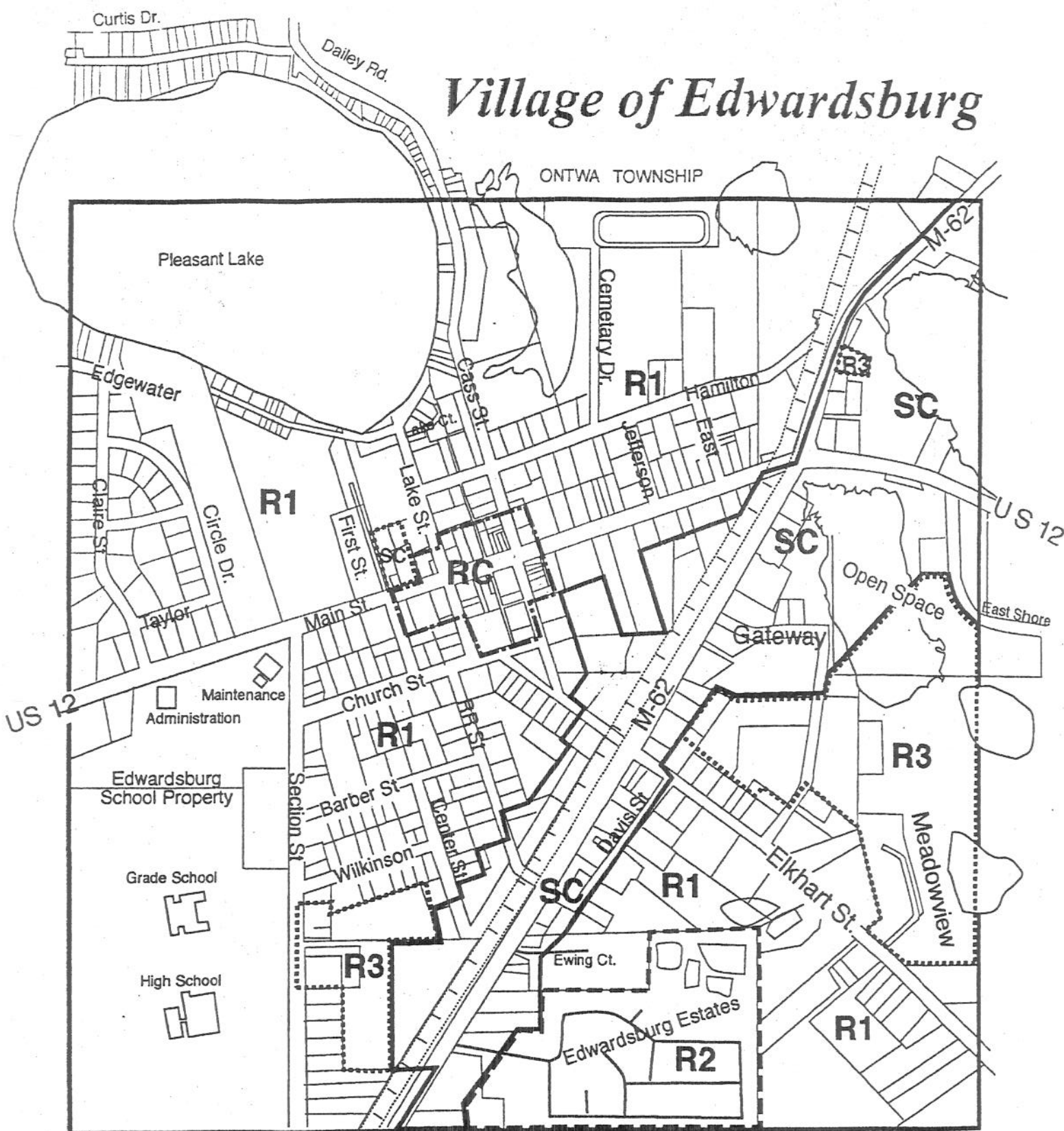


Village of Edwardsburg



Zoning Districts

- R1** Single Family Residential
- R2** Mobile Home Park
- R3** Multiple Family Residential

