

TITLE

**WEST BRANCH TOWNSHIP
ZONING ORDINANCE**

AN ORDINANCE enacted pursuant to the authority contained in **Act 184 of the Public Acts of Michigan for 1943, as amended, (MCLA 125.271 et seq.)**, known as the "**Township Rural Zoning Act**" for the establishment of a zoning ordinance governing the unincorporated portions of the Township and utilizing districts and standards to regulate the use of land and resources in the best interest of the public health, safety and welfare. This Ordinance is enacted to establish administrative procedures for the review and processing of land use proposals subject to the authority of this Ordinance and to set up the requirements for the administration, enforcement, penalties for violation, provision for amendments and to establish a reasonable schedule of fees to carry out these provisions. This Ordinance also establishes an appeals process along with procedures to be followed for the organization and perpetuation of a Zoning Board of Appeals outlining their authority, duties and responsibilities.

PREAMBLE

In accordance with the authority and intent of **Act 184 of the Public Acts of 1943**, as amended, West Branch Township desires to provide for its orderly government by utilizing and implementing the various concepts, goals, objectives, policies and directives as outlined in the Township Comprehensive Plan which are essential to the well-being of the community and which will place no undue burden upon residents, commerce, food producers, the natural resources, energy conservation, developers or industry. The Township further desires to assure adequate sights for residences, food production, recreation, industry and commerce; to provide for the free movement of vehicles upon the streets and highways of the Township; to protect residents, food producers, natural resources, energy consumption, industry and commerce against incongruous and incompatible uses of land; to promote the proper use of land and natural resources for the economic well-being of the Township as a whole; to insure adequate space for the parking of vehicles of customers and employees using commercial, retail and industrial areas; to assure that all uses of land and buildings within the Township are so related as to provide for economy in government and mutual support; and to promote and protect the public health, safety, comfort convenience and general welfare of all persons and property owners within the Township.

ENACTING CLAUSE

THE TOWNSHIP OF WEST BRANCH, STATE OF MICHIGAN ORDAINS:

ARTICLE I: GENERAL PROVISIONS

SECTION 1.01: SHORT TITLE

This ordinance shall be known and may be cited as the "**West Branch Township Zoning Ordinance**".

SECTION 1.02: CONSTRUCTION OF LANGUAGE

The following rules of construction shall pertain to the text of this Ordinance:

- A. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases that have a peculiar and appropriate meaning in the law, shall be construed and understood according to such peculiar and appropriate meaning.
- B. The particular shall control the general.
- C. In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- D. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- E. The word "use" includes the words, structures and building associated with such use.
- F. When not inconsistent with the context, words in the present tense shall include the future and words in the singular number shall include the plural.
- G. The word "building" includes the word "structure" and the word "dwelling" includes the word "residence". A "building" or "dwelling" includes any part thereof.
- H. The words "used" or "occupied" include the words "intended", "designed", or "arranged" to be used or occupied.
- I. The word "person" includes any firm, association, organization, partnership, trust, corporation, or similar entity, as well as an individual.
- J. The word "lot" includes the words "plot" and "parcel".
- K. Unless the context clearly indicates the contrary, where 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:
 - 1. "And" indicates that all connected items, conditions, provisions or events shall apply.

2. "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 3. "Either...Or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
- L. Words in the singular number shall include the plural number and words in the plural number shall include the singular number. The masculine gender shall include the feminine and the feminine gender shall include the masculine.
- M. Whenever reference is made to several sections and the section numbers are connected by the word "to", the reference includes both sections whose numbers are given and all intervening sections.
- N. In computing a period of days, if the first day or last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.

SECTION 1.03: DEFINITIONS

For the purpose of this Ordinance words pertaining to access, building, property, land use, building use, building measurement, and enforcement shall have the following meaning:

Accessory Building: A building or structure customarily incidental and subordinate to the principle structure and located on the same lot as the principal building.

