOLD.** An individual or group of individuals occupying a dwelling unit as a single housekeeping unit in accordance with the occupancy restrictions of Section 3.15 of this ordinance.

**HOUSEKEEPING UNIT.** A dwelling unit organized as a single entity in which the members of the household share common housekeeping facilities.

**HOUSEKEEPING FACILITIES.** Complete, independent living facilities, including areas for living, sleeping, eating, cooking, and sanitation, and the following

permanent fixtures and appliances: stove, refrigerator, kitchen sink, tub or shower, lavatory and water closet.

**Sec. 32.10 DEFINITIONS (I).**

**Sec. 32.11 DEFINITIONS (J).**

**JUNKYARD.** Any place where junk, waste, discarded, or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including wrecked motor vehicles, used building materials, structural steel materials and equipment and other manufactured goods that are worn, deteriorated, or obsolete, whether or not it is properly licensed.

**Sec. 32.12 DEFINITIONS (K).**

**KENNEL.** The land and/or structure where five (5) or more cats or dogs are boarded, housed, or bred.

**Sec. 32.13 DEFINITIONS (L).**

**LANDSCAPED.** The addition of lawns, trees, shrubbery, bedding plants and other natural and decorative materials to a development site.

**LOT.** A parcel of land which is separately described on a deed or other instrument recorded in the office of the Register of Deeds, whether by metes and bounds description, as part of a platted subdivision or a site condominium unit and intended for individual ownership and use and which has frontage on a public or private street.

*(Ord.2014-4, Eff.3-16-14)*

**LOT, AREA.** The total horizontal area within the lot lines of a lot including any easements which may exist within such property lines and excluding rights of way for street or alley purposes.

**LOT, WIDTH.** The horizontal distance between the side lot lines, measured parallel to the front lot line at the minimum required setback line. For purposes of this Ordinance the setback line is also the building line. *(Ord.2014-4, Eff.3-16-14)*

**LOT, CORNER.** A lot situated at the intersection of two streets, the interior angle of such intersection not exceeding one hundred thirty five (135) degrees.

**LOT DEPTH.** The distance between the front lot line and the rear lot line measured along the median between the side lot lines. *(Ord.2014-4, Eff.3-16-14)*

**LOT, DOUBLE FRONTAGE.** A lot which fronts on two parallel streets, or which fronts upon two streets that do not intersect at the boundaries of the lot.

**LOT, INTERIOR.** A lot other than a corner lot.

**LOT LINE.** A boundary of a lot.

**LOT LINE, FRONT.** The lot line or lines separating the lot from a public or private street right-of-way or other access easement. *(Ord.2014-4, Eff.3-16-14)*

**LOT LINE, REAR.** The boundary of a lot most distant from the front lot line and most nearly parallel with the front lot line or, in the case of an irregular size and shape lot, a

line ten (10) feet in length within the lot, parallel to and at a maximum distance from the front lot line.

**LOT LINE, SIDE.** Any lot line which is not a front lot line or a rear lot line.

**Sec. 32.14 DEFINITIONS (M).**

**MARIHUANA.** Also known as Marijuana, also known as Cannibis; shall have the meaning given to it in Section 7601 of the Michigan Public Health code, Public Act 368 of 1978, MCL 333.7106, as referred to in Section 3(d) of the MMMA, MCL 333.26423(d). Any other term pertaining to Marihuana used in this Ordinance and not otherwise defined shall have the meaning given to it in the MMMA or in the General Rules. *(Ord.2014-11, 12-22-14)*

**MEDICAL USE OF MARIHUANA.** The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of Marihuana or paraphernalia relating to the administration of Marihuana to treat or alleviate a registered qualifying patient’s debilitating medical condition or symptoms associated with the debilitating medical condition, as defined under the MMMA.