- RC** Retail Commercial
- SC** Service Commercial



ZONING ORDINANCE
VILLAGE OF EDWARDSBURG

Adopted: May 20, 1985
Amended to October 3, 2005

Price \$15.00

**VILLAGE OF EDWARDSBURG ZONING ORDINANCE
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GENERALIZED ZONING MAP

VILLAGE OF EDWARDSBURG, CASS COUNTY, Michigan

ZONING ORDINANCE

An Ordinance to establish zoning districts and provisions governing the use of land and buildings in the Village of Edwardsburg, Cass County, Michigan in accordance with the provisions of Act 285 of the Public Acts of 1931, as amended.

THE VILLAGE COUNCIL OF EDWARDSBURG ORDAINS:

ARTICLE I. GENERAL PROVISIONS

Section 1.01 SHORT TITLE

This Ordinance shall be known as the Edwardsburg Zoning Ordinance.

Section 1.02 PURPOSES

- A. Promoting and protecting the public health, safety, and general welfare.
- B. Protecting the character and the stability of the residential, commercial, industrial, recreational and other areas within the Village and promoting the orderly and beneficial development of such areas.
- C. Regulating the intensity of use of land and lot areas and determining the area of open space surrounding buildings and structures necessary to provide adequate light and air to protect the public health and convenience of access to property.
- D. Lessening and avoiding congestion on the public highways and streets.
- E. Providing for the needs of recreation, residence, commerce, industry and other land uses in future growth.
- F. Fixing reasonable standards to which buildings and structures shall conform.
- G. Prohibiting uses, buildings, or structures which are incompatible with the character of development or the uses, buildings, or structures permitted within specified zoning districts.
- H. Protecting against fire, explosion, noxious fumes and odors, dust, smoke, glare, noise, and other nuisances and hazards in the interest of the public health, safety, and general welfare.
- I. Conserving the taxable value of land, buildings, and structures throughout the Village.
- J. Providing for the completion, extension, substitution, or elimination of nonconforming uses.

Section 1.03 VALIDITY AND SEVERABILITY CLAUSE

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling.

If any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular land, parcel, lot, district, use, building, or structure, such ruling shall not affect the application of said provision to any other land, parcel, lot, district, use, building, or structure not specifically included in said ruling.

Section 1.04 CONFLICT WITH OTHER LAWS

- A. Where any condition imposed by any provision of this Ordinance upon the use of any lot, building, or structure is either more restrictive or less restrictive than any comparable condition imposed by any other provision of this Ordinance or by the provision of an ordinance adopted under any other law, the provision which is more restrictive or which imposes a higher standard or requirement shall govern.
- B. This Ordinance is not intended to abrogate or annul any easement, covenant, or other private agreement provided that where any provision of this Ordinance is more restrictive, or imposes a higher standard or requirement, that such easement, covenant, or other private agreement, the provision of this Ordinance shall govern.

Section 1.05 SCOPE OF REGULATIONS

- A. All buildings or structures erected hereafter, all uses of land, buildings, or structures established hereafter, all structural alteration, enlargement, or relocation of existing buildings or structures occurring hereafter, shall be subject to all regulations of this Ordinance which are applicable to the zoning districts in which such building, structure, use, or land shall be located; except in a Residential District, a lot of record on the effective date of this ordinance in single ownership or in a subdivision, even though such lot of record does not conform with the area and width requirements for the district in which such lot is located and provided that there is compliance with all other regulations contained in this ordinance and other applicable ordinances, may be used for single family residence purposes.
- B. Where a building permit for a building or structure has been issued in accordance with law prior to the effective date of this Ordinance and provided that construction is begun within six months of the effective date and diligently prosecuted to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit has been issued, and further, may, upon completion, be occupied under a certificate of occupancy by the use for which originally designated, subject thereafter, if applicable, to the provisions herein for nonconforming buildings, structures, and uses.