Accessory Use: A use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

Agriculture: The art or science of cultivating the ground, including the harvesting of crops and by extension, the rearing reproducing and managing of livestock and poultry or other animals upon the ground in fields or pastures or pens. Agricultural activity shall be further identified on the basis of intensity as:

Light Agricultural Activity: The cultivation of more than a garden but less than a farm, where primary land use is residential and the production of crops and husbandry of domesticated animals is primarily for the consumption, enjoyment and/or use of the occupants.

Traditional Agricultural Activity: One or more plots of land comprising a farm devoted to the raising of domestic animals and/or the cultivation of crops in quantity for the primary purpose of producing income, and which is operated in accordance with the Michigan Right to Farm Act, Public Act P.A. 93 of 1981.

Intensive Agricultural Activity: The keeping of animals, either in pens or buildings where one or more of the following conditions exist:

- 1) the quantity of animals exceed traditional farming operations;
- 2) animal density would result in the destruction of cover vegetation for 50% or more of the enclosure area;
- 3) animals are confined within buildings for extended periods regardless of weather;
- 4) the primary food for purposes of preparation of animals for market is produced off-site and where grazing or foraging is minimal or does not occur, i.e. feedlot;
- 5) processing operations also occur on the same premises;
- 6) the operation consists of a fur farm, feedlot (beef, hogs, etc.) or poultry farm;
- 7) keeping of exotic, other non-domesticated or musk producing species.

Agricultural Produce Stand: A structure which is used seasonally for display and sale of agricultural produce raised on the premises.

Alley: A public or legally established private thoroughfare, other than a street, affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

Apartment: A dwelling unit in a "multiple family dwelling" as defined herein.

Area, Sign: The entire area within a circle, triangle, or parallelogram enclosing the extreme limits or writing, representation, emblem, or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background on which the sign is placed. Where a sign consists solely of lettering or other sign elements printed or mounted on a wall of a building without any distinguishing border, panel, or background, the area of such a sign shall be computed using the dimension of the rectangle which touched the outermost points of the sign. In the case of a two-sided identification sign where both sides are used, only one side shall be considered in calculating the total area.

Automotive Repair Garage: A premise where the following services may be carried out in a completely enclosed building: general repairs, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service such as body, frame or fender straightening and repair; painting and undercoating of automobiles.

Bar: A structure or part of a structure used primarily for the sale or dispensing of liquor by the drink.

Basement: That portion of a building which is partially 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.

Berm: A man-made, formed, earth mound of definite height and width used for obscuring purposes; the intent of which is to provide a transition between uses of differing intensity.

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, unsubdivided acreage, lake, river, stream, or other barrier to the continuity of development.

Bluff line: The edge or crest of the elevated segment of the shoreline above the beach or beach terrace which may be subjected to wave attack, and normally presents a precipitous front and inclines steeply on the water side. (Dunes terraces which accrete and erode depending on water levels are not considered bluff lines.)

Breeze way: A covered structure connecting an accessory building with the principal dwelling unit. For purposes of determining yard and area requirements, such buildings shall be considered as one integral unit.

Buffer: A strip of land, including any specified type and amount of planting or structures which may be required to protect one type of land use from another, or minimize or eliminate conflicts between them.

Building: A structure having a roof supported by columns or walls for the shelter, support, enclosure of persons, animals or property.

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; to the average height between the eaves and ridge for gable, hip, and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building walls.

Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is located.

Bulletin Board: A sign whose primary purpose is to announce events or other occurrences related to the premises.

Carport: A parallel open structure, intended to shelter one or more vehicles. Such structure shall comply with all yard requirements applicable to private garages.

Certificate of Zoning Compliance: A certificate issued by the Zoning Administrator to a party intending to initiate any work or change any use of property or build or construct any buildings or structures in the Township.

Child Care Center or Day Care Center: A facility other than a private residence, licensed by the state as may be required, receiving 1 or more preschool or school age children for care periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center.

Church: A building whose primary purpose is the regular assembly for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

Clinic: A place where mental, medical, or dental care is furnished to persons on an out-patient basis by two or more licensed health care professionals.

Club: An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or similar activities, but not operated for profit and open only to members and not the general public.