**MMMA.** The Michigan Medical Marihuana Act; Public Act 2008, Initiated Law, as amended. *(Ord.2014-11, 12-22-14)*

**MOBILE HOME, PREMANUFACTURED UNIT.**

- 1. **Mobile Home.** A structure,



transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

- 2. **Premanufactured Unit.** An assembly of materials or products intended to comprise all or part of a building or structure, and that is assembled at other than the final location of the unit of the building or structures by a repetitive process under circumstances intended to insure uniformity of quality and material content. The term includes a mobile home.

**MOBILE HOME PARK OR SUBDIVISION.** A parcel or contiguous parcels of land divided into two or more lots for rent or for sale for the placement of mobile homes.

**MOTEL.** A building or group of buildings on the same lot which contains sleeping or dwelling units that may or may not be independently accessible from the outside with garage or parking space located on the lot and designed for, or occupied by travelers. The term shall include any buildings or building groups designated as motor lodges, motor inns, or by any other title intended to identify them as providing lodging, with or without meals, for compensation.

**MOTOR VEHICLE, INOPERABLE.** Any motor vehicle which by reason of dismantling, disrepair or other cause

whatsoever is incapable of being propelled under its own power.

**MOTOR VEHICLE, DISMANTLED OR PARTIALLY DISMANTLED.** Any motor vehicle from which some part or parts which are ordinarily a component of such motor vehicle have been removed or are missing.

**Sec. 32.15 DEFINITIONS (N).**

**NET SITE AREA.** The total horizontal area within the lot lines of a lot excluding any public or private street right of way which may be included in the property description of the lot and excluding any other site feature as specified by this Ordinance.

**Sec. 32.16 DEFINITIONS (O).**

**Sec. 32.17 DEFINITIONS (P).**

**PARKING AREA, SPACE, LOT.** An off-street open area, the principal use of which is for the parking of automobiles, whether for compensation or not, or as an accommodation to clients, customers, visitors, or employees. Parking area shall include access drives within the actual parking area.

**PLANNING COMMISSION.** The term “Planning Commission” or “Charter Township Planning Commission”, when used in this ordinance, means the Allendale Charter Township Planning Commission.

**PRINCIPAL OR MAIN USE.** The primary or predominant use of the premises.

**PROCESSING.** Any operation changing the nature of material or materials such as the chemical composition or physical qualities. Does not include operations described as fabrication.

**PROPERTY OWNER.** Any person(s) company, or entity that has deed to certain property, as last recorded with the Ottawa County Registrar of Deeds Office and is the person(s), company, or entity who receives legal notices, property taxes, property assessment, etc.

**Sec. 32.18 DEFINITIONS (Q).**

**Sec. 32.19 DEFINITIONS (R).**

**RESIDENTIAL ZONE OR DISTRICT.** All land located in the R-1, R-2, R-3, R-4 or R-5 zoning districts as shown on the official zoning map.

**RECREATIONAL VEHICLE.** A vehicle primarily designed as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle.

**ROOMING HOUSE.** A building arranged or used as a residence, with or without housekeeping facilities, where sleeping accommodations are provided individually to three (3) or more persons not members of the same household group.

**Sec. 32.20 DEFINITIONS (S).**

**SALVAGE YARD.** A junk yard.

**SETBACK, SETBACK LINE, BUILDING LINE.** The minimum horizontal distance set forth in the Allendale Township Zoning Ordinance for each district as measured from the front, rear and side lot lines which establishes the area within which buildings and structures must be erected or placed. Setback, Setback Line and Building Line are the same as Required Yard as defined herein. See Figure 32-2.  
*(Ord.2014-4, Eff.3-16-14)*

**SIGN.** Any outdoor structure, display, figure, painting, drawing, message, placard, poster, billboard, balloon, or other thing which is designated, intended, or used to advertise, direct, or inform.