Section 1.06 CONDITIONAL USES

- A. To provide for the location of certain uses hereinafter specified which are deemed desirable for the public welfare within a given district or districts, but which might have an adverse effect upon nearby properties, or upon the character and future development of the district in which they are located, a classification of conditional use is hereby established. Procedures for conditional uses are set forth in Article X. See Page 42.
- B. Where a use exists on the effective date of this Ordinance and it is classified as a conditional use. by said Ordinance, it shall be considered to be a lawful conditional use. Additions or alterations to existing buildings or land improvements for expansion of lawful conditional uses may be made within the area of the lot included in the ownership existing at the time of adoption of this Ordinance, and they shall be subject to yard and building height requirements set forth in this Ordinance for permitted uses in the districts in which they are located.

Section 1.07 ESTABLISHMENT OF DISTRICTS

In order to carry out the purposes and provisions of this Ordinance, the following districts are hereby established:

- A. R-1 Single Family
- B. R-2 Mobile or Manufactured Home Park
- C. R-3 Multiple Family Residential
- D. Retail Commercial
- E. Service Commercial
- F. Manufacturing

Section 1.08 INCORPORATION OF MAPS

The locations and boundaries of the districts established by this Ordinance are shown upon the Zoning Map(s), which are hereby incorporated into the provisions of this Zoning Ordinance and which Map in its entirety, including all amendments thereto, shall be as much a part of this ordinance as if fully set forth and described herein.

The Zoning Map, and amendments thereto, shall be maintained by the Edwardsburg Planning Commission.

If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Zoning Map, such changes shall be entered on the Zoning Map promptly after the amendment has been approved by the Village Council. No amendment to this Ordinance which involves matter portrayed on the Zoning Map shall become effective until after such change and entry has been made on said Map.

No changes of any nature shall be made in the Zoning Map or matter shown thereon except in conformity with the procedures set forth in Article XII (Page 50) of this Ordinance.

Regardless of the existence of purported copies of the Zoning Map, which may, from time to time, be made or published, the Zoning Map which shall be in the possession of the Planning Commission shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Village.

Section 1.09 BOUNDARIES OF ZONING DISTRICTS

Unless shown otherwise, boundary lines of the zoning districts shall be interpreted as measured from section lines, or quarter section lines, or subdivision lines, or center lines of highways or waterways, or the boundary lines of incorporated areas, or property lines on Legal Record on the date of enactment of this Ordinance. All questions concerning the exact location of boundary lines shall be determined by the Board of Appeals consistent with the purpose of this Ordinance.

Section 1.10 REPLACEMENT OF ZONING MAP

In the event that the Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Village Council may, by resolution, adopt a new Zoning Map which shall supersede the prior Zoning Map. The new Zoning Map may correct drafting or other errors or omissions in the prior Zoning Map, but no such correction shall have the effect of amending the original Zoning Map or any subsequent amendment thereof.

Section 1.11 RULES APPLYING TO TEXT

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

- A. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- B. 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.
- C. The word "building" includes the word "structure".
- D. A "building" or "structure" includes any part thereof.
- E. The word "person" includes a corporation as well as an individual.
- F. The word "used" or "occupied", as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied".
- G. Any word or term not defined herein shall be used with a meaning of common or standard utilization.

Section 1.12: DEFINITIONS

For the purposes of this Ordinance, the following terms and words are defined as follows:

Accessory Building or Structure - A subordinate building or structure including garages, or a portion of a main building, the use of which is in keeping with, and incidental to that of the main building. Said accessory building shall clearly be located on the lot of the main building and shall not be used for habitation.

Adult Foster Care Facility - An establishment having as its principal function the receiving of persons eighteen (18) years of age or older for the provision of 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 weeks for compensation, as licensed and regulated by the State under Act No. 218 of the Public Acts of 1979 and the associated rules promulgated by the State Department of Social Services.

Alterations - Any change, addition, or modification in construction of any building, such as walls, partitions, columns, beams, or girders, the consummate act of which may be referred to herein as "altered or reconstructed".

Animated Signs - Any sign having a conspicuous and intermittent variation in the illumination of the physical position of any part of the sign.

Automobile or Trailer Sales Area - Any space used for display, sale, or rental of motor vehicles or trailers in new or used and operable condition.

