

# Clinton County News

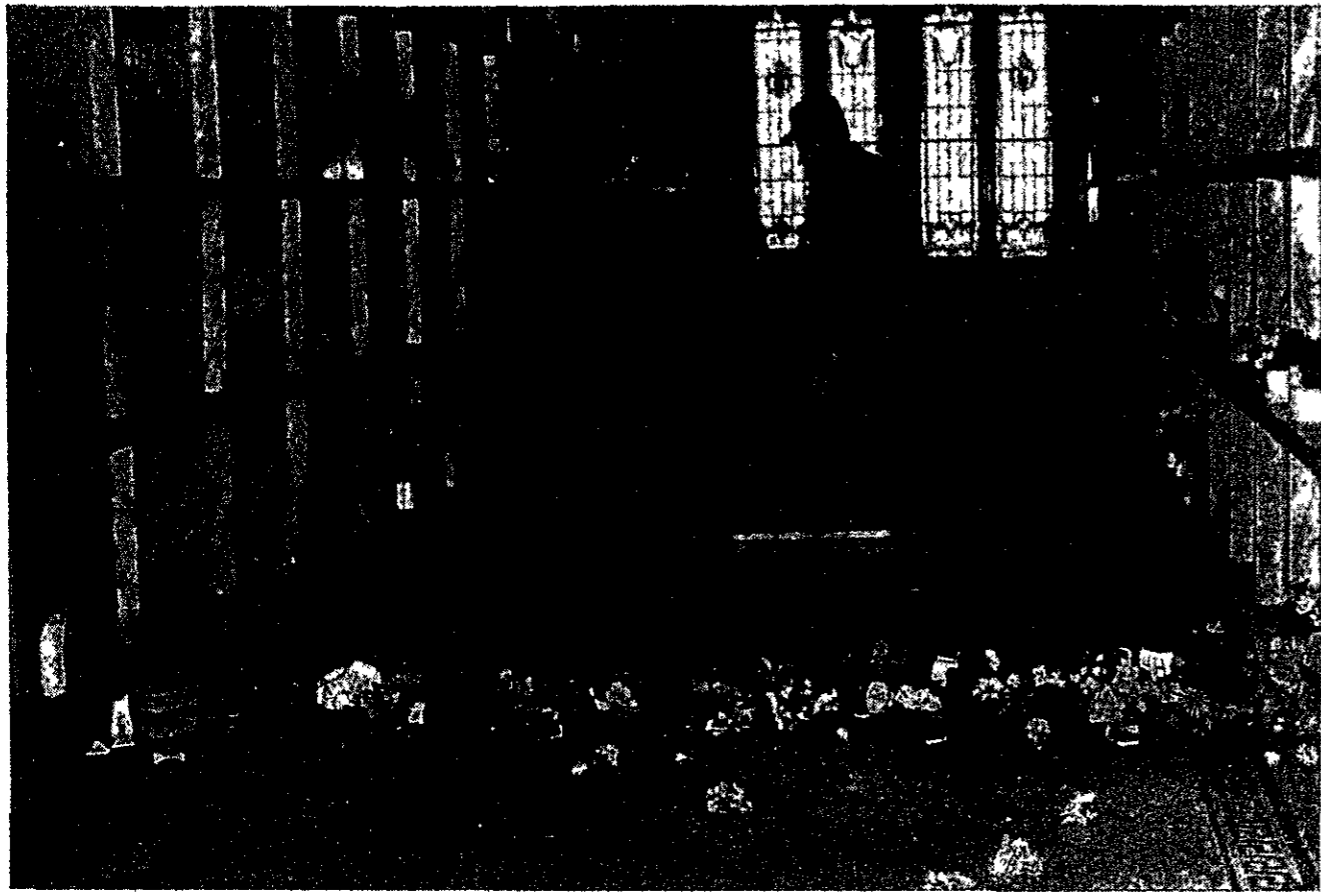
Take a spring-time shopping spree with Daisy May—See Section B

APRIL 23, 1975

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Workmen clean up after vandals at Mt Rest Cemetery.

## Vandals cause damage at Mt. Rest Cemetery

ST JOHNS -- An undetermined amount of damage was done at the Mt Rest Cemetery last Tuesday night after vandals broke into the mausoleum and went on a breaking spree.

Quentin Kuntz and Don Ordiway, assistant caretakers, discovered the break-in Wednesday morning.

Kuntz said the entry was apparently gained by prying open the heavy steel doors with a crow bar. Once inside the vandals smashed many of the stained glass windows which Romaine Berkhausen, superintendent of the cemetery, said were installed in 1909 and cannot be replaced.

Once inside the vandals smashed many of the stained glass windows made in 1909. Berkhausen said it will be "awfully hard to estimate the damage." He said part of the difficulty is that part of the value placed on items such as the urns is a sentimental value.

However, he said the total dollar damage would probably reach \$2500.

He said the subject will be brought up at

the April 23 meeting of the Cemetery Association.

Part of the discussion at the Cemetery Association will be how to prevent similar vandalism in the future.

One item that will receive discussion is the possible fencing in of the front, south part of the cemetery to deter vandals. Berkhausen said vandalism is getting to be a growing problem in cemeteries throughout the state and added, "We have been fortunate that we haven't had much vandalism."

In addition to the damage to the stained glass and urns, the vandals caused damage to the elevator, breaking the cable and lifting arms.

Berkhausen said, "They would have had to be real large kids to do the damage they did."

Anthony Kuntz, president of the St Johns Cemetery Association said there seems to be no motive, other than destruction. He

said nothing was taken and there was nothing of value that could have been removed.

He said "I feel the vandalism was just pure thoughtlessness. I'm sure they didn't realize the emotionalism involved and were not thinking about the people who had their loved ones there. This has never happened before here." He said there have been cases of small vandalism, but nothing of this nature.

Lyle French, St Johns chief of police, labeled the incident as malicious destruction. He said such instances might be prevented if the police could patrol every hour, a method not practical for a small town police department, he did say, however, that plans call for increasing patrols several times a night on a temporary basis.

French said that anyone caught doing any type of vandalism in the cemetery will be prosecuted.

## Adjourn hearing to request hotel owners to remove hazard left by fire

By JIM EDWARDS  
 County News Editor

ST JOHNS -- Paul Maples, St Johns city attorney, Monday afternoon requested an adjournment in the proceedings for owners of the burned Clinton Arms Hotel to show cause why they should not be responsible for removal of present hazards at the location.

The fire March 28 destroyed the upper story of the former Steel Hotel and the area since has been cordoned off and guarded by the St Johns City Police Dept.

Maples explained the proceeding was adjourned because the estate of the late Mary Gore, title holder of the hotel, had not been filed. Because of that, it was impossible at the time to file any motion because the title holder, Mrs Gore, had died

the week before in a Lansing Hospital, leaving it impossible to acquire service upon the actual hotel owner.

Maples explained that, if the motion to order the owners to assume responsibility for removal of the hazard was granted by Circuit Court Judge Leo Corkin, the owners would have had a specified time to meet the demands.

Maples said Robert Luoma, representing Wayne and Mary Haney, said his clients had no objection to the motion, but requested 10 days after the motion was granted before any action by the city took place.

The Haney's were purchasing the hotel on a land contract at the time of the fire.

In a case where such a motion is granted, the owners have a specified amount of time to remove the hazards. If such is not performed by the time specified, conceivably the City of St Johns could remove the hazard

and bill the owners for the cost, if so ordered by the court.

Mary Haney told the County News last week that an agreement had been reached whereby the hotel would be sold to Willard Searles of St Johns.

However, Searles told the County News that, following the death of Mary Gore, agreement negotiations had stalled.

He said his offer to buy the hotel stands and, if the heirs of the estate agree to the offer, the purchase would be made.

Searles said he plans to completely raze the hotel if he does, in fact, purchase it. Following that, he said he would plan to build a 2-story office and professional building.

Searles also said he had planned to start work on the burned structure Monday morning before purchase negotiations were stalled.



St Johns Mayor Roy Ebert cuts the ribbon for dollar bills during the McDonald's Grand Opening Saturday in St Johns. In the foreground are McDonald's owner Charles McCann (left) and manager Bruce Amos. Attending the function were many local businessmen and government officials who were guests of McDonald's at a noon banquet following the grand opening ceremonies.

## Local people display talent at Crafts Fair

One of the features of the Crafts Fair at the Municipal Auditorium April 15 sponsored by the Friends of the Bement Public Library was the demonstrations of Crafts by local people.

Esther R Smith doing a two point afghan stitch, Ora Fish decorating ornaments, Hilda Bancroft creating designs on eggs (Pysanky), Kaye Fish leather crafting, and the old craft of spinning by Mary Rappuhn are pictured above.

Many adults and children viewed the variety of craft entries on display ranging from metalwork, stained glass work, woodworking, leathercraft, needlework, macrame, weaving to quilting.

Prizes were presented to exhibitors in the evening by Mr Wendell Dilworth representing Quality Books Inc and the Sterling Publishing Company.

Award winners were Kathy Martindale, Best of Original Class for a needlepoint picture; first place in Hard Materials to Leon Exelby for a set of Scuba Divers, second place to Kay Arehart for a salt dough picture; first place in Soft Materials to Cheryl Bancroft for a macrame wall hanging, second place to Adelaide Mikula for two knitted ski sweaters, first and second place in Papercrafts was awarded to Laurita Allison for quilled baskets and quilled tallies.

Best in the non-original class was won by Kandle Couzens for ceramic birds, first place in Hard Materials was given to Merrit Scharnweber for a model airplane, second place to Dana Cullham for a plaster clown; first place in Soft Materials was awarded to Paul Maples for a needlepoint picture of a Cheetah, and second place event to Betty Moore for a crevel pillow.

Members of the Board of the Friends of the Library, feel the Crafts Fair aroused interests in crafts and hope those attending the show will follow up by taking up a craft.

Books on many crafts are available at the Bement Public Library.



Some of the fun and frolic in "Carnival" Friday and Saturday.

## "Carnival" re-scheduled

The All-school musical "Carnival" continues for its second weekend under the "Bigtop" at St Johns High School auditorium.

The play features all of the various characters that you would find in any circus.

The story revolves around the character Lilli, played by Chris Shafley, and her problems in the circus with the magician played by Gary Straus, his assistant, Connie Cornell, and the puppeteer Paul, David

Eger.

Due to the weather last Friday the performance was cancelled. All tickets for that performance will be honored for this weekend but must be exchanged at the box office in the high school.

It is open before school during lunch hours and after school.

Tickets may be reserved by calling 224-2394 during those times.

Curtain time is 8 pm Friday and Saturday.

## Walter Kyes School site of bazaar

ST JOHNS -- A bazaar and mini-carnival will be held at Walter Kyes School, 4177 S. US-27, St Johns May 3 from 10 am until 5 pm. Featured will be games, crafts,

needlework, baked goods and a drawing for prizes will be held.

The activity is sponsored by the Clinton County Association for Retarded Children.



Just a few of the many Crafts Fair winners. See story at right for identification and complete list of winners.

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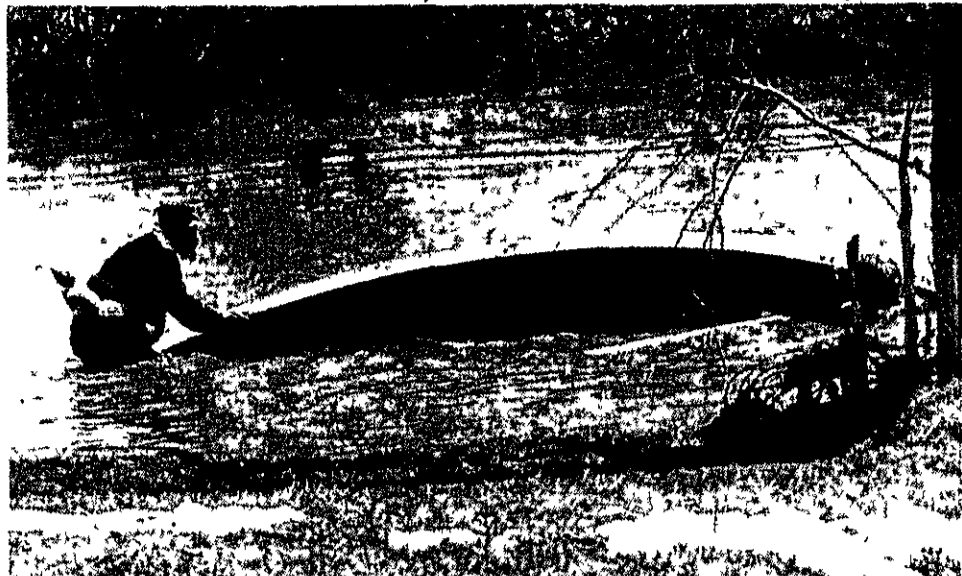
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Lynne Furry, (left), daughter of Mr and Mrs John Furry, and Diane Knight, daughter of Mr and Mrs Dale Knight, have been chosen to participate in the 35th American Legion Auxiliary Girls' State which will be held on the campus of Olivet College, Olivet. The girls, both 11th graders at St Johns High School, will attend sessions from June 14-June 22. Co-chairmen of Girls State are Mrs Lela Robinson who represents St Johns Womens Club, and Maridell Nelson, representing the American Legion Auxiliary.



The 86 people who made up the 43 canoe race entries pause for a group photo following the race.

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## Congregational Church plans dedication services

Special services of dedication are planned for Sunday, May 4, at 11 am and 3 pm at First Congregational Church, Maple Ave at State St, St Johns. The services will mark the recent completion of a new education building. It includes 9 classrooms, youth room and church nursery.

Speaker at the 11 am service will be Dr Clyde H. Wilcox of Marshall. Dr Wilcox is minister emeritus.

Speaker at the 3 pm service will be Dr George W. Brown, Jr, associate executive secretary of the National Association of Congregational Christian Churches.

Other participants in the service will be the Rev Henry C. Schadeberg, moderator of Michigan Conference of Congregational Christian Churches and the Rev James Martin, moderator of Western Michigan Association of Congregational Christian Churches.



Local leaders sharing in the service will be Richard W. Kohls, moderator of the congregation, Almond B. Cressman, chairman of the board of trustees and Richard J. Foster, president of the Senior High Youth Fellowship.

Howard Sousey and Maurice Witteveen headed the Building Committee. Other members of this committee were Kurt

Becker, William J.D. Escher, Charles Huntington, Dr H.L. Oatley, William Richards, Jr and Mrs Robert H. Wood.

Architect is St Clair Pardee of St Johns. Construction is by Construction Designs, Inc of Lansing.

There will also be an open house for the community after the 3 pm service in the sanctuary. Refreshments will be served by members of the Women's Fellowship. The public is invited.

The Rev Averil M. Carson is pastor.

## Outstanding educator chosen

The Alpha Eta Chapter of Delta Kappa Gamma met April 9.

A talk was given by Miss Shirle Vianni who is principal of the Walter-French Junior High School in Lansing. Before coming to Lansing she had been Director of Placement at Ohio State University. She stressed the advancement of women in the educational administrative field. "Women," said Miss Vianni, "have the mental and physical capacity to hold the greater share of administrative positions whether in industry or education." They are just beginning to find their place in the world's economy.

Cindy Rademacher, who has been the recipient of the Alpha Eta Scholarship Fund, expressed her appreciation for the financial assistance given her. Cindy was graduated from Central Michigan University in December. She plans to enter the field of social work.

Two new officers were elected for the ensuing year: Mrs Estelle Geller, second vice-president and Mrs Helen Mowl, corresponding secretary.

It was decided to bring a donation for the Golden Gift Fund to the May meeting.

Mrs Smith reported on the issues that were considered at the recent Legislative Committee Meeting. She also announced the 37th annual convention of the states chapters which will be held in Grand Rapids May 2, 3, and 4.

Mrs Thelma Ruhl, was chosen "Outstanding Woman Educator of the Year" by the Alpha Eta Chapter. She has been active in chapter work for many years. Previous to her retirement, she was Director of Guidance at the Ovid-Elsie High School.



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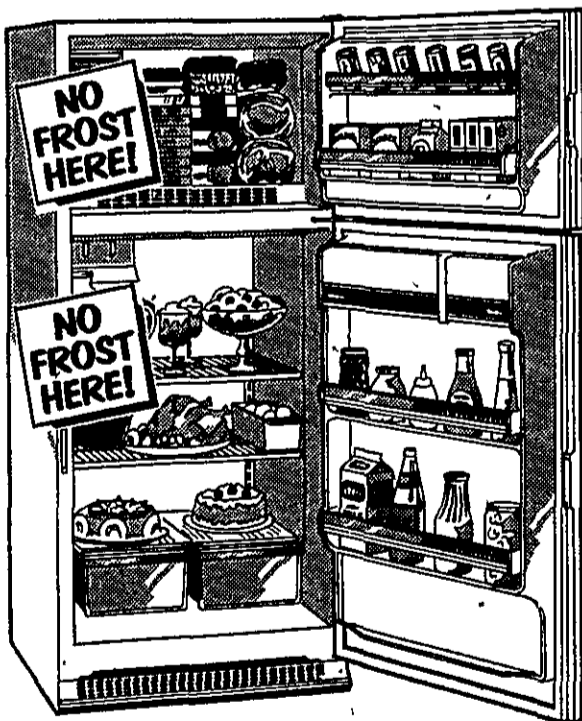
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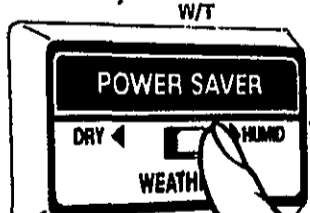
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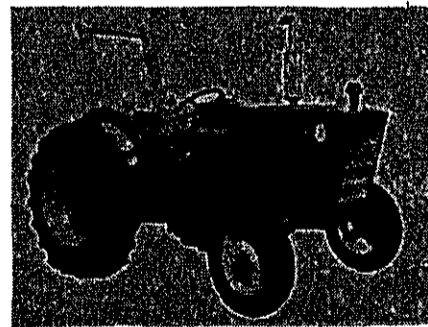
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## Plans finalized for Style Show

The Clinton Memorial Hospital Auxiliary met April 16. The candy strippers were honored at this meeting and their mothers were guests. There are 36 girls enrolled and they have accumulated a total of 2589 working hours. Mrs. DeCamp congratulated them on their efficient services. Mrs. Thelen, chairman of the candy strippers, presented certificates to those present.

Mr. McNamara, Hospital Administrator, thanked the candy strippers for giving of their time and self to the work of the hospital. He also thanked the mothers for their cooperation.

The business meeting followed with chairman Mrs. Roger Peeman, presiding. Thirty-six members responded to roll call. A new auxiliary member, Mrs. Robert Wood, was introduced. Mrs. Wood has already been active in hospital volunteer work as she is a sales lady in the gift shop.

The sewing committee reported that they now have seven women working which is a great help in accomplishing the necessary hospital sewing. The puppet committee members have made 432 puppets and still have calls for more.

It was reported that the coronary care unit to be purchased by the Board of Directors will cost approximately \$19,000. The members voted to pay \$15,000 as

soon as the money is available and the remainder within one year.

Several changes in the constitution were voted upon: the number of members constituting the Auxiliary Board, the number of members constituting a quorum, limitations on the number of years a member may hold office and the attendance requirements. These will be voted upon again and presented to the Board of Directors for their approval.