Commercial Vehicle: A vehicle licensed as a commercial vehicle registered to do business in the State of Michigan.

Comprehensive Plan: The statement of policy by the Township Planning Commission relative to the agreed upon and officially adopted guidelines for a desirable physical pattern for future community development. The plan consists of a series of maps, charts and written materials representing, in summary form, the soundest concept for community growth to occur in an orderly, attractive, economical and efficient manner thereby creating the very best community living conditions.

Conditional Use Permit: A permit issued by the Zoning Administrator after a Public Hearing and approval of the Planning Commission. Where the proposed conditional use is reviewed and approved and a permit issued to a person or persons intending to undertake the operation of a use upon land or within a structure or building specifically identified in the affected Zoning District under "Conditional Uses Authorized by Permit".

Contiguous property: Any portion of an individual lot or property which can be identified as one parcel, including those properties in the same ownership which would otherwise be touching except for a public right-of-way or easement running through them. Property which is joined at a common point is not considered contiguous property.

County Board: Marquette County Board of Commissioners.

Day Care Center/Facility: See Child/Family/Group Care Centers.

Directional Sign: A sign which gives a name, location, and general nature of a specific establishment or attraction and is intended to give directions to that place.

District: One zoning district.

Dwelling, Single-Family: A structure, including a mobile home, designed or used for residential occupancy for one family.

Dwelling, Two-Family: A structure containing two dwelling units each designed for residential occupancy by one family.

Dwelling, Multiple Family: A structure containing more than two dwelling units each designed for residential occupancy by one family, including condominiums. In districts providing for multiple family dwellings for the purpose of computing the maximum number of rooms per lot, the following room assignments shall control:

Efficiency = 1 room
One Bedroom = 2 rooms
Two Bedroom = 3 rooms
Three bedrooms = 4 rooms (or more).

Plans 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.

The area used for computing density shall be the total site area exclusive of any dedicated public right-of-way of either interior or bounding roads.

For multiple family dwellings, the total number of rooms (not including kitchen, dining, and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by:

- a) Five Thousand (5,000) with private water and sanitary facilities;
- b) Three Thousand, Three Hundred and Thirty (3,330) with municipal water and private sanitary facilities.

All units shall have at least one (1) living room and one (1) bedroom, except that not more than ten (10) percent of the units may be of an efficiency apartment type.

Dwelling Unit: One or more rooms with bathroom, bedroom, and kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes.

Earth Sheltered Home: A building which is partially or entirely below grade and is designed and intended to be used as a single-family dwelling.

Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface or overhead gas, communication, telephone, electrical, steam, fuel or water transmission or distribution systems, collections, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience, or welfare, but not including office buildings, substations or structures which are enclosures or shelters for the service equipment or maintenance depots.

Excavation: Any breaking of ground, except common household gardening, general farming and ground care.

Family: An individual, or two or more persons related by blood, marriage or adoption, or parents along with their direct lineal descendants, and adopted or foster children, or a group not to exceed three persons not related by blood or marriage, occupying a premises and living as a single cooking, sleeping, and bathroom/housekeeping unit. Every additional group of three or less persons living in such housekeeping unit shall be considered a separate family for the purpose of this Ordinance. This definition shall not apply in instances where family or group day care homes, or State licensed residential facilities have been established under the requirements of P.A. 395 of 1976, as amended.

Family Day Care Home: A private home, licensed by the State as may be required, in which 1 but less than 7 minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.

Farm: A tract of land of at least 20 acres devoted to agriculture for the purpose of raising crops or animals as a source of income.

Feed Lot: The place of confined or concentrated feeding of farm animals which are being fattened for market.

Fence: An artificially constructed barrier of wood, metal, stone, or any manufactured materials erected for the separation of yard areas.

Filling: The depositing or dumping of any matter into or onto the ground except common household gardening and general maintenance materials.

Floor Area, Gross: The sum of all gross horizontal areas of the several floors of a building or buildings, measured from the outside dimensions of the structure. Unenclosed porches, courtyards, or patios, whether covered or uncovered, and basements and breeze ways shall not be considered as part of the gross floor area unless used for commercial purposes, such as nursery beds or sales of outdoor equipment.