Automobile Repair - 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 when carried on in a completely enclosed room or building.

Automotive Service Station - An automotive service station is a building or other structure or a tract of land used exclusively for the storage and sale of gasoline or other motor fuels and for any uses accessory thereto. The sale of lubricants, accessories, or supplies, the lubrication of motor vehicles, the minor adjustment or repair of motor vehicles, or the washing of motor vehicles are permitted accessory uses. A public parking lot or public parking garage is not a permitted accessory use. Uses permissible at a filling station do not include a motor vehicle sales, major mechanical and/or body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or

other characteristics to an extent greater than normally found in automotive service stations. An automotive service station is not a repair garage nor a body shop.

Basement - That portion of a building partly below grade, but so located that the vertical distance from the average ground level to the ceiling is less than the average ground level to the floor. A basement shall be considered a story if the vertical distance from the average ground level to the ceiling is greater than the average ground level to the floor.

Billboard - Any structure or part thereof on which lettered or pictorial matter is displayed for off-premise advertising purposes.

Board of Zoning Appeals - The Board of Zoning Appeals of Edwardsburg. See Page 57.

Boarding, Rooming, or Lodging House - A dwelling (not a single family or two family dwelling, apartment house, or a motel or hotel) providing lodging with or without meals, and having lodging accommodations for fewer than ten guests.

Buildable Area - That portion of a lot remaining after required yards have been provided.

Building - Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include car ports, tents and awnings.

Building Area - The maximum area covered by a building and its accessory building, excluding open steps and "uttering, but including the roof overhang.

Building Coverage - That percentage of the plot or lot area covered by the building area.

Building Height - The vertical distance measured from the finished grade level, sidewalk level, or its equivalent established grade from the middle of the front of the building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, or to the mean height level between eaves and ridge of a gable, hip, or gambrel roof.

Building Line - A line parallel to the lot line at a distance therefrom equal to the depth of the yard required for the district in which the lot is located.

Building Permit - A permit for commencing construction issued in accordance with a plan for construction that complies with all the provisions of this Zoning Ordinance.

Business - The engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services, the maintenance or operation of offices, or recreational and amusement enterprises for profit.

Business School - A privately owned school, not conducted by or under the sponsorship of a charitable organization, which teaches secretarial, bookkeeping, accounting, or other similar office or clerical skills.

Church - A building used for the conduct of religious services, not including rescue missions or temporary structures used for revival activities.

Clinic, Medical or Dental - A facility where three or more licensed physicians or dentists actively engage in the practice of medicine or dentistry on an outpatient basis.

Club or Lodge, Private - An association or persons who are bona fide members paying dues which owns or leases a building or portion thereof, the use of which shall be restricted to members and their guests.

Commission - Whenever the word "commission" is used in the context of this Ordinance, the same shall be defined as the Edwardsburg Planning Commission.

Community Center - A public building including one or more of the following facilities; meeting and recreation rooms, dining rooms and kitchen facilities, all for the common use of residents.

Conditional Use - A conditional use is a use that would not be appropriate without restrictions throughout the zoning district, but which, if controlled as to number, area, location, or relocation to the neighborhood, would promote the public health, safety, order, comfort, convenience, appearance, prosperity, or general welfare.

Day Care Center - A facility, which is used by a person licensed by state or local government to provide care and maintenance of children (other than his or her own family and the children of close relatives) during a portion of the day for two or more consecutive weeks.

Depth of Lot - The mean horizontal distance between the front and rear lot lines.

Depth of Yard - The mean horizontal distance between the building line and the lot line.

District - A section of Edwardsburg, for which uniform regulations governing the use, height, area, size, and intensity of use of buildings and land, and open spaces about buildings, are herein established.

Drive-In - A commercial establishment so developed that its operation is wholly or in part dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.

Dwelling Unit - A dwelling unit consists of one or more rooms in a residential building or residential portion of a building containing lawful cooking space and lawful sanitary facilities reserved for the occupants thereof.