Mrs. Anthes reported that all plans had been finalized for "A Spring Evening Out" which consists of a style show and card party at the St. Johns High School cafeteria on May 14, at 7:30. Tickets are \$1.50 and may be purchased from any member or at the hospital.

The members voted to sponsor a trip for the candy strippers to a neighboring hospital. As they had accomplished their purpose, the gift shop remodeling committee was dissolved. All minor repairs will be taken care of by the standing committee.

Mrs. Niergarth was thanked for the very attractive posters she made for the style show.

It was suggested that some form of recognition be given the honorary members. It will be discussed at a later meeting. Mrs. Tiedt reported that 388 hours of volunteer work had been given by gift shop and gift counter workers during the month of March.



Winning the use of a 1975 Nova for 3 weeks by virtue of winning the mileage contest at Bee's Chevrolet-Oldsmobile during their 3-day Auto & Sports Show was Bruce Weber of 409 E. Walker St., St. Johns. Using a factory 1/10 gallon testing device, Weber got 28.5 miles per gallon on a 1975 4-door Nova sedan equipped with automatic transmission and 6-cylinder engine and power steering. Coming in second place was Virgil Stevens of 716 Garfield St., St. Johns who tabulated 28 miles per gallon for his testing efforts. New car manager Red Devereaux presents the keys to Weber.

Members of East Olive Boy Scout Troop 516 and award winners are (rear, from left) Roger Campbell, bell, Scoutmaster-Phil Magsig, Den Chief, Life Saving-Jeff Stauffer, Citizenship in the Community, Life Saving-Mr. Wallace Watt - Richard Curtis, Camping Merit Badge - William Curtis- Gary Campbell, Metal Working Merit Badge, Swimming Skill Award-Marvin Scott, Assistant Scoutmaster. Second Row: Todd Scott, Life Saving-Chester Farrer, Tenderfoot, Citizenship in the Comm. Swimming Skill Award - Kevin Young - Paul Magsig, Swimming Skill Award, Swimming Merit Badge - Ricky Belback, Swimming Skill Award, Swimming Merit Badge - Garv Roland - Tracy McGowan. Third Row: Leslie Potter - Jerry Malek - David Belback - Jerry Curtis, Second Class, Water Skiing Merit Badge, Camping Merit Badge, Life Saving Merit Badge, Camping Merit Badge, Life Saving Merit Badge - Bill Barnum Swimming Merit Badge - Mike Barnum, Tenderfoot, Swimming Merit Badge, - Martin Stockenauer.

## East Olive Scouts hold Court of Honor

East Olive Boy Scout Troop 516 held a recent Court of Honor and family potluck.

Guest speaker for the evening was Wallace Watt of Wacousta.

Watt was a member of the first Boy Scout Troop in Troop 1 of Vermont.

He sang songs and shared his Scouting experiences and told of his many travels around the world.

Honored troop guest of the evening was Mrs. Carol Campbell, who was recognized for her many services to the troop.

## SCS celebrates anniversary

The Soil Conservation Service celebrates its 40th birthday on April 27, according to Stanley Baird, Chairman of the Clinton County Soil Conservation District. The Soil Conservation Service, an agency of the USDA, provides technical assistance to landowners through Michigan's 85 Soil Conservation Districts.

In reviewing the history of government agencies, it becomes apparent that they are created out of a need, an emergency, or a crisis situation. The Soil Conservation Service is no exception.

The agency was created on April 27, 1935, by Congress as a permanent agency for soil erosion control. It was established under Public Act 46, of the 74th Congress as a solution to the growing national concern for soil erosion and sediment damage. The great "dust bowl" era devastation, which decimated thousands of acres of formerly rich, fertile land in the west and midwest, provided the needed stimulus. The idea was for a one-stop location where landowners could get the various kinds of technical help they needed - from soil conservationists, soil scientists, agronomists, range and woodland specialists, engineers and wildlife specialists.

The Soil Conservation Service began work in Michigan 40 years ago also. SCS work started in Benton Harbor with Leo R. Jones as first employee. Most of the work done in the early days was on a "project" basis and soil and water conservation demonstrations began to dot the Michigan landscape.

These demonstration projects were offshoots of the CCC camps, familiar to those who

remember the Great Depression.

The Soil Conservation Service was first established in the Clinton County Soil Conservation District on October 1954, according to Lloyd B. Campbell, District Conservationist. The first SCS employee was Kenneth McManus. Current employees, in addition to Mr. Campbell (D.C.) is Orville Beachler, Soil Conservation Technician.

The adage that "life begins at 40" is most assuredly true for the future of the Soil Conservation Service.

Kenneth Grant, National administrator for SCS, recently told employees that he "can think of no better way to mark four decades of progress than by demonstrating to the people of this country that we are still young enough to be searching constantly for new ideas, new approaches, and new techniques of resource conservation."

The people of Michigan can be assured that "life has just begun" for the Soil Conservation Service and its partners, the Soil Conservation Districts.

## Donkey basketball benefits Boys Club

ST. JOHNS - St. Johns merchants will take on St. Johns teachers and the Clinton County Boys Club faces the Fowler Jaycees in an April 29 Donkey basketball encounter.

Proceeds for the event will go to the Clinton County Boys Club.

Among those competing will be Jim Spring of the Dry Dock'd Lounge; Bill Purchase, Maintenance Electric; Rob Rehmann, Rehmann's Men

Store; Roger Heathman, Heathman Paints; Roger Beebe, Clinton National Bank; Danny Foland, Plaster Shack; Lynn Beaufore, Beaufore Barber Shop and Francis Feldpausch, Bee's Chevy-Olds. Advance tickets for the 7:30 pm event may be purchased at Pierce Bakery. Tickets will also be available at the door. Also to be featured is a donkey diapering contest.

## Set Little League try-outs

ST. JOHNS - St. Johns Little League try-outs for all boys who will be 9 years old before Aug 1 and won't turn 13 before Aug 1 will be held Wednesday, May 7 and Friday, May 9.

The try-outs will be at 6 pm at the Little League Field behind Bee's Chevy-Olds.

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**AMONG THOSE RIDING WILL BE:**

Jim Spring, Dry Dock'd Lounge  
Bill Purchase, Maintenance Electric  
Bob Rehmann, Rehmann's Clothing  
Roger Heathman, Heathman Paints  
Roger Beebe, Clinton National Bank  
Danny Foland, Plaster Shack  
Danny Redman, Central National Bank  
Lynn Beaufore, Beaufore Barber Shop  
Francis Feldpausch, Bee's Chevy-Olds

**BUCKEYE DONKEY BALL**

**Merchants vs Teachers  
Boys Club vs Fowler JC's**

**TUESDAY, APRIL 29**

**St. Johns High School Gym**

**Time: 7:30 p.m.**

**ALSO FEATURED WILL BE A DIAPERING CONTEST**

**ADVANCE TICKETS AT PIERCE BAKERY - ST. JOHNS**

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## Slowpitch sign-up time

Application envelopes for the men and women leagues of the 1975 slow pitch season will be available at the city offices from 8 am to 5 pm until May 9.

Anyone wishing to enroll a team in the slow pitch program should pick up a registration envelope and return the completed forms as soon as possible.

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# Judith Ann Heibeck weds Stuart Hazle

ST JOHNS - It was a rainbow wedding with the bridesmaids dressed in gowns of blue, yellow, pink and green and the bride in traditional white, when Judith Ann Heibeck and Stuart A. Hazle were married in a double ring ceremony April 5.

The couple took their vows at 3 pm at the First United Methodist Church with the Rev. Brian K. Sheen officiating and the Rev. Francis Johannides assisting.

The bride is the daughter of Mr. and Mrs. Ronald Heibeck of 5004 S. County Farm Rd and the groom is the son of Mr. and Mrs. Charles Hazle of 1300 S. Airport Rd.

length veil of imported illusion lace, edged with matching crochet Venice lace.

She carried a white lace Bible with stephanotis, pink sweetheart roses and baby's breath attached. Flowing from the arrangement were streamers tied in love knots holding sweetheart roses.

Mrs. James Pierson of Rt. 5, 457 W. Centerline, sister of the bride, attended as matron of honor. Bridesmaids were Janet Davis, Rt. 4, W. Centerline Rd.; Linda Harper, 5808 W. Parks Rd.; and Shirley Williams, 4215 W. Parks Rd.

Their dotted polyester crepe gowns had Victorian sleeves and empire waists. The ruffles on the bottom of the skirts were trimmed with white lace.

Each girl wore a wide-rim floppy hat tied to match the gowns. The hats were trimmed with netting.

They carried a long-stem white rose tinted to match their gowns. Long streamers were attached to the roses.

The mother of the bride watched her daughter be wed wearing a rose pink, floor-length gown. The mother of the groom attended the wedding wearing a mint green, floor-length gown. Each wore a corsage of pink and coral sweetheart roses.

Lynn Webster attended the groom as best man. Grooms-



Mr. & Mrs. Stuart A. Hazle

men were Steve Pytlowany, Jeff Hazle, brother of the groom, and Scott Heibeck, brother of the bride.

Two ring bearers carried the rings for the couple. They were Dwight Pierson and Scottie Heibeck, nephews of the bride.

The ushers were Jack Woodhams, Greg Hazle, brother of the groom, Jim McQueen, and Steve VanVleet.

A reception for 300 guests was held at Niles Hall immediately following the ceremony. The host and hostess were Mr. and Mrs. George Pierson.

Betty Jo Crose attended the guest book and Mrs. Sharon Woodhams and Mrs. Sally Dalton, cousin of the bride, attended the gifts. Mrs. Louise Cook, aunt of the groom, and Mrs. Katherine Peck, aunt of the bride, served the punch and

coffee.

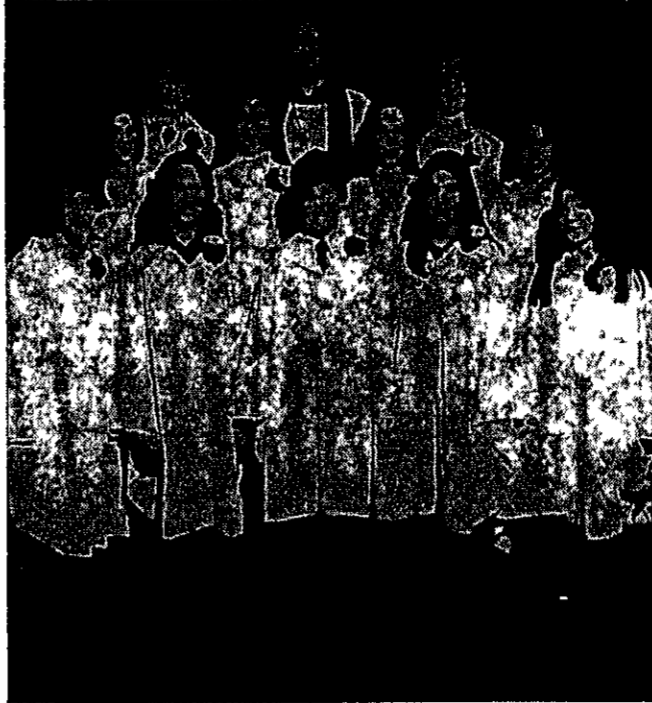
The cake was cut and served by the sister-in-law of the bride, Mrs. Sherri Heibeck.

Special guests attending the celebration were the grandparents of the bride, Mr. and Mrs. Donald Pope, and the grandparents of the groom, Mrs. Wayne B. Cook and Mr. and Mrs. Wesley Hazle.

After the ceremony the couple left for a 2-week honeymoon in Florida. The bride's going away outfit was a melon colored pantsuit.

The bride and groom will be at home at 601 1/2 N. Clinton Ave, St. Johns on April 19.

Both the bride and groom are 1974 graduates of St. Johns High School. The groom is employed by F.C. Masons in St. Johns and the bride is employed by Michigan State University.



## Confirmation class

Following a 2-year period of preparation, these young people of the St. Johns Lutheran Church were received into communicant membership following their confirmation on Palm Sunday, April 20. They are (front, from left): Tammy Wagar, Laura Matson, Steven Bower, Patricia Kirschenbauer, Susan Coleman; (middle row) Monica Fields, Elizabeth Kirschenbauer, Karen Canum, Julie Dakers; (back row) Matthew Bishop, Pastor Michael Ruhl, and Julie Holm. Mr. Kenneth Radina of St. Johns was the photographer.

## 25th anniversary

Mr. and Mrs. Robert L. Miller, 2293 E. M-21, St. Johns, celebrated their 25th wedding anniversary April 15.

They were surprised on Friday when neighbors, friends

## Coming events

APRIL 24 - 8 pm A "Spring Style Review" will be sponsored by Lowe United Methodist Women at the Lowe Church. Clothing made and modeled by members and their families. Tickets are \$1 and may be purchased from members, at the door, or at the "Plaster Shack", 312 Clinton Ave.

APRIL 24 - The Central Michigan Philatelic Society will meet at 7 pm at the East Lansing Recreation Center adjacent to Valley Court Park. The public is welcome.

APRIL 26 - The DeWitt VFW Auxiliary #871, in cooperation with the Post, is having its Third Annual "Lite-a-Bike" Safety Inspection on Saturday, from 10 am to 4 pm at Fuerstenau Elementary School. This year, complying with a new DeWitt ordinance, the DeWitt Police Department will be selling license plates for 50c for two years. The bikes will be stamped and registered. We will also be selling reflectorized flags for \$1.00.

APRIL 30 - The Lebanon Ladies Aid will be held at the home of Dorothy Waldron. Potluck dinner at noon and a white elephant sale.

MAY 1 - County wide Senior Citizens meeting, Veterans Hall in Elsie. Potluck dinner at noon. Program to follow. If you would like a ride call 224-4088 or 224-2582.

MAY 2 - The P.T.O. of East Olive and Olive Center Elementary Schools will have a Baked Goods and Rummage Sale on Friday, May 2nd from 9 am to 7 pm at the East Olive Elementary School located on East Green Road, St. Johns.

MAY 3 - 10 am to 5 pm, Bazaar and Mini Carnival at Walter Kyes School, 4177 S. US-27, St. Johns. Lunch all day, 50 cents. Games, crafts, needlework, baked goods, drawing and free parking. Sponsored by the Clinton County Association for Retarded Children.

MAY 14 - 7:30 Style Show and card party in the high school cafeteria sponsored by the Hospital Aux. Tickets \$1.50 each and may be purchased from any Aux member.



Mrs. Glen Feldpausch

## Ceremonies unite Glen and Ellen Feldpausch

FOWLER - Easter Lilies and yellow mums graced the altar of the Holy Trinity Church as Ellen Feldpausch became the bride of Glen Feldpausch in a double ring ceremony April 11.

The 5 pm service was performed by the Rev. Father Schmitt. Organist, Mrs. Halman accompanied soloist Cheryl Fedewa as the 2 provided the music for the occasion.

Ellen is the daughter of Mr. and Mrs. Louis Feldpausch of Townsend Rd, and Glen is the son of Mr. and Mrs. Francis Feldpausch of Rt. 2 Fowler.

The bride was given in marriage by her father, Marcia Roberts of Flint, attended her sister as maid of honor.

Bridesmaids were Karen Kalis, sister of the bride of Grand Lodge, Ann Koengsknecht, and Maureen McKean, both friends of the bride of Fowler, Judy Feld-

pausch, sister of the groom was the flower girl.

Keh Miller, friend of the groom was the best man. Dan Jandanao, Neil Simon, and Bob Feldpausch, brother of the bride of Fowler, were the groomsmen.

Ross Feldpausch, brother of the groom, was the ring bearer. Gene Feldpausch, brother of the bride and Dean Feldpausch, cousin of the groom were the ushers.

A reception for 350 guests was held at St. Joseph Hall. Special guests attending were grandparents of the bride, Mr. and Mrs. Anthony Halfman and Mrs. Regina Feldpausch, and grandparents of the groom Mr. and Mrs. Raymond Feldpausch and Mrs. Hilda Schafer.

After a wedding trip to Florida the couple will be at home at Park Side Apts, Fowler.

## Extension calendar

April 25-27: County 4-H Award Trip to Yankee Springs.

April 29: 4-H Softball Leaders Committee-7:30 pm-Extension Office, St. Johns.

May 2: 4-H Talent Contest-St. Johns High School-7:30 pm.

May 5: Family Living Christmas Workshop Committee-Central National Bank, St. Johns-9:00 am.

May 10: Actual Livestock Judging (beef, sheep and swine)-Livestock Pavilion, M.S.U.-10:00 am - 3:00 pm.

May 13: Family Living Council, Central National Bank, St. Johns-9:30 am.

May 13: Family Living Program--"Meet the Metric System"--Central National Bank, St. Johns-1:00 pm.

May 17: 4-H & Youth Horse Show-10:00 am-Fairgrounds in St. Johns.

May 18-24: Michigan Week.

May 20: Family Living Program--"What You Can Do in a Day" (Summertime Activities for Young Families) - Smith Hall - 7:30 pm.

May 21: 4-H Photography Workshop-7-9 pm - Smith Hall, St. Johns.

July 17: District Holstein Show at Corunna.

July 25: State Holstein Show at Midland.

**Just moved in? I can help you out.**

Don't worry and wonder about learning your way around town. Or what to see and do. Or whom to ask.

As your WELCOME WAGON Hostess, I can simplify the business of getting settled. Help you begin to enjoy your new town... good shopping, local attractions, community opportunities.

And my basket is full of useful gifts to please your family.

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65% POLYESTER 35% COTTON  
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RED, AQUA, LILAC, BLUE, BLACK, PINK, NAVY, GREEN REGULAR \$2.29 **\$1.77** yd.

6"x6" **HOME DECORATOR SQUARES** FOR QUILTS, BEDSPREADS, PURSES, ETC. 60 IN A PACKAGE. REG. \$2.29 **\$1.88** SPECIAL **\$1.88** pkg.

DON'T MISS OUR BABY SPECIALS

\$10.98	Curity Diapers	\$8.88
\$3.25	Sleep-Play suits	\$2.66
\$6.39	Birdseye Diapers	\$5.19
\$1.09	Training Pants	96¢
\$1.19	Infant Undershirt	99¢

**New Gift Items In Our GIFT GALLERY**

May 11th is Mother's Day...

**MANY NEW Hanging Flower Pots**  
\$2.50 TO \$7.95

ALSO MACRAME HANGERS FROM \$2.00 UP

**New Designs in LIBBY GLASS SETS**  
IDEAL FOR WEDDING GIFTS  
FROM \$3.59 TO \$10.95

**DIGITAL DISPLAY THERMOMETERS**  
MANY STYLES!  
\$5.95 TO \$25.00

**FOR MOTHER'S DAY... We Have Gifts That Will Please Everyone - PLUS - HALLMARK MOTHER'S DAY CARDS**

**Stop in and visit our Gift Gallery Today!**

**PARR'S REXALL DRUGS**

ST. JOHNS Now Serving All Your Health Needs From Two Locations Phone 224-2837

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## North Bengal

Sympathy is extended to Mr and Mrs Robert Eldridge and family, who lost their mother and grandmother, Mrs Clara Hertzberg, by death on Wednesday, April 9. Mrs Hertzberg, who was 91, was a resident of Fowler until ill health required care in a nursing home and she passed away in the hospital. Funeral services were held on Saturday, April 12, at St Paul Lutheran Church at Fowler with burial in Mt Rest Cemetery at St Johns.