**SITE PLAN.** A reproducible plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this ordinance.

**SITE CONDOMINIUM UNIT.** A condominium unit established in compliance with the Condominium Act which is a volume of air space defined by an area of land and a specified distance above and below the land surface designed and intended for separate ownership and use as

described in the site condominium master deed, and within which a building or other improvements may be constructed by the condominium unit owner. A site condominium unit shall be considered a lot for purposes of this ordinance.  
*(Ord.2014-4, Eff.3-16-14)*

**SOLID WASTE DISPOSAL FACILITY.** An area together with a structure to be

provided for in a site plan for the temporary on-site storage of solid waste and recyclable materials until removed from the site for disposal, which consists of one or more dumpsters or other appropriate containers for storage of solid waste and recyclable materials located in an enclosure with necessary access and turning lanes in accordance with the provisions of Section 24.11.I.

**SPECIAL USE.** Certain uses that may be permitted only after a review of the effects of such uses on adjoining lands and the general welfare of the township. Such uses require special consideration to insure compatibility and proper development in accordance with the intent of this Ordinance. Special uses are designated in the various zoning districts.

**SPECIAL USE PERMIT.** The procedure for authorizing a special use according to the requirements established in this Ordinance as prescribed in Article 20.

**STORY.** The portion of a building between the surface of any floor and the surface of the floor next above it, or if there is not a floor above it, than the space between the floor and the ceiling next above.

**STORY ABOVE GRADE.** Any story having its finished floor surface entirely above grade except that a basement shall be considered as a story above grade where the finished surface of the floor above the basement is:

1. More than 6 feet (1829mm) above grade plane;

2. More than 6 feet (1829mm) above the finished ground level for more than 50 percent of the total building perimeter; or
3. More than 12 feet (3658mm) above finished ground level at any point.

See the examples of the applications of this definition following.

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

**SUBSTANTIAL IMPROVEMENT.** Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

- a. before the improvement is started, or
- b. if the structure has been damaged and is being restored before the damage occurred. For the 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 any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations, as well as structures listed in National or State Registers of historic places.

**SUPPORT SERVICES RESIDENCE.** A residence owned and operated by a non-profit organization, in which living quarters, meals, counseling and other support and care giving services are provided in a family environment, to persons in need of such services, as a transition to independent living. This definition does not include a fraternity, sorority, a state licensed foster care home or other facility providing legal custodial care.

**Sec. 32.21 DEFINITIONS (T).**

**TOWNSHIP.** The Charter Township of Allendale, in Ottawa County, Michigan.

**TOWNSHIP BOARD.** The Charter Township of Allendale Board of Trustees.

**TOURIST HOME.** A building or part thereof, other than a hotel, boarding house, lodging house, or motel where lodging is provided by a resident family in its home for compensation, mainly for transients.

**TRAFFIC SAFETY SIGHT AREA.** A triangular area on a corner lot, two of the sides of such triangle being formed by extending two imaginary lines from the corner of the lot adjacent to the street intersection at least thirty (30) feet back to two points along the sides of the lot parallel to the two intersecting streets, the third side then being formed by the connection of such points.

**Sec. 32.22 DEFINITIONS (U).**

**USES PERMITTED BY SPECIAL USE PERMIT.** Listed uses which may be

permitted in specified zoning districts provided that need for the use in the district can be established to the satisfaction of the Planning Commission based on the standards in Article 20.

**Sec. 32.23 DEFINITIONS (V).**

**VARIANCE.** A variance is defined as a modification of the terms of this ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure of size of yards and open spaces and off-street parking and off-street loading requirements; established or expansion of a use otherwise prohibited shall not be by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or adjoining zoning districts.

