

**(Section 2.02 Definitions pg. II-4)**

**Buffer Strip:** A strip of land for the planting of shrubs and/or trees to serve as an obscuring screen to carry out the requirements of this Ordinance.

**Buildable Area:** That portion of a lot remaining after the minimum setback and open space requirements of this Ordinance have been complied with.

**Building Height:** The maximum height allowed shall be 35 feet as measured from main interior finished floor to highest peak. No portion of the structure's roof (except chimneys) may exceed the height allowed in the specific district regulations.

**Buildable Width:** The width of a lot left for building after required side yards are provided.

**Building:** Any structure having a roof supported by columns, or walls for the shelter or enclosure of persons, animals, or property of any kind.

**Campgrounds:** Any parcel or tract of land, under the control of any person wherein sites are offered for the use of the public or members of an organization, either free of charge or for a fee for the establishment of temporary living quarters for five (5) or more recreational units.

**Church:** See Place of Worship.

**Clinic:** A building or group of buildings where human patients are admitted for examination and treatment by more than one professional, such as a physician, dentist, or the like, except that human patients are not lodged therein overnight.

**Club:** Buildings and facilities owned or operated by corporation, association, person or persons, for social, educational, or recreational purposes.

**Condominium Unit:** That portion of a condominium project designed and intended for occupancy and use by the unit owner consistent with the provisions of the master deed.

**Dock:** A temporary or permanent structure built on or over the water, supported by pillars, pilings, floats, or other supporting devices.

**Drive-Thru Business:** Any restaurant, bank or business with an auto service window.

**Driveway, Private:** A private lane, which is used for vehicular ingress or egress serving one, two or three lots, parcels or site condominium units.

**Dwelling Unit:** A building or portion of a building, either site-built or pre-manufactured, which has sleeping, living, cooking and sanitary facilities, and can accommodate one family either permanently or transiently. In the case of buildings which are occupied in part, the portion occupied shall be considered a dwelling unit, provided it is in conformance with the criteria for dwellings. In no case shall a travel trailer, truck, bus, motor home, tent or other such portable structures be considered a dwelling unit.

**Dwelling, Single-Family:** A detached building containing not more than one dwelling unit designed for residential use.

**(Section 2.02 Definitions pg. II-10 Ordinary High Water Line (OHWL))**

**Nursery, Plant Materials:** A space, building or structure, or combination thereof, for the storage of live trees, shrubs, or plants offered for retail sale on the premises, including products used for gardening or landscaping. The definition of nursery *does not include* space used for the sale of fruits or vegetables.

**Occupancy:** Means the purpose for which a dwelling unit or portion thereof is utilized or occupied.

**Occupant:** Means any individual living or sleeping in a dwelling unit, or having possession of a space within a dwelling unit.

**Occupancy Permit:** A permit issued by the Kalkaska County building official that certifies a structure as being completed and suitable for use and/or occupancy, and that includes approval by the Township Zoning Administrator that the project has been built in accordance with the approved plot or site plan and the Blue Lake Township Zoning Ordinance.

**Off Street Parking Lot:** A facility providing vehicular parking spaces, along with adequate drives and aisles. Adequate maneuvering space shall also be included to allow unrestricted ingress and egress to at least two (2) vehicles.

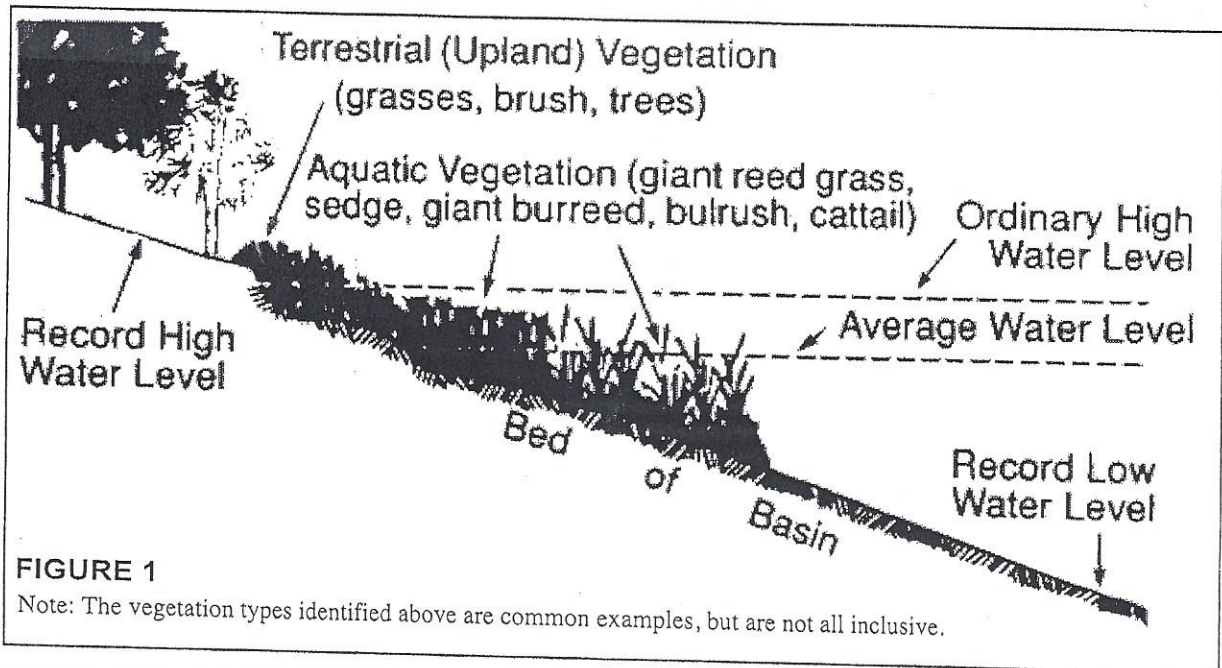
**Open Air Business:** Includes uses operated for profit, substantially in the open air, including:

1. Bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sale, repair or rental services.
2. Outdoor display and sale of garages, motor homes, mobile home, snowmobiles, farm implements, swimming pools and similar activities.
3. Retail sale of trees, fruit, vegetables, shrubbery, plants, seeds, top-soil, humus, fertilizer, trellises, lawn furniture, playground equipment, and other home garden supplies and equipment.
4. Miniature golf, golf driving ranges, children's amusement park or similar recreation uses operated for profit.

**Open Space:** Land upon which no structures, parking, rights-of-way, or other improvements have or will be made and that will not be committed for future use other than outdoor recreational use.

**Operator or Owner:** means any person who owns or has charge, care of control of a dwelling unit which is offered for rent.

**Ordinary High Water Line (OHWL):** The line between upland and bottomland that persists through successive changes in water levels, below which the presence and the action of the water is so common or recurrent that the character of the land is marked distinctly from the upland. See Diagram 1



In instances where the shoreline has been man-made altered, the adjoining properties may be considered in determining the high water line.

In no case shall any structure be closer to the lakefront than the set-back distance to the platted property line or within the greenbelt ordinance except as allowed by the greenbelt law Section 3.07.

If there is not enough evidence to show that the set-back requirements have been met a survey may be required before a zoning permit will be issued.

**Park:** Properties and facilities owned or operated by any governmental agency, or owned or operated by any private agency, which are open to the general public for recreational purposes.

**Parking Space:** An area of definite length and width exclusive of drives, aisles, or entrances, giving access thereto, and fully accessible for the storage or parking of permitted vehicles.

**Person:** Means an individual, firm, corporation, association, partnership, limited liability Company, or other legal entity.

**Place of Worship:** A building wherein people regularly assemble 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 principal purpose.

**Planning Commission:** For the purpose of this Ordinance the term Planning Commission is deemed to mean the Blue Lake Township Planning Commission.

**Planned Unit Development (PUD):** A type of development to be planned and built as a unit and which permits upon review and approval, variations in many of the traditional controls related to density, land use, setbacks, open space and other design elements, and the timing and sequencing of the development. Such developments can be proposed as either single use (such as a residential site condominium project), or mixed use developments (such as a project which includes both residential and commercial components).

**Pick-up Camper:** See Recreational Unit.

**Principal Use:** The main use to which the premises are devoted and the primary purpose for which the premises exists.

**Professional Office:** The office of a professional person such as a doctor, dentist, engineer, architect, attorney, insurance or real estate agent, and the like.

**Public Sewer Systems:** 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 waste 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, corporation, municipal department board, or commission fully authorized to furnish and furnishing, under federal, state or municipal regulations, to the public, electricity, gas, steam, communications, telegraph, transportation, water services, or sewage disposal.

**Qualifying Patient:** means a qualifying patient as defined by Section 3 of initiated Law 1 of 2008, as amended (Michigan Medical Marihuana Act), being MCL 333.26423, who has registered with the Bureau of Health Professions, Michigan Department of Licensing and Regulatory Affairs or any successor agency under the Michigan Medical Marihuana Act.

**(Section 2.02 Definitions pg. 11-12 Road Right of Way (R.O.W.))**

**Recreational Unit:** means a vehicular-type unit, primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle which is self-powered. Recreation unit shall include "Travel trailers", "Camping trailer", "Motor home", "Truck camper", "Slide-in-camper", and "Chassis-mount camper" as defined in Act 171 of the Public Acts 1970, as amended. A recreational vehicle is not a mobile home or manufactured home as defined under this ordinance or under Section 2 of the Mobile Home Commission Act.

**Recreational Vehicle:** see Recreational Unit.

**Rent or Rental:** means to permit, provide for, or offer possession or occupancy of a dwelling unit in which the owner does not reside to a person who is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license.

**Resort:** A recreational lodge, camp or facility operated for gain, and which provides overnight lodging and one or more of the following: golf, skiing, dude ranching, recreational farming, snowmobiling, pack trains, bike trails, boating, swimming, hunting and fishing and related or similar uses normally associated with recreational resorts.

**Road Right-of-Way (R.O.W.):** An easement for a street, road, alley, or highway established for the passage of persons, vehicles, and motor vehicles, which provides access to property within the Township. Measurement is done from the middle of the road to determine the Road ROW.

**Road, Private:** An area of land which is not a public road, but which is intended for passage to and from four (4) or more lots or site condominium units.