**REHMANN'S St. Johns**

**CENTRAL MICH. LARGEST SELECTION OF SUITS AND SPORT COATS**

This trio is your lucky number.

**WEAR AS SUIT WEAR AS SPORT COAT \$89<sup>50</sup> UP**

OTHER SUITS \$79<sup>50</sup> TO \$129<sup>00</sup>

**SPORT COATS \$49<sup>50</sup> TO \$85<sup>00</sup>**

**SLACKS \$16<sup>00</sup> UP**

**Rehmann's**  
CLOTHING-FURNISHINGS-SHOES  
for DAD and LAD



The building and trades competition of the First Annual Regional US Olympics Skill-Leadership Conference was held in Bay City March 22. Competing from Fowler High School were from left: Lee Feldpausch, Mike Fedewa, and Paul George. Not shown is Bob Feldpausch.



Many area students participated in the Industrial Olympics which were held recently. These 5 Fowler High School students entered projects in the cabinetry judging held March 20 in St Johns. They are from left: 3rd place winner Norm Koeningknecht; Rick Fink; Terry Thelen, 2nd place; Brian Koeningknecht; and Jim Pohl. Not shown is John Pline who came in 2nd place in the Small Gas Engines division.

## Students compete in skills-leadership meet

ST JOHNS - Five Clinton Area Career Center Automotive Service students and ten Fowler High School students were among many students from different areas who competed in the First Annual Regional US Olympics Skill-Leadership Conference held recently.

Career Center students participated in the Automotive trouble shooting and written examination competition which was held March 22 in Bay City.

Randy Doyen from Ovid-Elsie, placed 2nd in the automotive trouble shooting and 3rd in the job interview competition. Lynn Cox from Ovid-Elsie, came in 3rd place in the automotive trouble shooting. They will both go on to state competition to be held at Western Michigan University May 4, 5, and 6.

In the automotive trouble shooting category, Ray Archer, from Fowler, placed 6th, Jeff Kellogg from Ovid-Elsie, placed 7th, and Mark Semans from Ovid-Elsie placed 8th.

Participating in building trades category from Fowler High School were: Lee Feldpausch, Mike Fedewa, Paul George, and Bob Feldpausch. St Johns High School also competed.

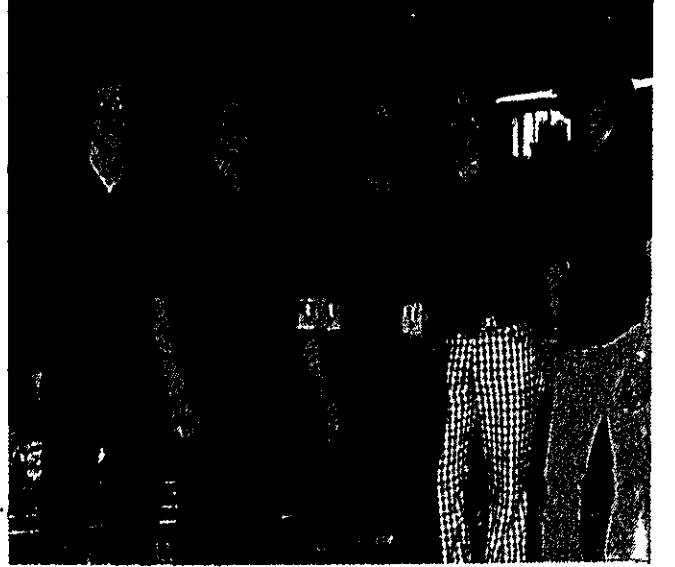
Clinton area students competed against students from Genesee Career Center and Bay City John Glen High School.

Automotive instructor Roger Enyart said: "The regional auto competition was very well organized and all areas were evaluated by skilled mechanics from businesses in and around Bay City."

The cabinetry and small engines division competition was held in St Johns March 20.

From Fowler High School, Terry Thelen placed 2nd and Norm Koeningknecht placed 3rd in cabinetry, and John Pline placed 2nd in small gas engines.

Also participating in cabinetry were Brian Koeningknecht, Jim Pohl and Rich Fink.



Clinton Area Career Center Automotive Service students who participated in and placed in the automotive trouble shooting competition of the First Annual Regional US Olympics Skill-Leadership Conference are from left: Roy Archer, Randy Doyen, who came in 2nd place, Lynn Cox, 3rd place, Jeff Kellogg, and Mark Semans. The competition was held March 22 in Bay City.

## Kincaid District

Thursday, Mrs F. Goodline, Mrs Janet Marrison of Lansing visited Mrs G. Pyle.

Sunday, Mr and Mrs Robert Scarborough of DeWitt, Mr and Mrs Kenneth Pyle of St Johns, Mr and Mrs Gerald Scarborough and Leanne of Lansing gathered at the home of Mrs G. Pyle for a birthday dinner and afternoon of visiting.

Mr and Mrs Harold Hoerner attended the Masonic breakfast at Dimondale for breakfast Sunday.

Mr and Mrs Duane Dietrick and children of Arcadia, Florida have been visiting his mother Mrs E. Lang for the past two weeks.

Sunday, Mrs Porter Parks, Mrs Lee Schavey and son of St Johns attended a baby shower at the home of Mrs Jesse Parks in Wacousta in honor of Mrs Pamela Kenney of Howell.

## LETTERS TO THE EDITOR

It seems that there are so many things to be said to the people of my community and my church. I first apogize for the lateness of this letter - the "Chords" have been constantly on the go since our St Johns' concerts.

Once again, words cannot express the tremendous gratitude that I feel for you people in St Johns, my home town. You have made all of the "Chords" feel so much more than just welcome... You have shown all of us a love that cannot be equalled, and we praise the Lord for all of you!

I really would like to thank specifically, Gordon Vandemark, for all of his work leading up to and during our concerts in the Jr and Sr High Schools. You could never know the full impact that his praying with the group before the assembly had on the "Chords". In the eight years that the group has been singing together all over the United States, this was the first time that members of a High School faculty led us in prayer before we went on stage. We just hope and pray that everyone in your community realizes how fortunate you are to have a Christian Principal and Assistant Principal at the head of your school system.

We are looking forward to our next appearance in Michigan in May, and hope that we will see many of you then. Until that time, may God bless each one of you.

- In Christ's love,  
Tom Fowler

## WATCH FOR GRAND OPENING OF THE BARGAIN BASEMENT KURT'S APPLIANCE CENTER

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★ Mid-Michigans' largest and finest coin show

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**APRIL 26-27**

**INFLATION FIGHTER OF THE WEEK!**

**BIG SHEF ORDER OF FRIES REGULAR DRINK**

Jeff, This Week's Special At St. Johns Burger Chef is...

**FOR ONLY 99¢**

THERE'S MORE TO LIKE AT BURGER CHEF

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JEFF

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**PRE-OWNED CARS**

1975 Oldsmobile Omega 2-door, V-8 automatic, power steering and brakes, radio and air conditioning.	1973 Chevrolet Impala 2-door hardtop, V-8 automatic, power steering, radio, vinyl top.
1975 Oldsmobile 88 2-door hardtop, air conditioning, AM-FM, vinyl top, cruise control.	1972 Vega Wagon, 4-speed, 4-cylinder, radio.
1975 Oldsmobile Cutlass 4-door, V-8 automatic, power steering and brakes, air conditioning and radio.	1972 Chevelle, 2-door hardtop, Malibu V-8, automatic, power steering and brakes, radio.
1975 Oldsmobile 88 4-door, air conditioning, vinyl top, radio, cruise control.	1972 Oldsmobile Cutlass Supreme, 2-door hardtop, V-8 automatic, power steering and brakes, radio, bucket seats, vinyl top.
1975 Caprice, 4-door hardtop, air conditioning, cruise control, radial tires and power seats, AM-FM Stereo, vinyl top, power windows.	1972 Datsun 1200 series, 4-cylinder, automatic, radio.
1974 Chevelle Wagon 2-seat, V-8, automatic, power steering and brakes, air conditioning.	1971 Chevrolet Caprice 4-door hardtop, V-8 automatic, power steering and brakes, radio, air conditioning, vinyl top.
1974 Chevrolet Vega wagon, 4-cylinder, automatic, radio.	1971 Chevrolet Nova 4-door, V-8, automatic, power steering, radio.
1974 Chevelle Laguna S-3, V-8 automatic, power steering and brakes, AM-FM, bucket seats, vinyl top, air conditioning, tilt wheel.	1971 Opel 2-door, 4-cylinder, 4-speed, radio.
1974 Vega Wagon, 4-cylinder, four speed, radio.	1971 Ford Galaxie 500 4-door, V-8, automatic, power steering and brakes, radio.

**USED CARS**

1969 Pontiac 2-door hardtop, V-8, automatic, power steering and brakes, radio.

**USED TRUCKS**

1974 Ford one-ton pickup, V-8 automatic, power steering and brakes, radio.	1972 Chevrolet Blazer, 4-wheel drive V-8, standard transmission, radio.
1972 Chevrolet Blazer 1-wheel drive, V-8, automatic, power steering, radio.	1972 Datsun Pickup, 4-cylinder, 4-speed, radio.
<b>SALES OFFICE EVENING HOURS: Mon.-Wed.-Friday Nights, 7:00 P.M.</b>	1971 Chevrolet 1/2 ton pickup, V-8, automatic, AM-FM.
	1968 Reo Tandem tilt cab with sleeper.













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KROGER MINI MIZER COUPON  
Kroger

**BEEF WIENERS**  
12-Oz Pkg **66¢**

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SAVE Up To **\$1.18**

KROGER MINI MIZER COUPON  
Kroger

**LOWFAT MILK**  
1/2-Gal Ctns **289¢**

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Good Mon., April 21 thru Sun., April 27, Subject To Applicable State And Local Taxes.

SAVE Up To **49¢**

KROGER MINI MIZER COUPON  
Assorted Flavors

**FAYGO POP**  
Regular Pint NR Bottles **16¢** | Diet Pint NR Bottles **12¢**

LIMIT 6 WITH COUPON & \*5 ADDITIONAL PURCHASE EXCEPT BEER, WINE AND CIGARETTES  
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SAVE Up To **42¢**

KROGER MINI MIZER COUPON

**COUNTRY CLUB FRESH BUTTER**  
1-Lb Solid **66¢**

LIMIT 1 WITH COUPON & \*5 ADDITIONAL PURCHASE EXCEPT BEER, WINE AND CIGARETTES  
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SAVE Up To **19¢**

KROGER MINI MIZER COUPON

**BUY ONE**  
Golden Hearth Baker's Dozen Hard Rolls At The Regular Price Of 89¢ Each And

**GET ONE FREE**  
LIMIT 4 PKGS (BUY TWO - GET TWO FREE) WITH COUPON & \*5 ADDITIONAL PURCHASE EXCEPT BEER, WINE AND CIGARETTES  
LIMIT ONE COUPON PER FAMILY  
Good Mon., April 21 thru Sun., April 27, Subject To Applicable State And Local Taxes.

SAVE Up To **\$1.78**

KROGER MINI MIZER COUPON  
Crisp Fancy Michigan

**RED ROME APPLES**  
Lb Bag **599¢**

LIMIT 3 WITH COUPON & \*5 ADDITIONAL PURCHASE EXCEPT BEER, WINE AND CIGARETTES  
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SAVE Up To **\$1.29**

U.S. Gov't Graded Choice Beef Round Swiss Or

**ROUND STEAK**  
Lb **\$1.27**

Sold As Steak Only!



Kroger Chunk Meat Bologna Lb **66¢**

**People's Choice**  
U.S. GOV'T GRADED CHOICE BEEF

Whole - Water Added **BONELESS HAM**  
Lb **99¢**

In 3 Lb Tubes - Kroger **BURGER PRO MEAT LOAF**  
Lb **49¢**

Frozen-Lean Frederick **SMALL SPARE RIBS**  
Lb **98¢**

**30 Lb Box \$26.99**

Ragu **SPAGHETTI SAUCE**  
Qt Jar **93¢**

Saluto **PARTY PIZZA**  
2-Lb 1-Oz Pkg **\$2.48**

Frozen Banquet **FRIED CHICKEN**  
2-Lb Pkg **\$1.77**  
10 Or More Pieces!

Thin **KROGER SPAGHETTI**  
1-Lb Pkg **33¢**

Assorted Flavors **YUBI YOGURT**  
It's New For You! 8-Oz Wt Ctns **51¢**

Beef, Turkey, Chicken **BANQUET POT PIES**  
8-Oz Wt Pkg **23¢**

Kroger Chunk **Light Tuna**  
6 1/2-Oz Wt Can **44¢**

Special Label Regular Or Unscented **Sure Deodorant**  
9-Oz Wt Can **89¢**

Big Tex Pink **Grapefruit Juice**  
1-Qt 14-Oz Can **39¢**

California **FRESH STRAWBERRIES**  
Qt Box **88¢**

Snow-White **FRESH CAULIFLOWER**  
Each **58¢**

First Of The Season **FLORIDA WATERMELON**  
Lb **10¢**

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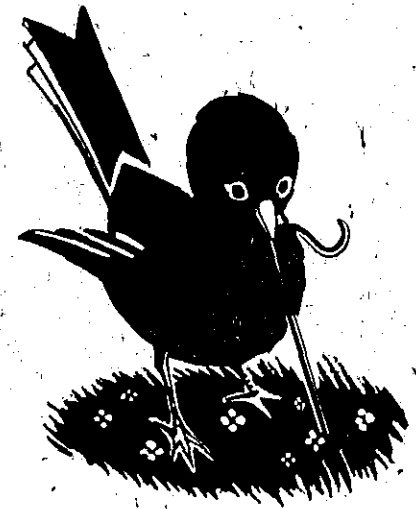








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*A Spring Tonic  
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**ELSIE**

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## **MICHELLE'S LAND of OZ**

**ST. JOHNS**

Modeling for the Land of Oz are from lower left: 3-yr. old Lisa Kirby and her 4-yr. old sister, Krista. Twin sisters are 5-yr. old Heidi and Heather Scranton, their 3-yr. old sister Kara, not forgetting our little tiger, 8-month old Michael Scranton. Michael, as every boy usually does, is flirting with sweet 20-month old Stacey Schepler. Upper row is our 7 to 14, young jrs. and jr. models. From left, 12-yr. old Mindy Brock and her good friend, 13-yr. old Jean Galloway, 14-yr. old Cammy Foster was proud to model with 17-yr. old sister Chris. 17-yr. old Candy Cain wore our line very smartly as well. As you can see, you can find all sizes at the Land of Oz. Quality brand names that fit well, wear well and sell well are reasonably priced as well. Come and look around. You'll enjoy our shop and have fun while looking. We're open Monday thru Saturday 9:30 a.m. to 5:30 p.m., Friday nights till 9 p.m. Master Charge, BankAmericard and lay-a-ways are always welcome.





## DREPS RECREATIONAL CENTER DEWITT

For traveling and camping in luxurious comfort, Daisy May inspects the very latest in mini-motor homes by Coachmen at Dreps Recreational Center. Bob Chrouch, sales manager, explained to Daisy May that Coachmen is the nation's largest manufacturer of recreational vehicles. Dreps, on North US-27 in DeWitt also handles travel trailers, campers, 5th wheels and Class A Motor Homes by Coachmen and features a Dodge authorized service center. Rentals by the day or week are always available at Dreps. See Bob Chrouch or sales representative Leonard Loonsfoot for a good deal on a sale or rental of a quality recreational vehicle, or give them a call at [517] 669-9996.

## CUSTOM INTERIORS DEWITT

Donald Bautel shows Daisy May carpet patterns at Custom Interior in DeWitt that reflect the beauty and color of spring. Custom Interior offers over 1000 different styles of carpeting - there's no problem in finding that perfect color or color combination for any room in the home. Custom Interior offers free estimates and their decorating advice will be valuable in deciding just what to select for a particular room or the entire home.

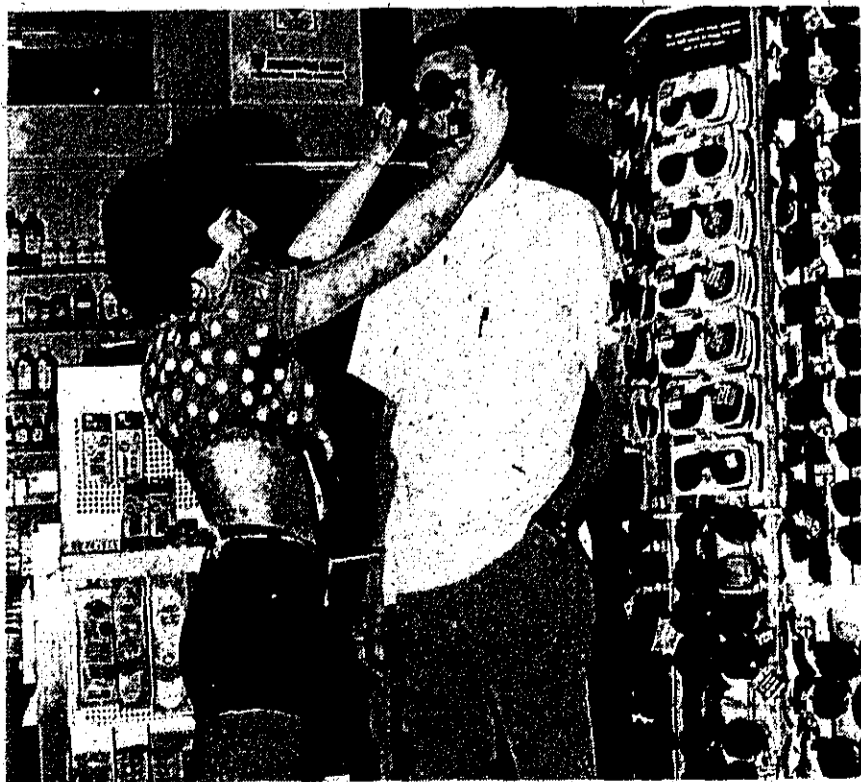


## KECK'S APPLIANCES DEWITT

Daisy May learns she'll enjoy more leisure spring-time hours with the convenience of "finger-tip meal preparation" at Keck's Appliances in DeWitt. Owner Lawrence Keck demonstrates to Daisy May the Frigidaire Touch-N-Cook Range. At the touch of a finger, Touch-N-Cook ranges remember and relay your most exact cooking instructions to the surface units, the oven and even the automatic appliance outlet of the range. Leaving home at noon and won't be back in time to prepare dinner? Put it into the oven at noon, touch the time you want it to start cooking and when to stop. When you get home, dinner's ready and has been kept automatically at a warming temperature of 185 degrees. The range is both beautiful and practical. The durable Ceramatop cooking surface has no seams or crevices to trap soil and, along with the smooth glass control console, wipes clean with a damp cloth. Keck's Appliances also offer a full selection of refrigerators, washers, dryers and other appliances.

## WILLARD REED AGENCY DEWITT

For the complete insurance coverage Daisy May needs, she visits Willard Reed of the Willard Reed Agency in DeWitt, and agent Doug Twiss. Willard and Doug explain to Daisy May how the proper insurance package can protect her, her family and property at a reasonable price. The Willard Reed Agency, for 15 years, has been offering insurance for life, health, automobile, home owners and farm owners in the DeWitt area. Visit Willard and Doug - they'll be happy to discuss your insurance needs to determine the best insurance coverage for your particular needs.