**Sec. 32.24 DEFINITIONS (W-Z).**

**YARD.** The open space on a lot between the lot line and the foundation or wall of the principal building, whichever is closer.  
*(Ord.2014-4, Eff.3-16-14)*

**YARD, REQUIRED.** The space between a lot line and the setback line. The required yards establish the area within which buildings and structures must be erected or placed. A Required Yard is the same as Setback, Setback Line and Building Line as defined herein. See Figure 32.2.  
*(Ord.2014-4, Eff.3-16-14)*

**YARD-FRONT.** The space extending across the full width of the lot between the front lot line and the wall or foundation of the principal building whichever is closer. A corner lot has two (2) front yards. See Figure 32-1. *(Ord.2014-4, Eff.3-16-14)*

**YARD-REAR.** The space extending across the full width of the lot between the rear lot line and the wall or foundation of the principal building, whichever is closer. See Figure 32-1. *(Ord.2014-4, Eff.3-16-14)*

**YARD-SIDE.** The space between the side lot line and the wall or foundation of the principal building, whichever is closer, extending from the front yard to the rear yard. See Figure 32-1. *(Ord.2014-4, Eff.3-16-14)*

**ZONING BOARD OF APPEALS.** The Zoning Board of Appeals of Allendale Charter Township, created herein.

Updated 5-4-13  
Ord. No.#2013-2

Updated 12-22-14  
Ord. No.#2014-11

Updated 8-24-13  
Ord. No.#2013-16

Updated 2-24-14  
Ord. No. #2014-3

Figure 32-1  
Yard Example

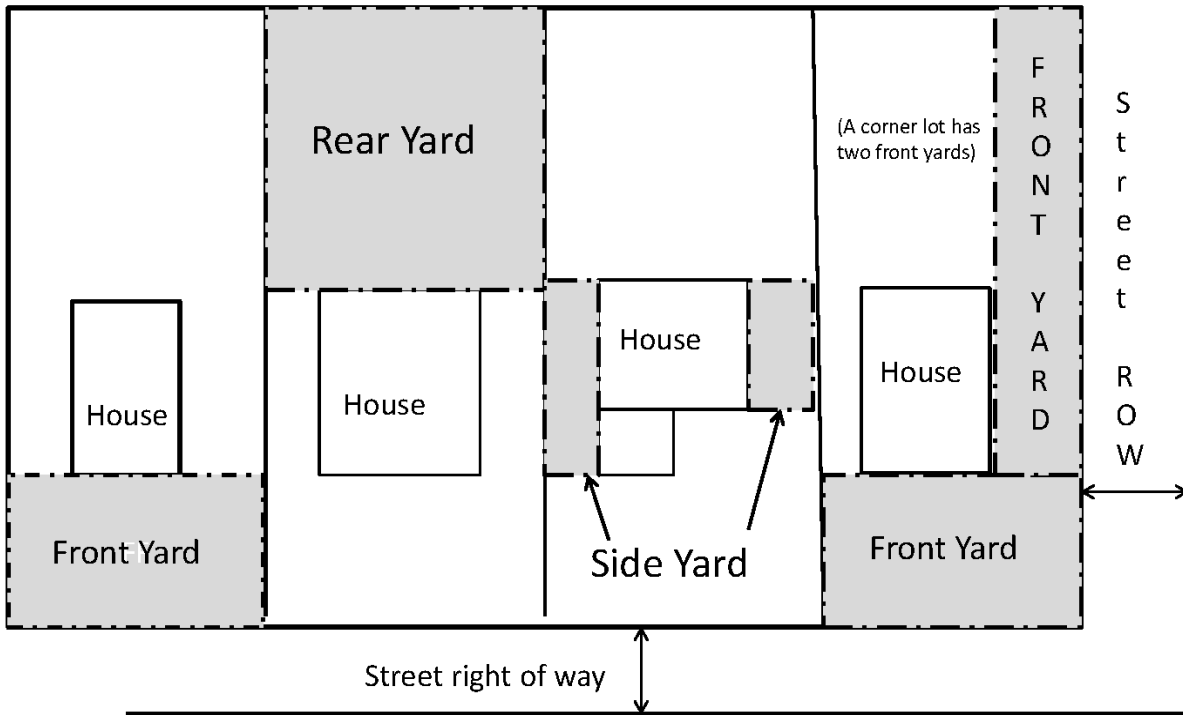


Figure 32-2

Required Yards (setback, setback line & building line)