- A. Single Family: A detached residential dwelling designed for and occupied by one family only.
- B. Two Family: A building on a lot designed and occupied exclusively as a residence for two families.
- C. Row House: A building on a lot designed and occupied exclusively as a residence for only one family and having one or more party walls in common with an adjacent single family residence.
- D. Multiple Family: A building on a lot designed and used exclusively as a residence for three or more families living independently of one another.
- E. Mobile Home: A vehicular, portable structure of not less than seven hundred twenty (720) square feet, built on a chassis and designed to be used without a permanent foundation as a dwelling unit when connected to the necessary utilities designed for and occupied by one family only.

Easement - A portion or strip of land which is part of a lot or parcel which has been reserved for a specific use for access for persons, utilities, or services.

Erected - Built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises required for the construction. Excavation, fill, drainage, and the like shall be considered a part of erection.

Essential Services - The phrase "essential services" means the erection, construction, alteration, or maintenance of public utilities or municipal department or commission of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply, or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but

not including buildings, reasonably necessary for the furnishing of adequate service by such public utilities or municipal department or commission or for the public health safety, or general welfare.

Family

- a) One (1) or more persons related by blood, or marriage occupying a dwelling unit and living as a single, nonprofit housekeeping unit, or
- b) A collective number of individuals living together in one house under one head, whose relationship is of a permanent and distinct domestic character, and cooking as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or organization, which is not a recognized religious order, nor include a group of individuals whose association is temporary and seasonal in character or nature.

Fence - A structure partially or completely surrounding a part of or the whole of a zoning lot which is intended to prevent intrusion from without and straying from within the area controlled, but not including a hedge or other natural growth.

Filling Station - See Automotive Service Station.

Floor Area - The sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls or from the center line of walls separating the buildings, including any area when used for residential, commercial, or industrial purposes, but not including a basement or portion of a basement used for storage or housing of mechanical or central heating or air conditioning equipment, unfinished attics, garages, outside balconies, open porches, accessory buildings, or any floor area within a building which is used for off-street parking.

Frontage - The contact of abutting property with a street which affords unobstructed access to the property.

Garage, Commercial - Any building or premises (except those defined herein as a private garage) used for storage of motor vehicles, for remuneration.

Garage, Private - An accessory building in a residential district with the capacity of no more than three (3) motor vehicles for storage only, not more than one of which may be a commercial vehicle of no more than three quarter ton capacity. A garage designed to house one motor vehicle for each family housed in an apartment shall be classed as a private garage.

Garage, Vehicle Repair - A structure, or portion thereof, designed or used for the repair, equipment, or servicing of motor vehicles, including, but not limited to, upholstery work, glass work, painting, welding, body and fender work, and major engine overhaul and transmission work, but not including motor vehicle sales.

Grade - The ground elevation established for the purposes 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 level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

Greenbelt or Buffer Strip - A strip of land of definite width and location reserved for planting of shrubs and/or trees to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

Group Housing Quarters - A structure occupied by individuals sharing common facilities. Group housing quarters shall differ from two and multi-family dwelling units in that the rooms contained in the structure do not constitute independent housekeeping establishments.

Home Occupation - A use conducted entirely within an enclosed dwelling, which use is clearly incidental and secondary to residential occupancy and does not change the character thereof. See Page 37.

Hospital - A facility in which patients are rendered medical and/or surgical care on an episode basis with the standard provision of continuous 24 hour acute medical care on an in-patient basis.

Hospital, Animal - A medical facility for the treatment of domestic animals and birds. For purposes of this Ordinance, an animal hospital shall also be considered a veterinary clinic.

Hotel - A building containing separate sleeping units, each of which may have bathroom facilities, designed for or used primarily on a temporary basis by transients.

Industrial Park - A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries providing them with all necessary facilities and services in attractive surroundings among compatible neighbors.

Junkyard - A place where junk, waste, or discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including wrecked vehicles, used building materials, structural steel materials and equipment, and other manufactured goods that are worn, deteriorated, or obsolete.

Kennel - Any lot or premises on which four (4) or more dogs, cats or other household domestic animals at least three months of age are kept.

Laboratory - A place devoted to experimental study such as testing and analyzing.