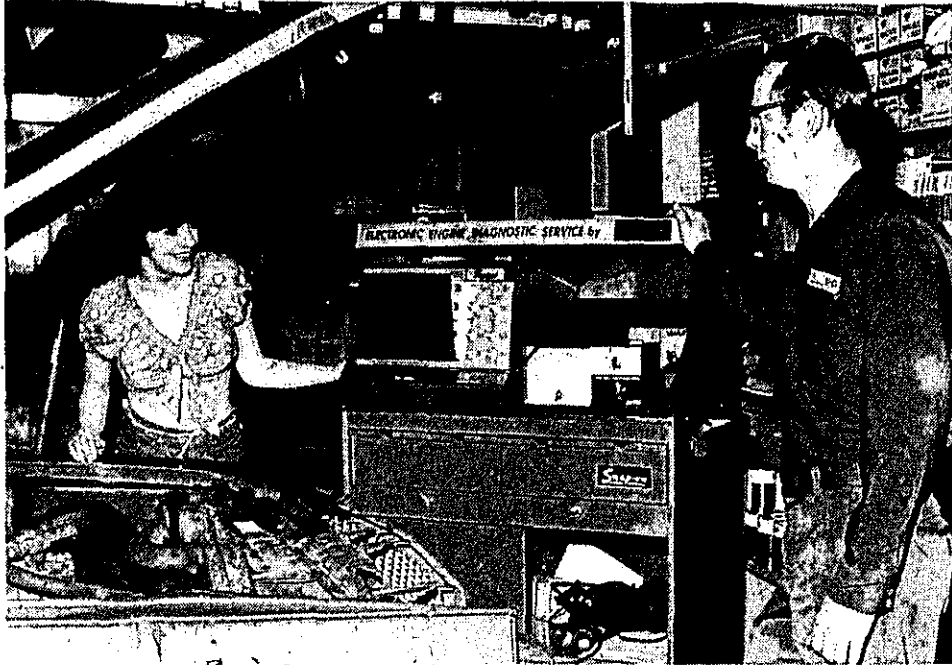
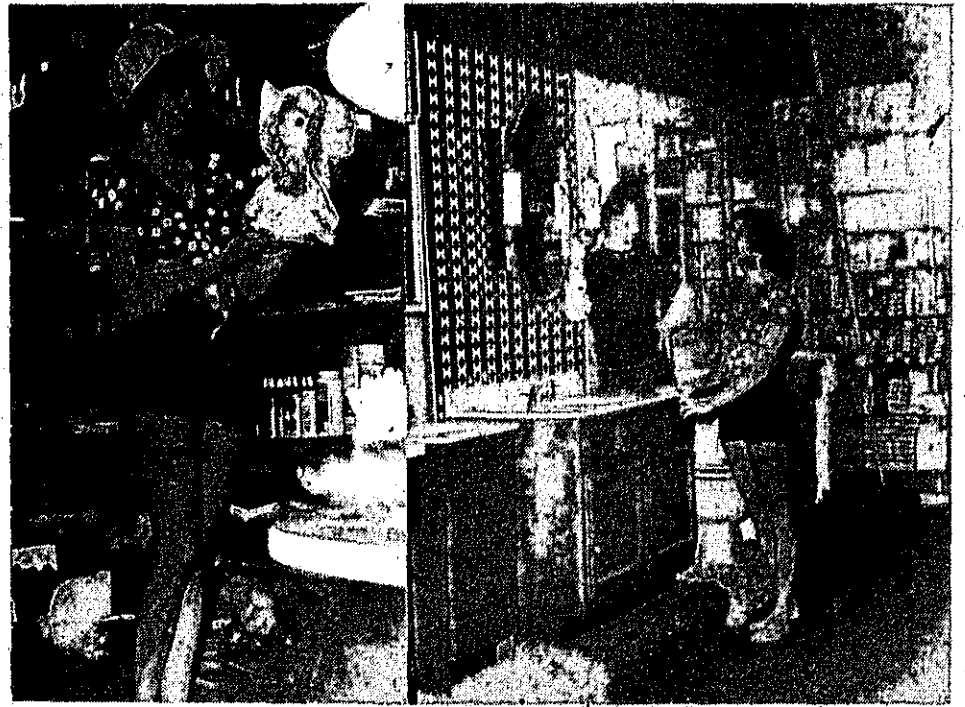


## DEWITT PHARMACY DEWITT

Spring is here and Daisy May helps Keith Blizzard of DeWitt Pharmacy pick out a pair of Foster Grant sunglasses particularly suited to him. DeWitt Pharmacy is fully stocked with items needed to welcome the spring and summer in the Central Michigan area. From insect repellent to suntan lotion, the DeWitt Pharmacy has what you need. Of course, DeWitt Pharmacy provides complete prescription service for DeWitt area residents. The pharmacy also carries a full line of non-prescription medicines, including a wide selection of quality vitamin products.

## BALLARD HOME CENTER AND CAN DEES DEWITT

Ballard's Home Center and CanDee's in DeWitt is the one-stop home shopping center. At right Daisy May and Dee Janz view the stylish vanities now being featured at Ballard Home Center. The attractive line of vanities will add a decorative touch to your home at a price you'll find pleasantly reasonable. For everything you need in home decorating or building supplies, visit Ballard Home Center in DeWitt. At left, Daisy May inspects a ceramic doll, just one of many crafts items offered in CanDee's. The craft section of CanDee's offers the opportunity to express your artistic talent and, at the same time, make decorative items for the home or gifts for special occasions. In addition, CanDee's carries a full line of fabrics, knits and yarns so you can design and make clothes that reflect your individual taste.



## ACKELS UNION 76

DEWITT

Bill Ackels of Ackels Union 76 Service Station in downtown DeWitt demonstrates to Daisy May the electronic equipment used to keep her car in perfect running condition. Here he shows her how the Electronic Engine Diagnostic Service machine helps to find exactly where the problem is in a malfunctioning engine. But, Ackels deals with more than just your engine problems. Ackels is equipped with a lathe to turn brake drums and rotors for expert brake repair service. For that fine Union 76 gasoline and expert service on your car - stop at Ackels. Oh yes - if you find your car mired in the muddy spring roads, call 669-2431. Ackels will have their tow truck there to pull you out and send you on your way.

## TERRANOVA'S THRIFTWAY MKT.

DEWITT

Dale Weller, Terranova's Thriftway Market butcher, shows Daisy May just one of the many quality cuts available in the Terranova meat department. Terranova's is just the place to purchase all the food and beverage items needed for spring-time celebrations and summer picnics. Whether you need to stock up for a feast for a house-full of guests or those special steaks for a backyard cook-out, Terranova's will meet all your needs. You will also find a variety of package liquor, beer and wine for those spring and summer occasions.



## CULLIGAN WATER CONDITIONING

DEWITT

Joan Roxey of Culligan Water on S. US-27 in DeWitt explains to Daisy May how customers' soft-water tanks receive tender loving care including washing, recharging and disinfecting to insure outstanding soft water service at all times. The tanks are picked up at the home, cleaned and returned to the home in a day. Manager George Miller later explained to Daisy May, "You can live without soft water, but it's hard." The advantages of soft water by Culligan are almost endless - it's kind to skin and complexion, saves washing costs, it helps you have healthier hair, your dishes will look better than ever, saves water heating and prevents hard scale on water-using appliances. A water conditioner is "the appliance that pays for itself." See for yourself, visit Culligan Water.

## G & L SALES

DEWITT

Daisy May takes a break from her lawn and gardening chores to help display the G&L Sales equipment that will make your spring-time lawn and garden chores less work and more fun. G&L Sales, 12286 US-27 near DeWitt, features the quality Simplicity line. The Simplicity line makes your job easier whether it requires a power, self-propelled or push 21-inch power mower or one of the Simplicity power tractor systems - including power tractors with 8, 10, 13, 16 or even 19½ horsepower. G&L Sales also has Simplicity riding mowers powered with 5 or 8 horses. Your garden tilling needs are no problem - look at the line of tillers from the Simplicity 3-horsepower Roticut to the heavy-duty 8-horsepower that takes on the tough tilling chores.





## DICK HALLEAD FORD

ELSIE

Daisy May was patient in posing for this picture at Dick Hallead Ford in Elsie, but she let us know she was anxious to drive the 1975 Ford Elite. "I have a better idea," she told us. "Instead of sitting on it, why don't I drive it?" We agree, and the place to put yourself behind the wheel of a new Ford in the Elsie area is Dick Hallead Ford. Dick is always ready to give you the best deal possible on a new Ford to make driving a pleasure. Going on vacation soon? Visit Dick Hallead and enjoy the trip more in a brand new Ford. Don't you think that's a better idea?

## WATT FLORIST

ELSIE

Honest, Daisy May, they don't bite! Homer Watt of Watt Florist in Elsie shows Daisy May how a Venus-Flytrap actually catches live insects. He explains such a plant is beautiful, but also earns its keep around the house. While shopping at Watt Florist, Daisy May saw the full line of colorful plants and flowers that go right along with the sunny and bright spring season. Watt Florist offers a variety of accent items that will add a decorative touch to the entire home.



## DARLING'S ACE HARDWARE

ELSIE

Daisy May is ready to make her lawn green and beautiful this spring with a full supply of lawn and garden products at Darling's Ace Hardware in Elsie. And when the grass grows full and tall, Daisy May will keep it trimmed with ease with a new lawn mower and grass catcher. Oliver Darling and his staff always greet you with friendly, cheerful service and will help you choose just the right products for your particular lawn and garden conditions. Darling's is the one-stop shopping place in Elsie for all your hardware needs.

## LEVEY'S JEWELRY

ELSIE

Daisy May is the lucky recipient of one of the largest selection of sparkling rings offered by Levey's Jewelry in Elsie. Bruce Levey checks the ring for proper fit. Alas, however, the presenting of the ring was for photographic purposes only and Daisy May knew the ring was to go back into the display case with the many other breath-taking selections. But, there's no worry, she charmed Lil Abner into promising to return to Levey's. While there, Lil Abner browsed the full selection of wrist watches and went back to Dogpatch with a brand new watch. Now, if someone will just teach him how to tell time. Wherever the little hand and the big hand is, it's time to go to Levey's for all your jewelry needs, including repairs made right in Elsie by owner Dale Levey, a quality craftsman.



## DANCER'S DEPT. STORE

ELSIE

Daisy May shows Dancer's customer, Jane Cerny of Elsie, a sailboat pattern blouse that fits right in with spring. Dancer's Department Store in Elsie has a full line of bright and cheery spring clothes and a friendly staff who will help you find just the outfit you're looking for. Be ready for the summer sun by visiting Dancer's for good buys on shorts, tops, slacks and other summer wear.

# CHAMBERLAIN BUILDING SUPPLY

OVID

Donald Chamberlain, of Chamberlain Building Supply in Ovid, shows Daisy May that Chamberlain's has all the lumber and building supplies she needs for her spring building improvement projects. If she runs into problems with her building projects, she knows that Don is always glad to give ideas on remodeling and building. He will also explain how to start and complete a project in a way that will insure you get the most for your money. Whether you're building a new home, barn or garage - or just a little house for Fido in the back yard, Chamberlain's is the place to go for materials.



# OVID SERVICE AGENCY

OVID

Daisy May learns that, for "altogether" insurance protection, the Ovid Service Agency is the place to go. Here, Gilbert O. Bovan explains that Auto Owners Insurance is justifiably proud of the fact that "your Auto Owners agent excels in fast, fair claims service." Ovid Service Agency is your complete insurance center. Your Ovid area neighbors can testify to the quality of service at Ovid Service Agency - they've been loyal customers for over 11 years. The Ovid Service Agency is also the place to go if you're thinking of buying or selling a home. Their complete listings can find you a home in a hurry and they have proven success at home sales.

# BANCROFT CLOTHING

OVID

A snazzy new hat and striped bib overalls offers Daisy May a new wardrobe at Bancroft's Clothing in Ovid. Audrey Bancroft shows Daisy May other styles of the bib overalls, expected to be a big seller this spring and summer. An enjoyable aspect of shopping at Bancroft's is the pleasant and helpful service provided by Mrs Bancroft and her sales staff. And shopping at Bancroft's is always easy on the budget. Stop in at Bancroft's and let them help you get decked out for the sunny days ahead.



# TYLER FURNITURE BARN

OVID

Upon arrival at Tyler's Furniture Barn at the corner of Hollister Rd. and M-24 in Ovid, Daisy May finds that Manager Richard Gee has just introduced a new brand to his fine selection of quality furniture. New at Tyler's is the OrthoTonic by Restonic bed. The patented ResTonic "marvelous middle" reinforced center gives you the most support where you need it most - in the middle. OrthoTonic offers 22 slat box springs that give greater strength for a firmer, more comfortable sleeping surface. Plus, the OrthoTonic has elegant, long-wearing damask ticking, extra cushioning and superb spring units. The ResTonic is just one line of quality home furnishing products featured at Tyler's Furniture Barn in Ovid.



# DEISLER'S FLOWERS

OVID

Joan Schulz, of Deisler's Flowers of Ovid, shows Daisy May a figurine that brings back memories of home - a mountaineer carved out of coal. Deisler's has a variety of figurines that add unique decorative touches around the home. The line of novelty and gift items stocked by Deisler's complements their full service florist business. For years, Ovid area residents have depended on Deisler's Flowers for their outstanding service and quality plants and flowers for every occasion. It's spring outside - make it spring inside the home with colorful selections from Deisler's.





## TRI-AMI BOWL

OVID

These lucky visitors to the Tri-Ami Bowl in Ovid experienced the enjoyment of having their delicious chicken dinner served by Daisy May and owner Tony Sinicropi. The 4 guests of the Tri-Ami Bowl were just passing through, but they discovered quickly the same thing Tri-Ami customers have known for years - it's the place to go for excellent Italian and American Cuisine. Daisy May and the photographer took advantage of the opportunity to sample one of the Tri-Ami's mouth-watering pizzas. The Tri-Ami's menu is highlighted by Italian selections on Thursday nights and perch and whitefish every Friday night. An added service at Tri-Ami is catering to small parties, wedding rehearsals, birthdays and anniversaries. And the favorite meeting spot for favorite beverages is the Keg-lite Lounge. The perfect place to spark that appetite for Tri-Ami's fine food are the bowling lanes adjacent to the dining and Keg-lite Lounge area.

## EGAN FORD SALES

ST. JOHNS

Daisy May visits Egan Ford in St. Johns while making her shopping rounds of the county and finds that one of the many beautiful Fords' offers a comfortable resting spot. Daisy May suggests you follow the advice of the message on the showroom wall. See the 1975's at Egan Ford and take your pick of the full Ford line - Pinto, Maverick, Elite, Mustang II, Torino, Granada or Thunderbird. After seeing the 1975 Fords, you'll agree when the friendly people at Egan Ford say, "The closer you look, the better we look." Another important factor to consider when buying a car or truck is what happens behind the showroom - the service department. Egan Ford is proud of the quality service their customers receive. Stop in at Egan Ford - you'll get a great deal on a great car.



## CAPITOL SAVINGS & LOAN

ST. JOHNS

Daisy May makes a stop at the place that helped make her spring shopping spree through Clinton County - Capitol Savings and Loan. Through a regular savings program, you can also have money for special occasions. Bill Patton, assistant vice-president, explains to Daisy May that starting a savings program now for a summer vacation will help pay for the trip out west or to Europe. He also tells her that savings at Capitol Savings and Loan earn 5 1/4% daily interest with a passbook savings account. With larger investments, you can earn 7 1/2% on a 4-year savings certificate account of \$5000 or more on deposit for 4 years. Or, if you prefer, a \$1000 minimum investment for 1 year in the Golden Savings Certificate Account will bring 6 1/2%. Capitol Savings and Loan are a member of the Federal Savings and Loan Insurance Corp. with savings insured up to \$40,000.

## E. J.'S STANDARD SERVICE

ST. JOHNS

Expert service with a smile always greets customers at E.J.'s Standard in St. Johns. Daisy May helps out here and shows that washing windshields and complete checks under the hood are not forgotten courtesies at E.J. Thum's place of business. The excellent service on the drive is matched by the quality repair and maintenance service in the garage. From top to bottom, your car will run its best when E.J. and his staff offer you service with a combination of quality mechanics working with the best in equipment and parts. E.J.'s is also your tire center to insure you're rolling safe on summer trips.



## MID STATE EQUIPMENT

ST. JOHNS

Daisy May inspects just 1 of the many International Harvester tractors and equipment that will be featured at Mid-State Equipment's Spring Introduction Open House April 24-25-26. Mid-State Equipment on North Clinton Ave in St. Johns invites you to attend the open house and view the full line of International Harvester products from the quality farm tractors and equipment to the lawn and garden variety for around the home. Bob Gladstone and Bruce Mehney, dealers, announce there will be a drawing during the open house with the winner receiving a new lawn mower. Stop in at the open house, browse around, enter the drawing and enjoy free coffee and doughnuts.

## McDONALDS ST. JOHNS

Three years ago, McDonald's celebrated its 20th birthday by serving its 16th billion hamburger. Daisy May joined in the celebration by getting the honor of changing the numeral at St. Johns' own McDonald's establishment on US-27. Daisy May found out that 16 billion hamburgers, laid end-to-end would measure 1,019,406 miles, plus the fact that 16 billion hamburgers would be enough to circle the earth 41.5 times at the equator. Those hamburgers would build 13 Sears Towers (the world's highest building) - and the pickle slices that went into all those hamburgers (an awesome 14,785,971,873 of them) could provide the interior trim. Along with all those hamburgers, McDonald's has sold 4,009,600,000 pounds of potatoes, all in the form of French fries. Laid end-to-end, those French fries would reach all across France. It took McDonald's customers 20 years to eat all those 16 billion hamburgers and everything that went with them. It's a good thing there are a lot of customers, because it would have taken one person 160,000 years to eat them all.



## D & C STORES ST. JOHNS

Looking for a bright, attractive pantsuit? Well, the D&C Store in St. Johns is just the place to shop and Daisy May and Charlotte Rose, a member of the helpful D&C sales staff, show you just one of the many colorful selections. The D&C Store can outfit you and your children from head to toe for the coming summer and their reasonable prices are as refreshing as a warm spring day. While you're in the D&C Store shopping for clothes, don't forget to browse for many of those needed household items. Take the kids - they'll have loads of fun in the D&C toy section.

## CLINTON TRACTOR ST. JOHNS

Daisy May goes Wheel Horse riding at Clinton Tractor and Hardware on Railroad Street in St. Johns. Greg Penix explains to her that Wheel Horse has long been known in the home and garden tractor field as the mark of dependability. Clinton Tractor and Hardware also carries the respected line of Toro lawn and garden equipment. In addition to tractors, for the largest for your farm to lawn and garden types Clinton Tractor and Hardware is also a complete hardware center with tools and parts for all those jobs around the home, farm and business.