Floor Area Ratio: An intensity measured as a ratio, derived by dividing the total floor area of a building(s) by the lot area.

Floor Area, Usable: For purposes of computing parking requirements, is that area to be used for the sale of merchandise or services, or for use to serve patron, clients or customers. Such floor area which is used or intended to be used for the storage or processing of merchandise, for hallways, stairways and elevator shafts, or for utilities or sanitary facilities shall be excluded from the computation of "usable floor area". Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of living areas of the building, measured from the interior faces of the exterior walls, including private garages.

Fur Farm: The place of confined keeping, raising or breeding of more than 150 animals for the purpose of producing fur or pelts.

Garage, Residential: An accessory building, or portion of a principal building, designed or used solely for the storage of non-commercial motor vehicles, boats, and similar items or equipment, and having no public sales or shop services in connection thereof.

Gasoline Service Stations: A structure used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for storage, minor motor repair, or servicing, but not including bumping, painting, refinishing, or conveyor-type car wash operations.

Grade: A ground elevation established for the purpose of controlling the number of stories and the height of any structure. The building grade shall be determined by the level of ground adjacent to the walls of any structure 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 structure. The average of all faces shall be used to determine the height of a structure.

Group Day Care Home: A private home licensed by the State, as may be required, in which more than 6 but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day unattended by parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.

Home Occupation: A use or occupation conducted on the premises either within the main residential dwelling or an accessory building which is clearly incidental and secondary to residential occupancy and does not change the character thereof and meets the standards set out in Section 3.03, B and Section 6.04.

Hotel: A structure designed, used, or offered for residential occupancy for any period less than one month, including tourist homes, resorts, lodges, motels and youth camps, but does not include hospitals and nursing homes.

Identification Sign: A sign which pertains to the use of a premise and contains any or all of the following information:

1. The occupant of the use.
2. The address of the use.
3. The kind of business and/or the principal commodity sold on the premises.

Junkyard: Any land or building used for abandonment, storage, keeping, collecting, or baling of paper, rags, scrap metals, other scrap or discarded materials, or for abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in running conditions, machinery or parts thereof.

Kennel: Any activity involving the permanent or temporary keeping or treatment of more than four (4) dogs over six (6) months of age other than ordinary agricultural operations.

Kennel - Hobby: The permanent or temporary keeping of four or more dogs, of at least six (6) months of age, for the enjoyment and/or use of the occupants.

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 or unloading merchandise or materials.

Lot: A parcel of land, excluding any portion in a street or road right-of-way, of at least sufficient size to meet minimum requirements for use, coverage and lot area, and to provide such setback area and other open space as required by this Ordinance. Such lot shall have access onto a public street, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. Any combination of complete and/or portions of lots of record;
4. A parcel of land described by metes and bounds, provided that in no case of division or combination shall the area of any lot or parcel created, including residuals, be less than that required by this Ordinance.

Lot Area: The area of land within the boundary of a lot excluding any part under water, and, in addition, the area of land bounded by any front lot lines, the right-of-way line of the highway on which it fronts, and the side lot lines intersecting the front lot line at its ends extended to the right-of-way line of the highway. The determination of lot size when adjoining a road shall be made as if the road was a part of the lot in question, in the RR-5, RR-10, RP-20, AP districts.

Lot, Corner: A lot which has at least two contiguous sides abutting upon a street for their full length.

Lot, Depth of: The average distance from the front lot line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.

Lot, Interior: A lot other than a corner lot.

Lot Line(s): Any of the lines bounding a lot as defined herein.

1. **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, it is both lines separating said lot from either street. In the case of a corner lot, both sides abutting the street are considered front yards and consequently both have front lot lines.
2. **Rear Lot Line:** That lot line opposite and most distant from the front lot line. In the case of an irregularly shaped lot, the rear lot line shall be an imaginary line parallel to the front lot line not less than ten (10) feet in length, lying farthest from the front lot line and wholly within the lot. Where the lot has a discontinuous lot line, all lot lines approximately parallel to the front lot line shall be rear lot lines.
3. **Side Lot Lines:** 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 line from another lot or lots is an interior side lot line.