Land Use Plan - A composite, or portion thereof, of the mapped and written proposals and recommendations relative to the growth and development of Edwardsburg as adopted by the Village Council.

Landscaping - The planting and maintenance of trees, ground cover, shrubs, vines, flowers, or lawns, including natural features such as rock or stone and structural features such as fountains, art work, screens, walls, fences, and benches.

Livestock - Livestock means domestic animals except dogs and cats and other household pets normally in the residence.

Loading Space, Off-Street - Space logically and conveniently located for both pick-ups and deliveries, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lodging House - A building where lodging without meals is provided for compensation.

Lot - A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one main building and its accessory buildings, and the open spaces required by this Ordinance, and having its principal frontage on a street, or an officially designated and approved place.

Lot, Corner - A lot at the junction of two or more streets.

Lot, Interior - Any lot other than a corner lot.

Lot, Through - A lot having frontage on two parallel or two approximately parallel streets.

Lot Line, Front - In the case of an interior lot, a line separating the lot from the street or place, and in the case of a corner lot, a line separating the narrowest street, frontage of the lot from the street, except in cases where deed restrictions in effect specify another line as the front lot line.

Lot Line, Rear - A lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangular shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot Line, Side - Any lot boundary line not a front lot line or a rear lot line.

Lot of Record - A lot of record at a time of enactment of this Ordinance in the Office of the Register of Deeds, either as a part of a subdivision or described by metes and bounds.

Manufactured Home - A dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code.

Manufacturing or Industry - Any use in which the major activity is the treatment, processing, fabrication, rebuilding or repairing, or bulk storage of material, products, or items, and where the finished product is not acquired by the ultimate user on the premises; as distinguished from a retail use where the treatment, processing, repairing, or storage is secondary to the sale, exchange, or repairing of materials or products on the premises.

Mobile or Manufactured Home Park - A mobile or manufactured home development designed with facilities for common use and in which home spaces are rented for periods of not less than 30 days.

Motel - A building or a group of buildings containing sleeping units, each with bathroom facilities, designed for or used primarily on a temporary basis by automobile tourists or other transients, with parking space conveniently located to each unit.

Motor Vehicle Sales Lot - Any premises where three (3) or more motor vehicles are offered for sale or sold during any calendar year.

Motor Vehicle Wrecking Yard - Any place where two (2) or more motor vehicles not in running condition or otherwise legally operable on public ways, or parts thereof, are stored in the open and are not being restored to operation; or any land, building, or structure used for wrecking or storing of such motor vehicles or parts thereof, including farm machinery stored in the open and not being restored to operating condition.

Nonconforming Lot - A lot of record which does not conform to the lot area or lot width regulations of this Ordinance.

Nonconforming Use - Any building or land lawfully occupied by a use which, at the time of the passing of this Zoning Ordinance or an amendment thereto, does not conform with the regulations in which it is situated.

Noxious Matter - Offensive to the human senses, especially sight and smell.

Nursing Home - A building to house and within which services are provided for ill and aged persons.

Off-Street Parking - A parcel of land with a durably surfaced area, enclosed in a main building or an accessory building, or unenclosed, sufficient in size to store at least one standard automobile. Such open, unoccupied space shall be other than a street or alley and the principal use of such parcel of land, durably surfaced, enclosed or unenclosed, shall be for the purpose of parking vehicles off the thoroughfares within Edwardsburg.

Official Zoning Map - The Official Map(s) showing the location and boundaries established by this Ordinance. The Official Zoning Map, together with all the explanatory matter thereon and all amendments thereto, is adopted by reference and is a part of this Ordinance.

Open Space - The portion of the gross site area that is landscaped or that is usable and maintained for recreational purposes (including lawns, patios, and usable rooftops).

Parking Lot, Commercial - A parcel of land devoted to unenclosed parking spaces for two (2) or more motor vehicles for compensation or otherwise.

Parking Space - An area of not less than two hundred (200) square feet designed to accommodate one motor vehicle, not including required access and maneuvering areas.

Plan Commission - The Edwardsburg Planning Commission. See Page 52.