## HART'S SALES & SERVICE ST. JOHNS

Daisy May gets a close look at a brand new product at Hart's Sales and Service on North US-27 in St. Johns, the new Winnebago Agri-Trailer. Agri-Trailer is designed to trail right along behind your pick-up to give you "big truck hauling" capabilities. The trailer is designed to make your grain or produce hauling, either to market or to the farm, easier at half the cost. Why invest in expensive grain trucks or old-style trailers when you can hook up Winnebago confidence to your pick-up and much less the cost and a real savings on insurance. Put new versatility in your hauling operations - visit or call (224-4181) Hart's Sales and Service in St. Johns. They're open from 8:30 am to 5:30 pm Monday through Saturday.

## CENTRAL MICHIGAN LUMBER CO. ST. JOHNS

Daisy May prepares to load up to deliver your spring building supplies from Central Michigan Lumber in St. Johns. Central Michigan Lumber is the building supplies center for all your lumber needs. Spring is a good time to tackle that remodeling job in the home and Central Michigan Lumber is just the place to buy the lumber, paneling, doors, molding, paints, stains etc. It's all there at Central Michigan Lumber - and they'll deliver it all right to where you need it. Visit the helpful people at Central Michigan Lumber for all your building and redecorating needs.





## THE WHEEL INN

ST. JOHNS

Daisy May understands the plight of these hungry customers at the Wheel Inn. So many delicious items are available on the Wheel Inn menu, it's sometimes a little difficult to decide what taste treat to enjoy. Popular with Clinton County residents, the Wheel Inn is also a regular stop for those traveling through on US-27. The Wheel Inn is open 24 hours a day to offer you meals, snacks or just some of their good hot coffee. Make the Wheel Inn a regular occasion - you'll see a lot of your friends when you do.

## NORM HENRY FINE SHOES

ST. JOHNS

After touring Clinton County businesses, certainly Daisy May would be interested in new footwear and where would be a better place than at Norm Henry Fine Shoes on N. Clinton Ave. in St. Johns. Here you can find the widest, most complete shoe selection in Central Michigan. Assisting customers in shoe selection is this capable and courteous staff headed by Manager Barbara Minarik. To the back of her are Jean Daggett, Mary Ann Fedewa, Pat Horst and Judy Moon. Norm Henry features footwear sure to please any member of the family whether for casual wear, work or dress. Brands featured for women include Florshiem, Air Step, Connie, Jacqueline, California Cobblers, Hush Puppies, Jolene, Sandler, Bass and Nurse Mates. In the children lines, Norm Henry boasts names such as Buster Brown, Mother Goose for dress and general wear, plus Keds, Converse, P.F. and LaCrosse for athletic needs. For the man of the house, whether his work be on the farm, in the factory or office, Norm Henry supplies the need with choices from Florshiem, Statler-Douglas, Freeman, Pedwin, Dexter and Redwing. Visit Norm Henry Fine Shoes for your next pair of shoes. You'll be amazed at the quality and savings you'll gain.



## S & H FARMS

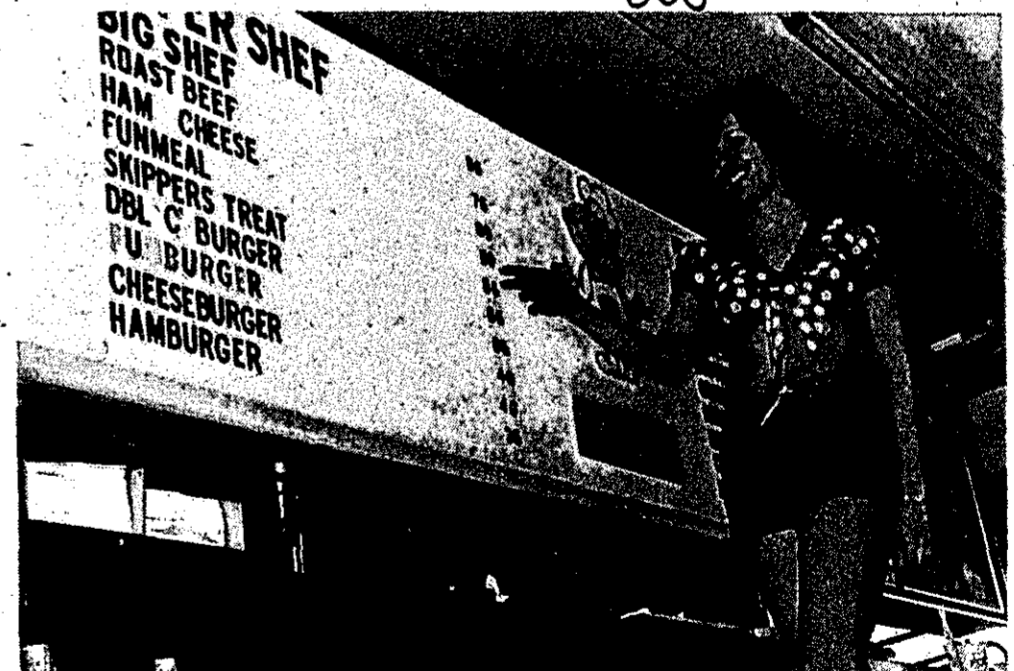
ST. JOHNS

Daisy May sits atop a new Leyland Tractor at S&H Farms at the corner of French Rd and N. US-27, 4 miles north of St Johns, where she learns "You can pay more—but you can't buy more tractor." The friendly people at S&H Farms advise, "Don't go overboard, go Leyland." With the Leyland tractor, you get all the extras at no extra cost. You'll use 2 gallons or less diesel fuel per hour plowing with a Leyland. It offers low maintenance costs, low profile, ease of operation and operator comfort. This spring, put yourself on a Leyland. Visit S&H Farms Monday through Friday from 8 am to 5 pm and Saturday 8 am until noon.

## BURGER CHEF

ST. JOHNS

Daisy May looks over the menu at Burger Chef in St Johns and finds there really is "more to like at Burger Chef." She also learned that new owner Pat McNeal is getting ready to offer a new service to Burger Chef customers—a salad bar offering crisp, fresh salads to go along with your delicious Burger Chef food. And remember, for a real bargain on good food for the entire family, visit Burger Chef on the "Tuesday Family Fun Night."



## AMUSEMENT CENTER

ST. JOHNS

Daisy May stops during her shopping spree for a game of 8-ball at the newly opened Amusement Center in the Southgate Plaza in St Johns. The amusement center is owned by Ken and Carol Sitowski, who told Daisy May, "The purpose for our opening a business like this is to give the kids of this area a place to come and have fun. But, also we want it to be a place where whole families can come to share in the fun." Included in the fun at the Amusement Center are pool, air hockey, pinball machines, TV hockey, ball walk and a foosball table. Also available are snacks of soft drinks, ice cream bars, pop corn, chips, pretzels and candy bars. Scheduled soon are leagues for kids between 6-9 pm and senior citizen leagues in the afternoons.

## COLONIAL RESTAURANT

ST. JOHNS

A friendly happy place—that's the Colonial Restaurant in St Johns where Cecil Smith finds himself waited on by both Daisy May with piping hot coffee and owner Susan Hospodar offering a mid-morning selection of rolls and doughnuts. Meals are a pleasure at the Colonial. The prompt and cheerful service is matched by delicious meals of "old fashioned home style cooking." Prices at the Colonial are also a pleasure—you'll find delicious eating at reasonable prices at the Colonial at the corner of Clinton and State Streets in St Johns. The Colonial is open 6 am to 7 pm weekdays - Fri. 7-8, Sat. 7-5:30. Starting May 11, the Colonial will be open from noon to 4 pm Sundays. If your club or organization is planning a combined meal and meeting, give the Colonial a call for arrangements in the group dining room.



## CASTEX CARPET STEAM EXTRACTOR SALES & SERVICE

ST. JOHNS

Daisy May finds out how to get a carpet really clean at Castex Carpet Steam Extractor Sales and Service at 705 N. US-27 in St Johns. Stan Judd, owner, explained to Daisy May that Castex offers 3 sizes of carpet steam extractors ranging from the Model 700 for the home to commercial and industrial sizes. Castex sends hot jets of super saturated steam containing special cleaning additives deep into the carpet, loosening dirt. The dirt is held in suspension and removed by a powerful vacuum. The powerful Castex system increases carpet life, does not leave soap or residue in the carpet, does not cause pile distortion or flaring, does an outstanding job of cleaning and removes the dirt. You can do the job yourself or have it done for you. For a free estimate, call 224-7222. Stan Judd also reminds you that he carries a full line of Kirby products.

## SOLID STATE ELECTRONICS

ST. JOHNS

Daisy May gives her ears a treat at Solid State Electronics at 1002 E. State in St Johns. Lee Langlois explains that Craig car stereo equipment will insure top quality sound in Daisy May's car stereo system. To Daisy May's right are viewing and listening items perfect for warm spring and summer days. Do you want to get out in the sun, but don't want to miss Nate Colbert slamming a bases loaded for the Tigers on television. Well, take the game outside with you with a Quasar portable television. Solid State offers a complete line of portable radios also so you can take listening pleasure with you wherever you go. For a good deal on home stereo systems and color television with quality service, Solid State Electronics is your place. Visit them and give your ears and eyes more pleasure out of life.



## CLINTON COUNTY NEWS

ST. JOHNS



After completing her tour of Clinton area businesses and finding a spectacular selection of spring merchandise, Daisy May makes her final stop at Clinton County News at 120 E. Walker St in St Johns. She discovers that the Clinton County News offers many values, too. Mrs Maridell Nelson helps her look through the many samples of stationery supplies for all occasions. Plus she finds while visiting at the County News a very courteous staff available to aid her in placing classified and display advertising. And to help her to keep up on what's happening around Clinton County she finds subscription rates to the paper at only \$6 per year or \$10 for two years. High quality commercial printing is also a service found at the Clinton County News. A call to 224-2361 is always welcome.



# WE WANT YOUR SAVINGS

And we're willing to do a little extra to get them - like FREE BOOKS and a brand

**NEW 5% STATEMENT SAVINGS PLAN**

## FREE BOOKS

DEPOSIT MINIMUM OF \$1,000 FOR ONE YEAR  
YOU RECEIVE  
**ONE FREE BOOK**  
OF YOUR CHOICE  
PLUS 6% INTEREST



DEPOSIT MINIMUM OF \$1,000 FOR 2 1/2 YEARS  
YOU RECEIVE  
**TWO FREE BOOKS**  
OF YOUR CHOICE  
PLUS 6 1/2% INTEREST



DEPOSIT MINIMUM OF \$1,000 FOR 4 YEARS  
YOU RECEIVE  
**THREE FREE BOOKS**  
OF YOUR CHOICE  
PLUS UP TO 7 1/2% INTEREST\*  
(Six year certificates earning 7 1/2% also available. Three free books with a minimum of \$1,000.)  
**BIOGRAPHIES**

### LAST CALL FOR FREE BOOKS

Clinton National Bank's book club program will terminate on Wednesday, April 30, 1975.  
Persons holding bonus coupons will have until May 30, 1975 to redeem them for any book currently offered.

- NOW... earn higher daily interest with passbook privileges
- NOW... no need to carry a passbook
- NOW... convenient quarterly statement mailed to you
- NOW... CNB&T wants your savings in our...

**NEW 5% STATEMENT SAVINGS**

Earn Daily Interest Compounded and Paid Quarterly

*The wide-awake bank makes it all so easy.*



\*SAVINGS EARN ONLY PASSBOOK RATES LESS 90 DAYS PENALTY IF WITHDRAWN PRIOR TO MATURITY

FDIC

SUPPLEMENT TO  
**Clinton County News**  
April 23, 1975

**INTERIM  
ZONING ORDINANCE 37  
OF  
DEWITT TOWNSHIP  
1975**



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**INTERIM ZONING ORDINANCE 37  
OF DEWITT TOWNSHIP**

**TITLE AND PREAMBLE**

An Ordinance to provide for the establishment of Zoning Districts and regulations in the unincorporated portions of DeWitt Township; to encourage and regulate the proper use of land; to provide for the administration, enforcement, and penalties for violation; to provide for the establishment of a Township Board of Appeals and a Township Planning Commission pursuant to Act 184, Public Acts of 1943, and Act 168 of 1959, as amended.

The Township Board of Trustees of DeWitt Township, Michigan, ordains:

**CHAPTER 1. SHORT TITLE**

This Ordinance shall be known as the "DeWitt Township Interim Zoning Ordinance." All chapter, section and other topical headings are for reference only and shall not be construed to be part of this Ordinance.

**CHAPTER 2. PURPOSES**

It is the purpose of this Ordinance to promote the public safety, health, morals, convenience, comfort and general welfare; to encourage the use of lands and natural resources in the Township in accordance with their character, adaptability, and suitability for particular purposes; to enhance social and economic stability; to prevent excessive concentration of population; to reduce hazards to life and property due to flooding, pollution, excessive dust, fumes, smoke, noise, vibrations, or noxious odors; to establish fees; to lessen congestion on the public streets and highways; to reduce hazards of fire and other danger to life or property; to prevent overburden upon existing or available public services and utilities; to enhance encourage the orderly and proper development of the respective districts and surrounding districts; to safeguard against excessive reduction of light and air to adjacent land and buildings; to facilitate the adequate provision of streets and highways, sewerage and drainage, water supply and distribution, education and recreation; to provide for the expenditure of funds for recreation and other public facilities and services by establishing here-in standards for physical development; and to provide for the enforcement of such standards, by the creation of a Township Planning Commission, in accordance with the provisions of Public Act 184 of 1943, and Act 168 of 1959, as amended:

**CHAPTER 3. ADMINISTRATION AND ENFORCEMENT**

**Sec. 3.1 ADMINISTRATION**

The provisions of this Ordinance shall be administered by the Township Planning Commission and the Township Board of Trustees in accordance with Act 184 of the Public Acts of 1943 and Act 168 of 1959, as amended.

The Township Board of Trustees shall employ a "Building/Zoning Official" hereinafter called "Official" to act as its officer to effect proper administration of this Ordinance. The term of employment and rate of compensation and any other conditions of employment, shall be established by the Township Board of Trustees. For the purpose of this Ordinance, the Official shall have the power of a police officer, whose sole jurisdiction shall be the enforcement thereof. The "Official", Township Attorney or other officer designated by the Board of Trustees, the Chief of Police and his Officers, of DeWitt Township, are hereby designated as the proper officials to enforce the provisions of this Ordinance.

All applications for building permits, which are not transferable, shall be submitted to the Official who shall issue building permits and certificates of occupancy when all applicable provisions of this Ordinance have been complied with. The validity of all information contained in the application for a building permit shall be the responsibility of the applicant and shall be subject to the penalty provisions of this Ordinance. The Official shall be empowered to make inspections of buildings or premises to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Official to approve any plans or issue any permits or certificates of occupancy for any excavation or construction until he has inspected such plans and found them to conform to the provisions of this Ordinance.

The Official shall record, in the Office of the Official, all nonconforming uses existing on the effective date of this Ordinance for the purpose of implementing the provisions of Section 6.30 and 6.31.

**Sec. 3.2 BUILDING PERMITS**

The following provisions shall apply in the issuance of any building permit in addition to any other requirements for a particular use contained in this Ordinance:

(1) Commencement: Excavation for any building or structure shall not be commenced; the erection, addition to, alteration of, or moving of any building or structure shall not be undertaken until a building permit or a certificate of occupancy has been secured from the Official. A building permit shall not be issued for those uses requiring a special use permit as permitted in this Ordinance, until a special use permit has been approved in compliance with the provisions of Chapter 8 of this Ordinance. Except upon a written order of the Board of Appeals, no building permit or certificate of occupancy shall be issued for any building or use thereof, that would be in violation of any of the provisions of this Ordinance.

(2) Application: There shall be submitted to the Official, with each application for building permit, a written report of soil suitability from the Health Department having jurisdiction and a legal description of land for which the permit is desired and three (3) copies of a site layout or plot plan, drawn to scale, and bearing the applicant's signature, containing the following:

- (a) The location, shape, area, dimensions, and legal descriptions of the parcel involved.
- (b) The location, dimensions, height, and bulk of the existing and/or proposed structures, to be erected, altered or moved on the parcel.
- (c) The existing or intended uses.
- (d) The proposed number of sleeping rooms, dwelling units, occupants, employees, customers, and other users.
- (e) The yard, open space, and parking space dimensions.
- (f) Any other pertinent information deemed necessary by the Official for the enforcement of this Ordinance.

(3) Duration of Permit: A permit shall lapse, become null and void and be ineffective as authority for acting thereunder one (1) year from the date of issue, unless the applicant shall, prior to the expiration thereof, make a written and signed application for renewal, and shall file same with the Official. In the event that such application for renewal is granted, the Official shall reinstate such permit for an additional ninety (90) day period and further renewals shall not be granted.

(4) Revocation: Any permit may be revoked by the Official whenever the holder or applicant, his agents or representatives, a) shall have made a false or fraudulent statement in the procurement, or in the exercise of such permit, or, b) violates any provisions of this Ordinance, or, c) fails to satisfy the requirements of this Ordinance.

(5) Inspection: The Official shall make five (5) inspections of the site covered by the permit: the first prior to the issuance of a building permit; the second when the footings are formed but not poured; the third when the structure is roughed in; the fourth when the wiring and plumbing have been roughed in and the final inspection when the structure is completed and ready for occupancy at which time the Official shall issue an occupancy permit if the structure meets the requirements of this Ordinance and the DeWitt township Building Code.

(6) Fees: All fees for inspection and the issuance of permits or certificates required under this Ordinance shall be collected by the Official in advance of issuance. The amount of such fees shall be established by resolution of the Township Board of Trustees and shall be in an amount sufficient to defray the cost of inspections and supervision necessary for the implementation and enforcement of this Ordinance.

**Sec. 3.3 CERTIFICATE OF ZONING COMPLIANCE**

Before a building permit may be issued for any District requiring a Certificate of Zoning Compliance, the following review procedure shall be followed:

(1) The purpose of said certificate is to determine that the intended use is within the proper district, and

that there has been full compliance with the use requirements specified for the respective districts.

(2) All Certificates of Zoning Compliance shall be issued by the Official, who shall not issue a building permit in a district requiring such certificate until the Certificate of Zoning Compliance has been issued.

(3) All Certificates of Zoning Compliance shall be issued by the Planning Commission to the Official, who shall not issue a building permit in a district requiring such certificate until the Certificate of Zoning Compliance has been issued and received by his office.

**Sec. 3.4 REQUIREMENTS FOR CERTIFICATE OF ZONING COMPLIANCE**

In addition to the requirements contained in Section 3.2, an application for a building permit in any district shall further require the submission of the following information and data, which shall be submitted together with an application for a Certificate of Zoning Compliance to the Official.

(1) A site plan of the property showing the location of all present and proposed buildings, drives, parking areas, waste disposal facility or fields, landscaping, plant materials, screening fences or walls, acceleration or deceleration lanes, traffic control devices, signs and other construction features, indicating all surface improvements which shall be proposed.

(2) A description of the proposed use in sufficient detail to indicate the effects of the use in producing traffic congestion, air pollution, water pollution and fire or safety hazards.

The Official may require

(3) Engineering and Architectural Plans For:

- (a) The treatment and disposal of sewage.
- (b) The proposed handling of any excess traffic congestion, air pollution, water pollution, fire, or safety hazards.

(4) The proposed hours of business and the estimated number of employees and customers anticipated.

(5) A signed statement, supplied by the owner and occupant, certifying that the proposed use will be in full compliance with the Use Requirements of this Ordinance.