Lot of Record: A lot in a map recorded with the County Register of Deeds, or described in a deed or land contract or lease agreement which has been perpetual, executed together with an affidavit or acknowledgment of a notary public, prior to the effective date of this Ordinance, and which lot actually exists as shown or described.

Lot, Through: A double frontage lot, not a corner lot, having a street for both front and rear lot lines.

Lot, Width: The straight line horizontal distance between the side lot lines, measured at the front lot line. Minimum lot width as used in Article III, Section 3.01 shall be measured at front setback line and shall not include any encumbrances, such as easements or other restrictions.

Marquee: A roof-like structure of a permanent nature projecting from the wall of a building.

Mineral: An organic or inorganic substance in the earth having a consistent and distinctive set of physical properties and composition that can be expressed by a chemical formula and includes, but not limited to, iron ore, copper, sand, gravel, stone, gypsum, peat, silver, gold, diamonds and other precious and semi-precious stones, and uranium.

Mining: The extraction of minerals, including the actual removal, processing and transportation of minerals and attendant by-products. Also including wetland mitigation projects.

Mobile Home: A structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the structure. A mobile home does not include a recreational vehicle.

Mobile Home Park: A parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual, nonrecreational basis and which is offered to the public for that purpose, regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment or facility used or intended for use incident to the occupancy of a mobile home and which is not intended for use as a temporary trailer park.

Modular (Pre-Manufactured) Housing Unit: A dwelling unit constructed solely within a factory, as a single unit, or in various sized modules or components, which are then transported by truck or other means to a site where they are assembled on a permanent foundation to form a single-family dwelling unit, and meeting all codes and regulations applicable to conventional single-family home construction.

Night Club: A restaurant that is open until early in the morning and provides food, drink, music, etc.

Nonconforming Building (Nonconforming Structure): A building or structure (or portion thereof) lawfully existing at the time of adoption of this Ordinance or a subsequent amendment thereto, that does not conform to the regulations of the zoning district in which it is situated.

Nonconforming Use: A use of a building or structure or of a parcel or tract of land, lawfully existing at the time of adoption of this Ordinance or subsequent amendment thereto, that does not conform to the regulations of the zoning district in which it is situated.

Nursing Home: An installation other than a hospital, having as its primary function the rendering of nursing care for extended periods of time to persons afflicted with illness, injury, or an infirmity.

On-Premise Sign: A sign which advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic on the premises. All other signs are off-premise signs.

Open Space Ratio: The ratio between open space on the lot, whether required or not, and the total lot area.

Open Space, Required: The yard space of a lot which is established by and between the street, or the lot lines and required setback line and which shall be open, unoccupied and unobstructed by any structure or any part thereof, except as otherwise provided in this Ordinance.

Parking Lot: A use containing one or more parking spaces located at or above or below grade accessible for the storage or parking of permitted vehicles, exclusive of drives and entrance giving access thereto.

Parking Space: An accessible area of not less than nine (9) feet by nineteen (19) feet, exclusive of drives, aisles or entrance giving access thereto.

Planned Unit Development: A tract of land developed as a separate neighborhood or community unit. The development shall be based on an approved site plan which allows flexibility of design not available under normal zoning district requirements. The plan may contain a mixture of housing types, common open space and other land uses.

Planning Commission: The Planning Commission of the Township of West Branch.

Poultry Farm: The place of confined keeping, raising, or breeding fowl on a commercial scale for the production of eggs or meat.

Premises: A lot as otherwise used in this Ordinance.

Principal Structure: The main structure or building to which the premises are devoted.

Principal Use: The main use to which the premises are devoted.

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, refuse removal, communication, telephone, telegraph, transportation or water.

Reclamation Plan: A plan for reconditioning or rehabilitating a mining area or portions thereof for useful purposes, and the protection of natural resources, including, but not limited to the control of erosion, visual blight and the prevention of land or rock slides and air and water pollution.