Public Sewer System - A public sewer system shall be defined as a central or community sanitary sewage and collection system of pipes and structures including pipes, conduits, manholes, pumping stations, sewage and waste water treatment works, diversion and regulatory devices, and outfall structures, collectively or singularly, actually used or intended for use by the general public or a segment thereof, for the purpose of collecting, conveying, transporting, treating, or otherwise handling sanitary sewage or industrial liquid wastes of such a nature as to be capable of adversely affecting the public health, operated and maintained by the general public.

Public Utility - Any 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.

Recreation Area, Private - All lands and structures which are owned and operated by private individuals, a business, or corporation which are predominately intended to accommodate recreational vehicles and provide for outdoor recreational activities.

Recreational Vehicle - Includes boats, motor homes, snowmobiles, travel trailers, and other similar items designed and intended specifically for temporary living such as travel, camping, and vacationing, whether self propelled or towed.

Restaurant - A lot upon which food or beverages are cooked or prepared and offered for sale and where consumption is permitted on the premises, whether or not entertainment is offered, and includes establishments commonly known as bars, grills, cafes, taverns, nightclubs, dinner theaters, drive-ins, and any fast food establishment permitting consumption on the premises.

Restaurant, Drive-In - Any restaurant designed to permit or facilitate the serving of meals, sandwiches, ice cream, beverages, or other food served directly to, or permitted to be consumed by, patrons in automobiles or other vehicles parked on the premises.

Restaurant, Fast Food - Any restaurant designed to permit or facilitate the serving of meals, sandwiches, or other food directly to patrons at a counter to be consumed elsewhere, either on or off the premises.

Right-of-way Line - The dividing line between a lot and a public street, legally open or officially plotted by the Village, County, or State, or over which the owners or tenants or two or more lots held in single or separate ownership have the right-of-way.

Roadside Stand - A structure which is used seasonally for the sale of produce. The use of a roadside stand shall not constitute a commercial district.

Rooming Houses - See Lodging House.

Satellite Dish or Antenna - A structure which shall be an accessory to any primary use.

Screening - A hedge, fence, or wall, or any combination thereof, used to reduce visual and audible effects of adjoining uses.

Section - A unit of a manufactured home at least twelve (12) body feet in width and thirty (30) body feet in length.

Setback - The minimum required horizontal distance between the center line of the right-of-way and the building line.

Shopping Center - A group of commercial establishments planned and developed, owned, or managed as a unit, with off-street parking and loading provided on the premises, and related in its location, size, and type of stores to the trade area which it serves.

Sign - Any name, identification, description, display, or illumination which is affixed to, painted, or represented directly or indirectly upon a building (including on window area), structure, or land which is in view of the general public and which directs attention to a person, place, commodity, activity, institution, organization, or business.

Story - That portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall be the story.

Story, Half - That portion of a building under a sloping gable, hip, or gambrel roof, the wall plates on at least two (2) opposite exterior walls of which are not more than three (3) feet above the floor level of such halfstory.

Street - A public thoroughfare between property lines, which affords principal means of vehicular access to abutting property.

Structure - An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. Anything constructed or erected, the use of which requires permanent location on or under the ground or attachment to something having a permanent location on the ground. Advertising signs, billboards, backstops, tennis courts, mobile homes, and other similar things shall be included in this definition.

Subdivision - All divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development.

Swimming Pool - An artificial or semi-artificial basin or tank, including all appurtenant equipment, structures, and facilities, for the purpose of impounding water to a depth of more than two and one-half (2 ½) feet for the immersion or partial immersion therein of human beings.

Tavern - A public establishment where food is sold and served, but where the principal business is the selling and serving of alcoholic beverages for consumption on the premises.

Trade School - A privately owned school not conducted by or under the sponsorship of a charitable organization, which teaches industrial or technical arts.

Truck Terminal - Any place where trucks are stored and/or dispatched or where freight is brought and dispatched by truck.