(a) When said application pertains to M-1 Limited Industrial District, such statement shall certify full compliance as to the performance and use requirements of Sec. 5.52 of this Ordinance.

(b) When said application pertains to M-2 Heavy Industrial District, such statement shall certify full compliance as to the performance and use requirements of subsections 3 through 8, inclusive, of Sec. 5.52 of this Ordinance.

(6) Said statements shall further certify that the proposed use will be operated in conformity with the appropriate performance and use requirements as specified in the particular Section of this Ordinance pertaining to that specific use.

(a) The above information and data shall be submitted to the Official together with any application made for rezoning or zoning amendment to any District requiring a Certificate of Zoning Compliance.

(b) For purposes of applying for a Certificate of Zoning Compliance for an M-1 or M-2 Industrial District, as provided in this Ordinance, the data specified in Sec. 5.52 of this Ordinance shall also be submitted.

**Sec. 3.5 PROOF OF COMPLIANCE — SAFEGUARDS — VIOLATION**

An applicant for a building permit, or for zoning amendment, in any district, requiring a Certificate of Zoning Compliance, shall furnish adequate evidence in support of the proposed use complying with all of the Use Requirements of that specific district.

(1) Official and/or Board of Appeals, whichever is applicable to the particular application pending for Certificate of Zoning Compliance, shall insure that the intent and objectives of this Ordinance will be observed and that there will be compliance with the standards specified in this Ordinance.

(2) There shall be no occupancy or use of any land or building in any district requiring a Certificate of Zoning Compliance until the proper permit therefor has been issued by the Official:

(3) A Certificate of Occupancy for any land use or building structure in a district requiring a Certificate of Zoning Compliance, shall not be issued until all of the Use and/or Performance Requirements, as specified in this Ordinance, for that district, have been fully complied with by the owner or occupant.

(4) The owner and/or occupant of any land or use, requiring a Certificate of Zoning Compliance, shall continue the use or occupancy thereof in compliance with all use and/or performance requirements specified in this Ordinance for that particular district. Failure thereof shall be a violation of this Ordinance, subject to the penalties and remedies specified in Sec. 3.9 of this Ordinance and the continuance thereof is hereby declared to be a nuisance per se.

#### Sec. 3.6 APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE

(1) The procedure for submission of an application for a Certificate of Zoning Compliance and for the Official's review of said application shall be together with whatever additional data the Official may specify for that particular district.

(2) The procedure for obtaining Township Board review of a Certificate of Zoning Compliance shall be the same as that provided for a Special Use Permit in Sec. 8.2 of this Ordinance.

(3) The procedure for a public hearing for any Certificate of Zoning Compliance shall be the same as that provided for a Special Use Permit in Section 8.3 of this Ordinance.

(4) The general standards for determination and review of an application for a Certificate of Zoning Compliance shall be the same as those provided for a Special Use Permit in Sec. 8.4 of this Ordinance, together with the specific standards of use and performance requirements specified in each applicable section of this Ordinance affecting that particular use or district.

#### Sec. 3.7 CERTIFICATE OF OCCUPANCY

No building shall be erected, altered, used, occupied, or changed in use until a Certificate of Occupancy shall have been issued by the Official, stating that the building and its proposed use complies with the provisions of this Ordinance.

(1) Application for Certificates: Application for Certificates of Occupancy, except for nonconforming uses, shall be made at the time of application for a building permit to the Official. A Certificate of Occupancy applied for coincidentally with an application for a building permit shall be issued at the completion of the final inspection. If such Certificate is refused for cause, the applicant shall be notified of such refusal in writing within ten (10) days of its denial.

(2) Records of Certificates: A record of all certificates issued shall be kept on file in the Office of the Township Clerk and copies shall be furnished, at a uniform cost, upon the request of any person having an interest in the property involved.

#### Sec. 3.8 INTERPRETATIONS AND APPLICATION

In the interpretation, application and enforcement of this Ordinance, whenever any of the provisions or limitations imposed or required herein are more stringent than any other law or ordinance, then the provisions of this Ordinance shall govern, provided that whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such other law or ordinance shall govern.

#### Sec. 3.9 ENFORCEMENT - VIOLATIONS - PENALTIES

(1) It shall be unlawful for any person to commence operations of any kind that are in violation of the terms of this Ordinance, and any violations shall be subject to the penalties herein prescribed.

(2) Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by imprisonment in the County Jail for not more than ninety (90) days; or by a fine of not more than One Hundred (\$100.00) Dollars and the costs of prosecution, or by both such fine and imprisonment in the discretion of the Court. Each day that a violation exists shall constitute a separate punishable offense. The imposition of any sentence shall not exempt the

offender from compliance with the requirements of this Ordinance. Violation of this Ordinance is hereby declared a nuisance per se and conviction of the penal provisions shall not preclude proceedings to abate such a nuisance.

(3) Cumulative Rights and Remedies. The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law, including, but not limited to such injunctive relief as may be appropriate.

### CHAPTER 4. BOARD OF APPEALS

#### Sec. 4.1 ESTABLISHMENT:

There is hereby established a Board of Appeals in accordance with Act 184 of the Public Acts of Michigan of 1943 and Act 168 of 1959, as amended. The Board of Appeals shall perform its duties and exercise its powers as provided by Sections 18 through 23, of the said Act 184, as amended, and in such a way that the objectives of this Ordinance may be equitably achieved; that there shall be provided a means for competent interpretation and controlled flexibility in the application of this Ordinance; that the health, safety and welfare of the public be secured; and that substantial justice be secured.

#### Sec. 4.2 MEMBERSHIP, TERMS OF OFFICE:

The Board of Appeals shall consist of three (3) members. The first member of such Board of Appeals shall be the Chairman of the Township Planning Commission, for his term of office; the second member shall be a member of the Township Board, appointed by the Township Board for the term of his office; and the third member shall be selected and appointed for three (3) years by the first two members from among the electors residing in the Township, PROVIDED, that no elected officer of the Township nor any employee of the Township Board may serve simultaneously as the third member of, or as an employee of the Board of Appeals.

Members of the Board of Appeals shall be removable by the Township Board for nonfeasance, malfeasance, or misfeasance of office upon written charges and after public hearing.

#### Sec. 4.3 RULES OF PROCEDURE:

The Board shall adopt its own rules of procedure as may be necessary to conduct its meetings and carry out its function. The Board shall choose its chairman, and in his absence, an acting chairman.

#### Sec. 4.4 MEETINGS:

Meetings shall be held at the call of the chairman and at such times as the Board may determine. All meetings by the Board shall be open to the public. The Board may declare any meeting, or part of any meeting, a study meeting to pursue matters of business without comment or interruption from the public in attendance.

#### Sec. 4.5 RECORDS:

Minutes shall be recorded of all proceedings which shall contain evidence and data relevant to every case considered together with the votes of the members and the final disposition of each case. Such minutes shall be filed in the office of the Township Clerk and shall be made available to the general public.

#### Sec. 4.6 COUNSEL:

The Township Attorney shall act as legal counsel for the Board and shall be present at all meetings upon request by the Board.

#### Sec. 4.7 HEARINGS:

The Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to all persons to whom any real property within three hundred (300) feet of the premises in question shall be assessed, such notice to be delivered personally or by mail addressed to the respective owners at the address given in the last assessment roll and shall decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney. The Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end shall have all powers of the officer from whom the appeal was taken. Final decisions of the Board of Appeals shall be subject to judicial review.

#### Sec. 4.8 DECISIONS:

The Board of Appeals shall return a decision on each case within 120 days after a request for appeal has been filed unless a further extension of time is consented to by the applicant. The decision of the Board shall be final five (5) days from the date of same unless the Board shall find that the immediate effect of such decision is necessary for the preservation of property or personal rights and shall so certify in the decision.

#### Sec. 4.9 MAJORITY VOTE:

The concurring vote of a majority of the members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Official or to decide in favor of the applicant on any matter upon which they are required to pass under this Ordinance or to effect any variation in this Ordinance.

#### Sec. 4.10 FILING OF APPEALS:

Appeals to the Board of Appeals may be made by any person aggrieved, or by any officer, department, or board of the Township. Any appeal from the ruling of the Official concerning the enforcement of the provisions of this Ordinance may be made to the Board of Appeals within ten (10) days after the date of the mailing of the Official's decision. Such appeal shall be filed with the Secretary of the Board of Appeals and with the Official, and shall specify the grounds for the appeal. The Official shall immediately transmit to the Secretary of the Board all papers constituting the record upon which the action appealed from was taken.

#### Sec. 4.11 STAY:

An appeal shall stay all proceedings in furtherance of the action appealed from unless the Official certifies to the Board of Appeals after notice of appeal has been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property.

#### Sec. 4.12 FEES:

A fee as established by the Township Board shall be paid to the Township Clerk or the Official at the time of filing application with the Board. The purpose of such fee is to cover, in part, the necessary advertisements, investigations, and other expenses incurred by the Board in connection with the appeal.

#### Sec. 4.13 DUTIES AND POWERS

The Township Board of Appeals shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms or intent of this Ordinance, but does have power to act on those matters where this Ordinance provides for an administrative review, interpretation, variance, exception, or special approval permit as defined in this Section.

#### Sec. 4.14 REVIEW:

The Board shall hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by the Official or by any other official in administering or enforcing any provisions of this Ordinance.

#### Sec. 4.15 INTERPRETATION:

The Board of Appeals shall have the power to:

- (1) Interpret, upon request, the provisions of this Ordinance in such a way as to carry out the intent and purpose of the Ordinance.
- (2) Determine the precise location of the boundary lines between zoning districts.
- (3) Classify a use which is not specifically mentioned as part of the use regulations or any zoning district so that it conforms to a comparable permitted or prohibited use, in accordance with the purpose and intent of each district.
- (4) Determine the off-street parking and loading space requirements or any use not specifically mentioned in Chapter 7, Section 7.1 of 7.2.

Sec. 4.16 VARIANCES

The Board shall have the power to authorize upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements, PROVIDED ALL of the BASIC conditions listed herein and any ONE of the SPECIAL conditions listed thereafter can be satisfied.

(1) Basic Conditions: That any variance granted from this Ordinance:

- (a) Will not be contrary to the public interest or to the intent and purpose of this Ordinance.
(b) Shall not permit the establishment within a district of any use which is not permitted by right within that zone district, or any use or dimensional variance for which a conditional use permit or a temporary use permit is required.
(c) Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.
(d) Is not one where the specific conditions relating to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practical.
(e) Will relate only to property that is under control of the applicant.

(2) Special Conditions: When ALL of the foregoing basic conditions can be satisfied, variance may be granted when any ONE of the following special conditions can be clearly demonstrated.

- (a) Where there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this Ordinance. These hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.
(b) Where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district and when such circumstances or conditions shall not have resulted from any act of the applicant subsequent to the adoption of this Ordinance.
(c) Where such variation is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.

(2) Rules: The following rules shall be applied in the granting of variances:

- (a) The Board may specify, in writing, such conditions regarding the character, location, and other features that will, in its judgment, secure the objectives and purposes of this Ordinance. The breach of any such condition shall automatically invalidate the permit granted.
(b) Each variance granted under the provisions of this Ordinance shall become null and void unless:
- The construction authorized by such variance or permit has been commenced within six (6) months after the granting of the variance.
- The occupancy of land, premises, or buildings authorized by the variance has taken place within one (1) year after the granting of the variance.
(c) No application for a variance which has been denied wholly or in part by the Board shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly-discovered evidence or proof of changed conditions found upon inspection by the Board to be valid.

Sec. 4.17 SPECIAL EXCEPTIONS:

When, in its judgment, the public welfare will be served and the use of the neighboring property will not be injured thereby, the Board may, in a specific case, after due notice and public hearing and subject to appropriate conditions and safeguards, determine and vary the application of the regulations of this Ordinance in harmony with the general character of the district and the intent and purposes of this Ordinance. The granting of a special exception shall in no way constitute a change in the basic uses permitted in the district affected nor on the property wherein the exception is permitted. The Board may issue either temporary or conditional permits as special exceptions for the following land and structure uses:

(1) Temporary Permits: For temporary structures for dwelling purposes, including trailer coaches, subject to the following procedures and limitations and those of Section 6.5B:

- (a) An application for a permit for the erection or movement of a temporary structure for dwelling purposes, including trailer coaches, shall be made to the Board on a special form used exclusively for that purpose.
(b) The Board shall give due notice to the applicant and to all property owners within three hundred (300) feet of the property affected at least five (5) days before the hearing will be held on such application.
(c) A temporary permit shall not be granted unless the Board finds adequate evidence that the proposed location of use will not be detrimental to property in the immediate vicinity; and that the proposed water supply and sanitary facilities have been approved by the County Health Department.
(d) The Board may impose any reasonable conditions, including setbacks, land coverage, off-street parking, landscaping; and other requirements deemed necessary to protect adjoining properties and the public welfare. The violation of any such condition shall automatically invalidate the permit.
(e) The permit issued shall clearly set forth the conditions under which the permit is granted and shall state that the proposed temporary dwelling structure is to be vacated upon expiration of a specific time limit not to exceed six (6) months. No permit shall be transferable to any other owner or occupancy.

Sec. 4.18

(1) Conditional Permits: When conditions exist that are unique to a particular situation, a conditional permit may be issued with specific limitations imposed by the Board. The land or structure may be permitted to be established and to continue in use as long as the conditions unique to the use exist. The permit issued shall contain all the specified conditions under which continued use may be allowed. Conditional permits may be issued for the following uses:

- (a) Permit more than two (2) roomers in any one (1) dwelling, but not more than four (4), when it can be demonstrated to the satisfaction of the Board that such an expanded capacity is a clear necessity for satisfaction of this particular housing demand; that adequate off-street parking space can be provided in accordance with standards stated in Section 7.1; and that such use will not injure the character or value of the immediate neighborhood.
(b) The Board may authorize a reduction, modification, or waiver of any of the off-street parking or off-street loading regulations in Section 7.1 when it can be demonstrated that circumstances of extreme practical difficulty exist that would unquestionably result in hardship to the applicant when a literal interpretation of the regulation is required. Hardship shall not only be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land. A hardship that is a result of any action of the applicant

shall not be considered by the Board. Under all these circumstances, in no case shall the off-street parking or off-street loading standards be reduced by more than twenty-five (25%).

- (c) Joint use of off-street parking areas may be authorized by the Board when the capacities outlined in Chapter 7, Section 7.1 are complied with and when a copy of an agreement between joint users shall be filed with the application for a building permit, and is recorded with the Register of Deeds of Clinton County, guaranteeing continued use of the parking facilities for each party.

Sec. 4.19 BOND FOR COMPLIANCE

In granting any variance, or conditional permit, the Board of Appeals may require that a bond in such amount and sureties, as it may determine, be furnished to ensure compliance with the requirements, specifications, and conditions imposed with the grant of variance or permit and to ensure the discontinuance of a conditional or temporary use by a stipulated time. Such bond shall not exceed the cost of removal of such uses, or the sum of Five Thousand (\$5,000.00) Dollars, whichever is the highest.

CHAPTER 5. DISTRICTS

Sec. 5.1 ESTABLISHMENT OF DISTRICTS

For the purposes of this Ordinance, DeWitt Township, is hereby divided into the following districts:

- R-1A One-Family Rural Residential District
R-1B One-Family Low Density Residential District
R-1C One-Family Medium Density Residential District
R-1D Medium Density Residential
R-M1 Multiple Family Residential District
O-1 Office and Administrative District
B-1 Local Business District
B-2 General Business District
B-3 Highway Service District
B-4 Planned Shopping Center District
M-1 Limited Industrial District
M-2 Heavy Industrial District
A-1 Agricultural District
R-1R One-Family Restricted Residential District
R-1T Trailer Coach & Mobile Home Subdivision

Sec. 5.2 ZONING DISTRICTS MAP

The boundaries of the respective districts are defined and established as depicted on the map entitled "Zoning District Map of DeWitt Township, Clinton County, Michigan" which is an integral part of the Ordinance, and which is incorporated herein by reference together with the explanatory matter contained herein.

The Zoning District Map of DeWitt Township, Clinton County, Michigan, shall be certified by the Chairman of the Planning Commission and by the Township Clerk and said certification shall contain the following words: "We hereby certify that the above map is the official Zoning Map of the DeWitt Township Interim Zoning Ordinance, said map being accurate as to the depiction of the various districts on the effective date of said Ordinance.

If amendments are made in district boundaries or other matter depicted on the official Zoning Map, such changes shall not be considered final, and building permits shall not be issued until the appropriate amendments have been made on the official Zoning Map. Such amendments shall be made within three (3) normal working days after the effective date of the amendment. Each amendment shall be accompanied by a reference number on the map which shall refer to the official action of the Township Board. Two copies of the official Zoning Map shall be maintained and kept up to date, one of which shall be in the Office of the Township Clerk and one in the Office of the Official.

Sec. 5.3 INTERPRETATION OF DISTRICT BOUNDARIES

When a question arises with respect to the boundary of any district the following shall govern:

- (1) Where boundaries follow streets or highways, the center line of the street or highway shall be the boundary line or lines.
(2) Where boundaries follow railroad lines, such shall be midway between the main tracks.

(3) Where boundaries follow the shoreline of a stream, lake, or other body of water, such shall follow such shoreline, and in the event of change in the shoreline, such shall be the actual shoreline; where boundaries follow the center line of streams, rivers, canals or other bodies of water, such shall follow the center lines thereof.

(4) The Board of appeals shall have jurisdiction to interpret questions with respect to the boundary of any district.

#### Sec. 5.4 SCOPE OF REGULATIONS

No buildings, structure, or part thereof, shall hereafter be erected, moved or altered in any district, and no new use or change in use shall be made, in any district, unless in conformity with the provisions of this Ordinance and no junk cars shall be permitted, except in compliance with Chapter 9 in any district.

(1) The Board of Appeals shall have the Power to classify a use which is not specifically mentioned in relation to a comparable permitted or prohibited use for the purpose of clarifying the use of any district.

#### Sec. 5.5 R-1A DISTRICT: ONE-FAMILY RURAL RESIDENTIAL

The requirements of this District are intended to protect, stabilize, and enhance its essential character. All nonresidential land and structure uses in this district, as well as the other residential districts in this Ordinance, are hereby classified as (1) those uses permitted by "RIGHT", (2) those uses permitted "UNDER SPECIAL CONDITIONS", and (3) those uses permitted by "SPECIAL PERMIT."

#### Sec. 5.6 USES PERMITTED BY RIGHT

(1) One-Family Dwellings:

(2) Customary Accessory Uses and Buildings: provided such uses and buildings are incidental to the principal use and do not include any activity conducted as a business. Any accessory building or use shall be located on the same lot with the principal building. Accessory uses shall include the following:

(a) Living quarters for domestic employees of the resident of the principal building.

(b) The leasing of rooms by a resident family to nontransient roomers when the total number of roomers does not exceed two (2) in any one (1) dwelling, and provided that no sign for the display thereof is displayed.

(c) Additional supplementary uses, including accessory buildings

(1) One-Family Dwellings:

(2) Customary Accessory Uses and Buildings: provided such uses and buildings are incidental to the principal use and do not include any activity conducted as a business. Any accessory building or use shall be located on the same lot with the principal building. Accessory uses shall include the following:

(a) Living quarters for domestic employees of the resident of the principal building.