Recreational Structure: A cabin, cottage, camp, hunting camp, mobile home or other similar structure used intermittently for recreational or vacation purposes and which is not a permanent place of domicile or residency of the owner, his or her agents, lessees, heirs or assigns.

Recreational Vehicle: A vehicle used for pleasure and designed for recreational use and not as a place of domicile, built upon a frame or chassis with wheels attached and not exceeding forty (40) feet in length.

Restaurant: An establishment where 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 grills, cafes, drive-ins and any fast food establishments permitting consumption on the premises.

Right-of-Way: A street, alley, or other thoroughfare or easement permanently established for the passage of persons, vehicles, or the location of utilities. The right-of-way is delineated by legally established lines or boundaries.

Sanitary Landfill: A method of disposing of refuse on land without creating nuisances or hazards to public health or safety.

Sawmill: The machinery and appurtenant structures used for the manufacture of wood products. Included, but not limited to, are circular or band saws, planers, debarkers, chippers and kilns.

Screen: A structure providing separation, such as a fence, and a visual barrier between the area enclosed and the adjacent property. A screen may also be non-structured, consisting of shrubs or other living vegetation.

Setback: The minimum unoccupied distance between the lot line and the principal and accessory building, as required herein.

Setback, Front: The minimum unoccupied distance, extending the full lot width, between any building or structure and the front lot line.

Setback, Rear: The minimum unoccupied distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front line.

Setback, Side: The minimum required unoccupied distance extending from the front setback to the rear setback, between the principal and accessory buildings and the side lot line.

Shopping Center: A group of businesses providing a variety of merchandise and/or services located on the same lot.

Sign: A name, identification, image, description, display, or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure, or piece of land, which directs attention to an object, product, place, activity, structure, facility, service, event, attraction, person, institution, organization, or business and which is visible from any street, right-of-way, sidewalk, alley, park, or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs or parts of signs.

Sign, Free Standing: A sign having its own support mechanism placed in or upon the ground.

Site Plan: A 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.

Stable, Riding or Boarding: A facility where more than three (3) horses for hire, sale, or boarding are kept.

Story: That part of a building, except a mezzanine, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the space between the floor and the ceiling next above it. A story thus defined, shall not be counted as a story when more than fifty (50) percent by cubic content, is below the highest level of the adjoining ground.

Street: A public dedicated right-of-way which affords traffic circulation and principal means of access to abutting property.

Structure: Any constructed, erected, or placed material or combination of materials in or upon the ground, including but not limited to buildings, mobile homes, sheds, free standing signs, fences, storage bins, and satellite dishes, but not including sidewalks, driveways, patios, parking lots, and utility poles. Building areas separated by fire walls or bearing walls shall not be considered separate structures under this Ordinance.

Tavern: An establishment used primarily for the serving of liquor by the drink to the general public and when food or packaged liquor may be served or sold only as accessory to the primary use.

Transfer Station: A tract of land, a building and any appurtenances, or a container, or any combination of land, buildings, or containers that is used or intended for use in the re-handling or storage of solid waste incidental to the transportation of the solid waste, but is not located at the site of generation or the site of disposal of the solid waste.

Variance: A modification of the literal provisions of the Zoning Ordinance granted in specific cases when strict enforcement of the Zoning Ordinance would cause practical difficulty or hardship, owing to specific circumstances unique to the individual property on which the variance is granted.

Wood Yard: A parcel of land where pulp wood and other logs are gathered from various locations and stored for commercial sale.

Yards:

1. Yard, Front: An open space extending the full width of the lot and lying between the front line of the lot and the nearest line of any building or structure.
2. Yard, Rear: An open space extending the full width of the lot and lying between the rear line of the lot and the nearest line of any building or structure.
3. Yard, Side: An open space between the sideline of the lot and the nearest line of any building or structure and extending from the front yard to the rear yard.

Zoning Administrator: The Township's designated representative charged with the responsibility of administering the West Branch Township Zoning Ordinance.

Zoning Board of Appeals: The Zoning Board of Appeals of the Township of West Branch.