Variance - A variation of the lot size or width requirements, yard requirements, height restrictions, sign regulations, parking and loading requirements, or other development standards from those set forth in the

Zoning Ordinance, granted by the Board of Zoning Appeals in accordance with the provisions of this Ordinance where strict enforcement of the terms of the Ordinance would create undue hardship, owing to the unique characteristics of the property for which the variance is sought.

Village Council - The Board of Trustees of Edwardsburg, Cass County, Michigan.

Yards - The area of each lot in which no building or structure shall be erected. The size of such area is determined by the distance from the property lines to the building lines.

- A. Front: The minimum required open space extending the full width of the lot from the property line to the building line. The main entrance to the building shall face the front or side yard.
- B. Side: The minimum required open space extending the full depth of the lot and extending from the side lot line to the nearest point on the main building line.
- C. Rear: The minimum required open space extending the full width of the lot from the rear lot line to the nearest point on the main building line.

Zone - Same as District.

Zoning Administrator - The designated administrator and enforcement official of this Ordinance

Zoning Lot - A tract of land 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 may or may not coincide with a lot of record.

Zoning Map - A map showing the division of land into various districts within the jurisdiction of Edwardsburg

SECTION 1.13. RESIDENTIAL DWELLINGS, GENERALLY

- A. There shall be a minimum floor area for all single family dwelling units (conventional construction units, manufactured housing, mobile homes, modular housing and sectional housing) equal to that specified in the zoning district where permitted.
- B. There shall be a minimum floor to ceiling height of seven and one half (7 1/2) feet; or if a mobile home, it shall meet the requirement of the United States Department of Housing and Urban Development regulations, entitled Mobile Home Construction and Safety Standards, effective June 15, 1976, as amended.
- C. There shall be a minimum width throughout the entire length of the dwelling of twenty (20) feet measured between the exterior part of the walls having the greatest length.
- D. There shall be a foundation around the entire exterior perimeter of the dwelling of concrete or block of a minimum height of forty-two (42) inches below grade with a maximum height of sixteen (16) inches of exposed foundation and a minimum of 8 inches exposed foundation above grade of the same design as required by the construction code as adopted by the township for single family residences.
- E. As a minimum, there shall be a crawl space below the entire bottom of the dwelling of four (4) feet in depth with a vapor barrier consisting of two (2) inches of concrete on the floor of the crawl space provided with adequate drains to drain any accumulation of water in the crawl space. If soil conditions do not allow the construction of a crawl space, the Building Administrator may allow an alternative building plan to be utilized if consistent with the approved construction code of the Village.
- F. The dwelling shall be firmly attached to the foundation so as to be water tight in such a way as water will not enter and shall be anchored to said foundation by an anchor system designed and constructed in compliance with the United States Department of Housing and Urban Development Regulations entitled "Mobile Home Construction and Safety Standards" or as required by the construction code as adopted by the township for single family residences.
- G. None of the wheels, pulling mechanisms, tongues, and undercarriage shall be visible from outside the dwelling, if applicable.
- H. The dwelling shall be connected to a public sewer and public water supply.
- I. There shall be permanently attached to the foundation, steps and/or porch areas where an elevation differential exists between any door and surrounding grade.
- J. There shall be a minimum of a double pitched roof of not less than four (4) feet of rise for each twelve (12) feet of run.
- K. There shall be no additions to the living space of the dwelling unless it meets all the requirements hereof and is built according to the same minimum standard as the dwelling and approved by the Building Administrator.
- L. There shall be a minimum of two (2) doors to provide means of ingress and egress from the dwelling.
- M. Plans, floor plan layouts, certification of meeting HUD mobile home standards (if applicable) and foundation shall be presented along with a site plan showing compliance therewith and with all other

requirements of the Zoning Ordinance, including but not limited to the requirement of the district in which it is, to the Building Administrator prior to issuance of a building permit.

- N. A mobile home must meet standards for mobile home construction as contained in the United States Department of Housing and Urban Development Regulations entitled "Mobile Home Construction and Safety Standards" effective June 15, 1976, as amended, and shall be located only in the R2 Zone District unless authorized by the Planning Commission. All other dwellings must meet the requirements of the construction code as adopted by the Village.