(b) The leasing of rooms by a resident family to nontransient roomers when the total number of roomers does not exceed two (2) in any one (1) dwelling, and provided that no sign for the display thereof is displayed.

(c) Additional supplementary uses, including accessory buildings, as permitted in Chapter 6, Section 6.5.

(3) Public Recreation:

(4) Signs and Name Plates: As provided in Chapter 6, Section 6.7.

(5) Automobile Parking: Off-street spaces shall be provided as specified in Chapter 7.

(6) Cemeteries: Which lawfully occupied land at the time of the adoption of this Ordinance.

#### Sec. 5.7 USES PERMITTED UNDER SPECIAL CONDITIONS

The following uses of land and structures shall be permitted, subject to the conditions hereinafter imposed for each use:

(1) Temporary Buildings: For uses incidental to construction work; such buildings shall be removed upon the completion or abandonment of the construction work or within the period of one (1) year, whichever period of time is the shortest.

(2) Railroad Right-of-Way: Including all necessary trackage, switches and operating devices; but excluding storage, marshalling yards, freight yards, or sidings.

(3) Golf Courses and Country Clubs: Other than golf driving ranges and miniature golf courses, subject to the following conditions:

(a) The site area shall be no less than fifty (50) acres and shall be so designed as to provide ingress and egress directly onto or from major thoroughfares.

(b) A site plan of the proposed development shall be reviewed and approved by the County Planning Commission. Such site plan shall indicate the location of service roads, entrances, driveways, and parking areas and shall be so designed in relationship to the major thoroughfares that pedestrian and vehicular traffic safety is encouraged.

(c) Development features shall be shown on said site plans, including the principal and accessory buildings, structures and parking areas, and shall be so located as to minimize any possible adverse effects upon adjacent property; all principal or accessory buildings and parking areas shall be not less than two hundred (200) feet from any boundary line of abutting residentially zoned lands.

(d) The minimum number of off-street parking spaces shall be provided as required in Chapter 7, including additional spaces which may be required for each accessory use, such as a restaurant or bar.

(e) Whenever a swimming pool is installed, said pool shall comply with the set back requirements as provided in Sec. 5.9 (6) and shall be provided with a protective fence six (6) feet in height, and entry shall be by means of a controlled gate.

(f) All lighting shall be shielded to reduce glare and shall be so arranged and maintained as to direct the light away from all residential lands which adjoin the site.

(4) Cemeteries: Public, or private, subject to the following conditions:

(a) The site shall be no less than twenty (20) acres and shall be so designed as to provide all ingress and egress directly onto or from a major thoroughfare.

(b) The location of proposed service roads, entrances, and driveways shall be so designed in relationship to the major thoroughfares that pedestrian and vehicular traffic safety is encouraged.

(c) No principal or accessory building shall be closer than fifty (50) feet from any abutting residentially zoned boundary line.

(6) Customary Agricultural Operations: Including general farming, truck farming, fruit orchards, nurseries, greenhouses, and usual farm buildings, but subject to the following restrictions:

(a) No storage of manure, odorous or dust producing materials or use shall be permitted within one hundred (100) feet of any adjoining lot line.

(b) A minimum of two (2) acres shall be provided for one horse kept within a private stable, and one additional horse may be kept for each twenty thousand

(20,000) square feet by which the lot exceeds two acres, and such area shall be fenced and confined from all adjoining premises and roadways, except when being ridden.

(c) No farm building shall be located closer than fifty (50) feet to any lot line.

(d) Customary household pets, may be kept on a noncommercial basis when properly housed and fenced. Except when a kennel license has been granted, and Special Use Permit issued by the Township Planning Commission, household pets may not exceed four in number for any one residence, and shall at all times be housed or fenced within an enclosure which will not permit them to run at large outside the confines of the owners property. No other animals shall be kept on residential land unless same are farm income producing and situated on a farm of not less than twenty (20) acres.

(e) No products shall be publicly displayed or offered for sale from the roadside.

(6) Customary home occupations may be conducted in residential structures provided that the following conditions are observed:

(a) No more than one-half of the floor area of one story of the dwelling shall be devoted to such use.

(b) Home occupations shall be conducted indoors and that there shall be no external evidence of such occupation or use except a small announcement or identification sign in accordance with Chapter 6, Sec. 6.7.

(c) Home occupations shall be conducted solely by the occupant of the residential dwelling within the confines of the residential dwelling.

#### Sec. 5.8 USES PERMITTED BY SPECIAL USE PERMIT

The following uses of land and structures may be allowed upon the issuance of a special use permit:

(1) Institutions for Human Care, such as hospitals, clinics, sanitariums, nursing or convalescent homes, homes for the aged and other philanthropic and charitable institutions, upon compliance with the provisions of Chapter 8, Sec. 8.11 to 8.15 inclusive.

(2) Religious Institutions, such as churches, convents, parsonages, and other housing for religious personnel, upon compliance with the provisions of Chapter 8, Sections 8.11 to 8.15 inclusive.

(4) Public Buildings and Public Service Installations, such as publicly owned and operated buildings, including libraries, telephone exchange buildings, transformer stations and substations, and other public utility buildings and structures, upon compliance with the provisions of Sections 8.11 to 8.15, inclusive.

#### Sec. 5.9 DIMENSIONAL REQUIREMENTS

The following minimum and maximum dimensions or areas shall be required for every structure and land use in the R-1A District, except as otherwise provided:

(1) The Minimum Lot Area shall be forty thousand (40,000) square feet. There shall be not more than one dwelling upon each lot.

(2) The Minimum Lot Width shall be one hundred fifty (150) feet facing the street upon which the lot fronts, except where a curvilinear street pattern produces irregularly shaped lots with non-parallel side lot lines, a lesser frontage width at the street line may be permitted, provided that the lot width at the front building line is no less than one hundred fifty (150) feet.

(3) The Minimum Corner Lot Width shall be one hundred sixty (160) feet facing the street fronted with exceptions to be allowed for lots on curvilinear streets with non-parallel side lot lines as provided in the preceding paragraph, except that the minimum lot width for a corner lot shall be ten (10) feet greater than interior lots.

(4) Maximum Lot Coverage: No building including accessory buildings, shall cover more than twenty (20%) percent of the lot area.

(5) Front Yards: The minimum front yard in a platted area, for any building shall be forty (40) feet unless fronting on a state or federal highway, then a fifty (50) foot setback shall be required. All unplatted areas shall have a front yard setback of no less than fifty (50) feet. The front yard, except for necessary drives or walks, shall be unobstructed.

(6) Side Yards: The minimum side yard shall each be twenty (20) feet in width except that a corner lot shall have a minimum of fifty (50) foot set-back from the abutting side street.

(7) Rear Yard: The minimum rear yard shall be sixty (60) feet.

(8) The Maximum Building Height for residential structures shall be two and one-half stories but not exceeding thirty-five feet. Accessory buildings shall not exceed a height of fifteen (15) feet.

(9) The Minimum Dwelling Floor Area for a single family dwelling, excluding garages, cellars, breezeways, or basements shall be:

One story - 960 sq. ft.	First Story
One and one-half stories - 810 sq. ft.	First Story
Two story - 670 sq. ft.	First Story
Tri-level 950 sq. ft.	Outside measurements of living area

**Sec. 5.10 R-1B DISTRICT: ONE-FAMILY LOW DENSITY RESIDENTIAL**

**Sec. 5.11 USES PERMITTED**

All uses permitted in R-1A District, subject to all the restrictions specified therein.

**Sec. 5.12 USES PERMITTED BY SPECIAL USE PERMIT**

The following uses of land and structures may be allowed by the issuance of a special use permit:

- (1) All Uses Permitted By Special Use Permit in the R-1A District, subject to the restrictions specified therein.
- (2) Planned Unit Development for the provision of open or other environmental innovations through a planned reduction of density requirements, a cluster design of residential structures, a mixture of housing types, or a planned arrangement of group housing facilities, as provided in Chapter 8, Sections 8.16 to 8.21, inclusive.

**Sec. 5.13 DIMENSIONAL REQUIREMENTS**

The following minimum and maximum dimensions or areas shall be required for every structure and land use in this district, except as otherwise provided:

- (1) The Minimum Lot Area shall be twenty thousand (20,000) square feet. There shall be not more than one dwelling upon each lot.
- (2) The Minimum Interior Lot Width shall be one hundred (100) feet facing the street upon which the lot fronts, except where a curvilinear street pattern produces irregularly shaped lots with nonparallel side lot lines, a lesser frontage width at the street line may be permitted provided that the lot width at the front building line is no less than one hundred (100) feet.
- (3) The Minimum Corner Lot Width shall be one hundred ten (110) feet facing the street fronted, with exceptions to be allowed for lots on curvilinear streets producing nonparallel side lot lines as provided in the preceding paragraph except that the minimum lot width for a corner lot shall be ten (10) feet greater than interior lots.
- (4) Maximum Lot Coverage: No building, including accessory buildings, shall cover more than twenty (20%) percent of the total lot area.

(5) Front Yards: The minimum front yard in a platted area, for any building shall be forty (40) feet unless fronting on a state or federal highway, then a fifty (50) foot setback shall be required. All unplatted areas shall have a front yard setback of no less than fifty (50) feet. The front yard, except for necessary drives or walks, shall be unobstructed.

(6) Side Yards: The minimum side yards shall each be ten (10) feet in width, except that a corner lot shall have a minimum of fifty (50) foot setback from the abutting side street.

(7) Rear Yards: The minimum rear yard shall be sixty (60) feet.

(8) The Maximum Building Height for residential structures shall be two and one-half stories but not more than thirty-five feet. Accessory buildings shall not exceed a height of fifteen (15) feet.

(9) The Minimum Dwelling Floor Area for a single family dwelling, excluding garages, cellars, breezeways, or basements, shall be:

1 story	800 sq. ft.	1st story
1 1/2 story	760 sq. ft.	1st story
2 story	620 sq. ft.	1st story
Tri-level	800 sq. ft.	outside measurements of living area

**Sec. 5.14 R-1C DISTRICT: ONE-FAMILY MEDIUM DENSITY RESIDENTIAL**

**Sec. 5.15 USES PERMITTED**

All uses permitted in the R-1B District, subject to all the restrictions specified therein.

**Sec. 5.16 DIMENSIONAL REQUIREMENTS**

The following minimum and maximum dimensions or areas shall be required for every structure and land use in this district, except as otherwise provided:

- (1) The Minimum Lot Area shall be ten thousand (10,000) square feet. There shall be not more than one (1) dwelling upon each lot.
- (2) The Minimum Interior Lot Width shall be eighty (80) feet facing the street upon which the lot fronts, except where a curvilinear street pattern produces irregularly shaped lots with non parallel side lot lines, a lesser frontage width at the street line may be permitted, provided that the lot width at the front building line is no less than eighty (80) feet.
  - (a) A single-family dwelling may be constructed on a lot record which is of smaller dimensions and of less gross area than the minimum herein specified, provided that any lot so excepted shall be no less than fifty (50) feet wide at the street which upon it fronts.
- (3) The Minimum Corner Lot Width shall be ninety (90) feet along street upon which the lot fronts; with exceptions to be allowed for lots on curvilinear streets producing non-parallel side lot lines, except that the minimum lot width for a corner lot shall be ten (10) feet greater than interior lots.
- (4) Maximum Lot Coverage: No building, including accessory buildings, shall cover more than thirty (30%) percent of the total lot area.
- (5) Front Yards: The minimum front yard in a platted area, for any building shall be forty (40) feet unless fronting on a state or federal highway, then a fifty (50) foot setback shall be required. All unplatted areas shall have a front yard setback of no less than fifty (50) feet. The front yard, except for necessary drives or walks, shall be unobstructed.
- (6) Side Yards: For corner lots, the width of the side yard abutting the side street shall be no less than fifty (50) feet of the lot of the building line; but no such side yard of a lot of record shall be less than eight (8) feet.
- (7) Rear Yard: The minimum rear yard shall be not less than forty-five (45) feet.
- (8) The Maximum Building Height for residential structures shall be two and one-half stories, but not more than thirty-five feet.

(9) The Minimum Dwelling Floor Area for a single family dwelling, excluding garages, cellars, breezeways or basements, shall be:

1 story	800 sq. ft.	1st story
1-1/2 story	760 sq. ft.	1st story
2 story	620 sq. ft.	1st story
Tri-level	800 sq. ft.	outside measurements of living area.

**Sec. 5.17 R-1D DISTRICT: MEDIUM DENSITY RESIDENTIAL**

**Sec. 5.18 USES PERMITTED**

No building, structure or land, or part thereof, shall be erected, altered or used in whole or in part, for other than the following specified uses, which shall be in accordance with the dimensional requirements of Sec. 5.19.

- (1) Two family dwellings:
- (2) Accessory Uses: Accessory uses, buildings and structures customarily incidental to the above permitted use, including not more than one private garage for each family unit, which may house one commercial vehicle not to exceed one and one-half tons capacity. When garages are separately constructed, each shall contain a minimum of four hundred eighty square feet. When garages are combined as one building, it shall contain a minimum area of six hundred (600) square feet. Accessory buildings shall not exceed fifteen (15) feet in height.

**Sec. 5.19 DIMENSIONAL REQUIREMENTS**

Any dwelling erected or altered in this district shall comply with the following:

- (1) Minimum Lot Area: Twenty-five thousand (25,000) square feet where not served by sanitary sewer; fifteen thousand (15,000) square feet where served by sanitary sewer.
- (2) Minimum Interior Lot Width: One hundred thirty-two (132) feet where not served by sanitary sewer and one hundred (100) feet where served by sanitary sewer, the width to be facing the street upon which the lot fronts, or at the building line where the side lot lines are not parallel.
- (3) Minimum Corner Lot Width: One hundred forty-two (142) feet where not served by sanitary sewer and one hundred ten (110) feet where served by sanitary sewer, the width to be facing the street upon which the lot fronts or at the building line where the side lot lines are not parallel.
- (4) Front Yards: The minimum front yard in a platted area, for any building shall be forty (40) feet unless fronting on a state or federal highway, then a fifty (50) foot setback shall be required. All unplatted areas shall have a front yard setback of no less than fifty (50) feet. The front yard, except for necessary drives or walks, shall be unobstructed.
- (5) Minimum Rear Yard: The minimum rear yard shall be not less than forty-five (45) feet.
- (6) Side Yards: Interior lots shall have a side yard width of twenty-eight (28) feet with a minimum of 8 feet on one side and a corner lot shall be set back fifty (50) feet from the abutting side street.
- (7) The Maximum Lot Coverage shall be not more than twenty (20%) percent where not served by sanitary sewer and twenty-five (25%) percent where served by sanitary sewer.
- (8) The Maximum Building Height shall not exceed two and one-half stories, nor more than thirty-five (35) feet.
- (9) The Minimum Floor Area of a dwelling shall be not less than seven hundred (700) square feet per family unit. When a family unit shall contain more than two bedrooms, the floor area shall be increased one hundred (100) square feet for each additional bedroom. The floor area shall be exclusive of stairways, basements, halls, and recreation rooms.
- (10) Off-Street Parking Requirements: One and one-half vehicle parking spaces for each family unit which must be located no closer to the front of the dwelling unit than the front yard minimum specified in paragraph 4 of this Section.

**Sec. 5.20 R-M1 DISTRICT: MULTIPLE-FAMILY RESIDENTIAL**

**Sec. 5.21 USES PERMITTED BY RIGHT**

- (1) All uses permitted by right in the R-1C Residential District, except customary home occupation uses and activities.
- (2) Multiple-Family Dwellings, provided such are singly constructed and that the proposed project is serviced by public water, sanitary sewer, and storm sewer systems, and that the site plan submitted to the Zoning Administrator for a building permit meets all building and site development requirements as set forth in Sec. 5.25.
- (3) Signs identifying any of the permitted uses in this district shall be in accordance with requirements specified in Chapter 6, Sec. 6.7.
- (4) Vehicle Parking: Off-street parking shall be provided as required in Chapter 7.

**Sec. 5.22 USES PERMITTED UNDER SPECIAL CONDITIONS**

The enumerated uses of land and structures shall be permitted subject to the following conditions:

- (1) Lodging Houses provided not more than four (4) non-transient roomers are accommodated in one (1) dwelling and that the dwelling is occupied by a resident family.
- (2) Boarding Houses provided that not more than four persons are accommodated for the serving of meals, and that the dwelling is occupied by a resident family.
- (3) Institutions for Human Care, including hospitals, clinics, sanitariums, nursing or convalescent homes, homes for the aged, philanthropic and charitable institutions, provided there is compliance with Sections 8.11 to 8.15 inclusive.
- (4) Religious Institutions, including churches, parsonages, parish houses, convents, and other housing for religious personnel, provided there is compliance with Sections 8.11 to 8.15 inclusive.
- (5) Educational and Social Institutions, including public or private elementary and secondary schools, institutions for higher education, auditoriums and other places for assembly, and centers for social activities, provided there is compliance with Sections 8.11 to 8.15, inclusive.

**Sec. 5.23 USES PERMITTED BY SPECIAL USE PERMIT**

The following uses may be allowed upon the issuance of a special use permit:

- (1) Multiple Family Dwelling, consisting of a singly constructed building, provided that the proposed project is served by adequate water and sanitary facilities, either public or private. Adequate facilities shall include not only for the proposed project needs or uses, but shall also provide guaranteed maintenance of such private facilities and shall not be a burden or health hazard to the surrounding land area or to the surrounding water or sewer facilities, and provided there is compliance with the dimensional requirements of Section 5.24.
- (2) Group Housing Development consisting of a group of singly constructed building for residential housing, which shall include those types of residential housing customarily known as garden apartments, terrace apartments, townhouses, row housing units or other housing structures of similar character of which each singly constructed building thereof shall be used or intended for three or more families. Such uses of land and structures shall be permitted provided that the proposed project is served by public water, sanitary sewer and storm sewer systems, and provided there is compliance with the dimensional requirements of Sec. 5.24.
- (3) Day Nursery, upon compliance with Sections 8.25 to 8.27, inclusive.

(4) Funeral Homes and Mortuaries, upon compliance with Sections 8.28 to 8.30 inclusive.

(5) Mobile Home Park Developments, upon compliance with Sections 8.31 to 8.35, inclusive.

**Sec. 5.24. DIMENSIONAL REQUIREMENTS**

The following minimum and maximum dimensions or areas shall be required for every structure and land use in this district, except as otherwise provided:

(1) Minimum Lot Area:

(a) There shall be a minimum lot area of 4,000 square feet per unit where public drainage and public sewers are available. There shall be a minimum lot area of 12,000 square feet, per unit, where upon proper testing, percolation shows a drop of at least six inches per hour. In the event such percolation test shows a drop of less than six inches per hour, the lot area per unit shall be increased two thousand (2,000) square feet for each inch of drop less than six inches per hour. No permit shall be issued regardless of lot size if the percolation test shows a drop of two inches or less, per hour.

(b) For lodging or boarding houses; Eight thousand (8,000) square feet for each dwelling unit plus five hundred (500) square feet for each nontransient person accommodated who is not an immediate member of the resident family. Immediate member of the resident family shall include relatives such as mother, father, brother, sister or the in-laws thereof.

(2) Minimum Interior Lot Width: One Hundred (100) feet facing the street on which the lot fronts, except:

(a) When public sewer facilities are not available, two hundred (200) feet facing the road shall be required.

(b) In the case where a curvilinear street pattern produces irregularly shaped lots with nonparallel side lot lines, a lesser frontage width at the street line may be permitted, provided that the lot width at the front building line is no less than required in (a) above.

(3) The Minimum Corner Lot Width shall be the same as those specified in subsection (2) for minimum interior lot widths, except that in the case of curvilinear shaped lots, the side width requirement shall be determined at the closest edge of the building parallel to said side street.

(4) Maximum Lot Coverage: All buildings, including accessory buildings, shall not cover more than thirty (30%) percent of the total lot area.

(5) Front Yards: The minimum front yard in a platted area, for any building shall be forty (40) feet unless fronting on a state or federal highway, then a fifty (50) foot setback shall be required. All unplatted areas shall have a front yard setback of no less than fifty (50) feet. The front yard, except for necessary drives or walks, shall be unobstructed.

(6) The Minimum Side Yards shall be twenty (20) feet on each side, except that a corner lot shall have minimum of fifty (50) foot setback from the abutting side street.

(7) The Minimum Rear Yard shall be not less than sixty (60) feet.

(8) The Maximum Building Height for:

(a) Multiple-Family Dwellings shall be not more than three stories nor exceed forty (40) feet. Accessory buildings shall not exceed a height of fifteen (15) feet. No space below grade level shall be used for dwelling purposes except:

(1) When the finished floor grade of the space below grade level is no more than four feet below finished outside ground level at any point on the periphery of that part of the structure enclosing the below grade dwelling space.

(2) On sloping sites when the finished grade of the space below grade level is above finished outside ground level for at least the length of one wall.

(b) Lodging or Boarding Houses shall be not more than two and one-half stories nor exceed thirty-five feet. Accessory buildings shall not exceed a height of fifteen (15) feet.

(9) The Minimum Dwelling Floor Area for each dwelling unit in a multiple-family dwelling shall be three hundred fifty square feet for one room, five hundred fifty square feet for two rooms, six hundred eighty square feet for three rooms, and one hundred square feet for each room in excess of three rooms.

**Sec. 5.25 GROUP HOUSING SITE DEVELOPMENTS**

Shall require a site plan to be approved by the Zoning Commission, which shall insure compliance with the following provisions:

(1) Minimum Site Area: No group housing development shall be permitted with a gross site area of less than two (2) acres.

(2) Minimum Lot Area: No group housing development shall be established on a lot or parcel having a width less than one hundred fifty (150) feet, provided for group housing the average lot area per family or dwelling unit shall not be less than thirty-five hundred (3,500) square feet.

(3) Maximum Lot Coverage: Not more than thirty (30%) percent of the net area within property lines within a group housing project, including accessory buildings, shall be covered by buildings.

(4) Yards and Other Open Space:

(a) Between Buildings the minimum horizontal distance between buildings (front to front, rear to rear, or front to rear) shall be fifty (50) feet for buildings one story in height. This distance shall be increased by not less than five feet for every story added. The minimum distance between buildings may be decreased by as much as ten feet toward one end of it is increased by a similar distance at the other and consistent modifications are permitted by the Planning Commission to accommodate plans which are not conventional in their outline or in their relations to other buildings.

(b) Between Ends of Buildings the horizontal distance between ends of buildings shall be twenty (20) feet or more for one or two story buildings. Where the end of one building is opposite the face or rear of another building the minimum horizontal distance between them shall be thirty (30) feet for buildings one story in height. These distances shall be increased by not less than five feet for every story added.

(c) Closed Courts: No closed courts shall be permitted. Open arcades or garden walks not over six feet in height shall not be deemed enclosing features.

(d) Yard Dimensions for buildings up to thirty-five (35) feet in height, shall not be closer than forty (40) feet to any street, sixty (60) feet to any rear property line, twenty (20) feet to an interior side property line. For each one foot of building height above thirty-five (35) feet, one foot shall be added to required front, side and rear yards.

(e) Other Dimensions: No dwelling unit in a group housing development shall be closer to a private street or access drive than twenty-five (25) feet, nor shall it be further from a street or private access drive than one hundred fifty (150) feet.

(f) Usable Open Space: A minimum usable open space area of thirty (30) square feet per dwelling shall be provided within group housing developments. Such open space shall be provided at ground level, unoccupied by principal or accessory buildings, and available to all occupants of the group housing development. Each open space area so provided shall have a minimum total area of twelve hundred

(1,200) square feet and shall be unobstructed to the sky and shall not be devoted to service driveways or off-street parking or loading space, but shall be usable for greenery, drying yards, recreational space, and other leisure activity normally carried on outdoors.

(5) Maximum Building Height: The maximum height of buildings housing the principal use shall be governed by the yard and lot-area requirements. Accessory buildings shall not exceed fifteen (15) feet in height.

(6) Signs shall be in compliance with the provisions of Chapter 6, Section 6.7.

(7) Off-Street Parking shall be in compliance with the provisions of Chapter 7, Section 7.1.

(8) Private Streets: Private streets or private access drives may be permitted within group housing developments, provided there is compliance with the following:

(a) All streets, roadways, or private access drives shall be hard surfaced paved to a width of not less than twenty (20) feet. Additional width may be required by the Township Planning Commission based upon the density and building relationship.

(b) Suitable turning facilities shall be provided at the terminus of all dead end streets. A minimum radius of fifty (50) feet shall be required for all turn arounds, and additional width may be required by the Township Planning Commission after consideration of the vehicular needs of a particular group housing development. No dead end street or roadway shall serve more than ten families as a means of vehicular access.

(c) The Township Planning Commission shall be assured of proper maintenance and repair of the streets and access drives.

#### Sec. 5.26 O-1 DISTRICT: OFFICE AND ADMINISTRATIVE

#### Sec. 5.27 USES PERMITTED BY RIGHT

The following uses of land and structures shall be permitted when contained within a permanent fully enclosed building:

(1) Health Offices for surgeons, physicians, dentists, and other similar professional persons, engaging in health services.

(2) Institutions for Human Care, including hospitals, clinics, sanitariums, nursing or convalescent homes.

(3) Professional Offices, including architects, engineers, artists, printing and other employed in the graphic arts field.

(4) Administrative Offices, in which the personnel will be employed in one or more of the following fields, including executive, administrative, legal, writing, clerical, stenographic, accounting, insurance and similar enterprises.

(5) Business schools or private schools operated for profit.

(6) Publicly owned buildings, and public utility offices, but excluding storage yards, transformer stations, exchanges, or substations.

#### Sec. 5.28 USES PERMITTED UNDER SPECIAL CONDITIONS

The following uses shall be permitted of right, subject to the conditions hereinafter imposed:

(1) Those uses which customarily relate to a principal use such as, but not limited to, a pharmacy or apothecary shop, stores limited to corrective garments or bandages, optical companies, or restaurants, provided that such accessory use is within the building to which it is accessory, does not have a direct outside entrance for customers and conforms to the off-street parking requirements in Chapter 7.

#### Sec. 5.29 SITE DEVELOPMENT REQUIREMENTS

(1) The Minimum Lot Area shall be 5,000 square feet.

(2) The minimum Lot Width shall be 50 feet.

(3) Yards:

(a) Front Yards: The minimum front yard for a building shall be forty (40) feet. Any platted or unplatted area fronting on a State or Federal Highway shall have a front yard setback of at least seventy-five (75) feet. The front yard, except for necessary drives, or walks, shall remain clear and shall not be used for parking, loading, or accessory structures.

(b) Side Yards: The minimum side yard on each side of a building shall be ten (10) feet for platted lots and forty (40) feet for unplatted areas. If said use abuts a residential district, the side yard shall be increased ten (10) feet.

(c) Rear Yards: The minimum rear yard shall be forty (40) feet and when the yard abuts a residential district, at least ten (10) feet of the rear yard requirement shall be a landscaped transition strip.

(4) The Maximum Building Height shall be no more than two (2) stories or thirty-five (35) feet.

(5) Maximum Lot Coverage: No building, including accessory buildings, shall cover more than forty (40%) percent of the total lot area.

(6) Off-Street Parking: Off-street parking and off-street loading shall be as provided in Chapter 7, except that parking and loading shall be within the rear or side-yard areas. Whenever a side or rear yard is used for parking and abuts a residential district, an obscuring solid fence or wall at least four (4) feet high shall be placed along all such boundary lines. Said parking area shall not extend into the normal setback area of the adjoining use district.

(7) Landscaping: The front yard area and any side yard not used for parking or driveway space shall be planted and maintained in accord with an appropriate landscape design.

(8) Signs: Signs that identify any of the permitted uses in this district shall be in accordance with the requirements in Chapter 6, Sec. 6.7.

#### Sec. 5.30 B-1 DISTRICT: LOCAL BUSINESS

#### Sec. 5.31 USES PERMITTED BY RIGHT

The following uses of land and structures shall be permitted when contained within a permanent, fully enclosed building:

(1) Retail Food Establishments, which supply groceries, fruits, vegetables, meats, dairy products, baked goods, confections, or similar commodities for consumption off the premise. Foodstuffs may be prepared or manufactured on the premises as an accessory activity if the sale of the product is limited to the local retail store.

(2) Other Retail Businesses such as drug, variety, dry goods, clothing, notions, music, book, or hardware stores which supply commodities from the premises.

(3) Personal Service Establishments which perform services on the premises, such as barber or beauty shops; repair shops for shoes, radio, television, jewelry; self-service laundries; and photographic studios.

(4) Offices for Professional Services

#### Sec. 5.32 USES PERMITTED UNDER SPECIAL CONDITIONS

The following uses shall be permitted in this District, however, subject to the conditions hereinafter imposed:

(1) Restaurants, including lunch counters, dairy bars, and other establishments which provide food for consumption on the premises, but not in motor vehicles and provided no dancing or entertainment shall be permitted.

(2) Public Buildings, such as post-offices, libraries or similar public office buildings.

(3) Temporary Outdoor Uses, such as sidewalk sale displays, Christmas tree sales lots, revival tents, or other quasi-civic activities on a temporary basis without a public hearing by the County Board of Appeals, provided that such permit shall not be issued for more than thirty (30) days in any one year and that conditions in Chapter 4, Sec. 4.18, (except notices and hearings) shall be complied with.

(4) Fur and Dry Cleaning Establishments provided that nonflammable and odorless cleaning fluid or solvent is used.

#### Sec. 5.33 USES PERMITTED BY SPECIAL USE PERMIT

The following uses may be allowed upon the issuance of a special use permit:

(1) Gasoline Service Station, provided that no more than twenty-five percent (25%) of the gross area of any local business district may be so utilized and provided there is compliance with the requirements of Chapter 8, Sections 8.36 to 8.38 inclusive.

(2) Public Buildings and Public Service Installations, as provided in Sec. 8.12(4).

#### Sec. 5.34 SITE DEVELOPMENT REQUIREMENTS

(1) The Minimum Lot Area shall be 5,000 square feet.

(2) The Minimum Lot Width shall be 50 feet.

(3) Yards:

(a) Front yards: The minimum front yard for a building shall be forty (40) feet. The front yard shall be appropriately landscaped and maintained, and except for necessary drives and walks, it shall remain clear and shall not be used for parking, loading, or accessory structures. For platted or unplatted areas, abutting a State or Federal highway, a front yard setback of seventy-five (75) feet shall be provided.

(b) Side Yards: Side yards shall not be required except on that side of a lot abutting upon a street or residential zone, in which case there shall be a side yard of not less than twenty-five (25) feet in width.

(c) The Rear Yards shall have a minimum depth of forty (40) feet.

(4) The Maximum Building Height shall be two (2) stories or twenty-eight (28) feet.

(5) Off-Street Parking: Off-street parking, loading and unloading spaces shall be provided in compliance with Chapter 7. All parking and loading shall be located in the rear or side yard areas. Whenever a side or rear yard is used for parking and abuts a residential district, a solid fence or wall at least four (4) feet high shall be placed along all such boundary lines. Parking areas shall not extend into the normal setback area of an adjoining district.

(6) Signs: Signs which identify any of the permitted uses within the district shall be in accordance with the provisions of Sec. 6.7.

#### Sec. 5.35 B-2 DISTRICT: GENERAL BUSINESS

#### Sec. 5.36 USES PERMITTED BY RIGHT

The following uses shall be permitted as a matter of right, when conducted within a permanent, fully enclosed building:

(1) All uses permitted by "RIGHT" or under "SPECIAL CONDITIONS" in the O-1 and B-1 Districts.

- (2) Retail establishments selling principally new merchandise.
- (3) Personal and business services.
- (4) Banks and other financial institutional offices.
- (5) Offices, public buildings, and public utility services.
- (6) Restaurants, and taverns, provided the products thereof shall not be dispensed to persons in motor vehicles.
- (7) Public assembly buildings, including theaters (except outdoor theaters) auditoriums, churches, clubs and lodges.
- (8) Institutions for human care, including hospitals, medical clinics, and convalescent homes.
- (9) Funeral homes and mortuaries.
- (10) Trades and arts businesses, including printing, publishing, photographic reproduction and blueprinting.
- (11) Building supply and equipment stores.
- (12) Automobile showroom for new or used automobiles.
- (13) Passenger terminals and stations.
- (14) Farm implements.

**Sec. 5.37 USES PERMITTED UNDER SPECIAL CONDITIONS**

The following uses shall be permitted in this district:

- (1) Pet Shops provided that animals and birds are kept entirely within the building at all times.
- (2) Gasoline Service Stations, provided there is compliance with the provisions of Sections 8.36 to 8.38, inclusive.
- (3) Commercial Recreation Facilities, such as bowling alleys, billiard halls, indoor archery ranges, indoor skating rinks or other similar uses, provided that all uses will be conducted within a completely enclosed building and that such building is located at least one hundred (100) feet from any front, side or rear yard of any adjacent residential district.
- (4) Outdoor Sales, for new and used automobiles, trailers, boats, and farm implements, provided that:
  - (a) The area used is paved and adequately maintained so as to provide a durable smooth, and dustless surface.
  - (b) The area is so graded and provided with adequate drainage facilities that all collected surface water is effectively carried away from the site.
  - (c) There is compliance with the site development requirements as provided in Section 8.38.
- (5) Automobile Laundries, provided there is compliance with the site development requirements as provided in Section 8.38.
- (6) Transient Lodging Facilities, such as motels, or hotels, or combinations thereof, excluding however, tent or camping sites, provided that there is compliance with the parking provisions of Chapter 7.
- (7) Drive-In Businesses, except drive-in theaters, and drive-in eating establishments, provided that:
  - (a) Service may be in automobiles or outdoors but all other activities shall be carried on within a building.
  - (b) A setback of at least seventy-five (75) feet from the right-of-way line of any existing or proposed street shall be maintained.
  - (c) Ingress and egress points shall be located at least fifty (50) feet from the intersection of any street.

- (d) All lighting shall be shielded from adjacent residential districts.
- (e) All motor vehicle parking and standing areas shall be provided and improved in accordance with the provisions of Chapter 7.
- (8) Outdoor Storage: Outdoor storage for motor vehicles, trailers, boats and siliar-type vehicles, provided that:
  - (a) The area used for storage shall have an obscuring structural fence, or wall, a minimum height of six (6) feet. When the area abuts a residential zone a twenty-five (25) foot buffer strip shall be required and shall be appropriately landscaped and maintained.
  - (b) All lighting shall be shielded from adjoining residential districts.

**Sec. 5.38 USES PERMITTED BY SPECIAL PERMIT**

The following uses shall be permitted in this district in accordance with the provisions of Chapter 8 and as herein provided:

- (1) Servicing and repair of farm implements, motor vehicles, trailers, and boats, provided that not more than two items be stored on the premises at any one time pending repairs.
- (2) Manufacturing and processing establishments which sell their entire output at retail on the premises, provided that not more than five persons shall be employed at any time in the production or processing of goods.
- (3) Veterinary hospitals, clinics, and kennels.
- (4) Advertising structures, as provided in Sec. 8.41 (8).
- (5) Secondhand stores.
- (6) Freezer lockers for retail business.
- (7) Retail Services, such as household appliances, the repair thereof and similar establishments, provided at least one-half of the business shall originate on the premises.
- (8) Open air business uses, such as retail sales of plant material not grown on the site, sales of lawn furniture, playground equipment, and garden supplies.
- (9) Miniature golf, trampoline, or similar public amusement.
- (10) Drive-in Theaters, provided there is compliance with the provisions of Sec. 8.41 (4).
- (11) Public Buildings and Public Service Installations provided there is compliance with the provisions of Sec. 8.11 to 8.15 inclusive.
- (12) Drive-in restaurants, provided that there is compliance with the provisions of Sec. 8.41.

**Sec. 5.39 SITE DEVELOPMENT REQUIREMENTS**

- (1) The Minimum Lot Area shall be 3,750 feet.
- (2) The Minimum Lot Width shall be 40 feet.
- (3) Yards:
  - (a) Front yards: The minimum front yard depth shall be forty (40) feet, and shall be appropriately landscaped and maintained, and except for necessary drives and walks, shall remain clear and shall not be used for parking, loading, or accessory structures. For platted or unplatted areas abutting a state or federal highway a front yard setback of seventy-five (75) feet shall be provided.
  - (b) Side Yards: Side yards shall not be required except on that side of a lot abutting upon a street or residential zone, in which case there shall be a side yard of not less than twenty-five (25) feet, and shall not be used for parking or development.
  - (c) Rear Yards: The minimum rear yard shall be forty (40) feet.

- (4) The Maximum Building Height shall be two and one-half stories or thirty-five (35) feet.
- (5) General Use Requirements: No use in this district shall emit any excessive noise, objectionable odor, smoke, fumes, heat glare, or vibration beyond the boundary lines of the parcel on which it is situated.
- (6) Signs: Signs identifying one of the uses allowed within this district shall be in accordance with the provisions of Sec. 6.7.
- (7) Off-Street Parking and Loading shall be in accordance with the provisions of Chapter 7. When frontage on one side of a street within a block is zoned B-2 General Business and when two or more existing structures are set back for the purpose of providing suitable parking in front, new construction on adjacent lots shall conform to that setback insofar as practical so that a joint, functional parking facility will be created; in all other cases, parking shall be provided at the side or rear yards and shall not be allowed beyond the front setback line. When a parking area abuts a street or residential lot, parking facilities shall be screened by a fence or wall at least four feet in height which shall be appropriately painted and landscaped, provided that the Zoning Commission shall approve the same before a certificate of occupancy shall be granted.

**Sec. 5.40 B-3 DISTRICT: HIGHWAY SERVICE**

**Sec. 5.41 USES PERMITTED**

The uses permitted in this Section shall be conducted in a permanent, enclosed building except when the nature thereof requires outside activity or when specifically excepted. No building, structure or land shall be used, nor shall any building or structure hereafter be erected, altered, or enlarged, in this District, except for the following purposes, provided there is compliance with the provisions of Sec. 5.39:

- (1) Retail Establishments, selling new merchandise, including but not limited to, gift, curio, novelty, and outdoor sports supply shops.
- (2) Personal and business services, provided no goods shall be processed thereon.
- (3) Passenger terminals.
- (4) Offices, banks, and public buildings.
- (5) Gasoline Service Stations, subject to the following conditions:
  - (a) No more than ten percent of the area of this district shall be utilized for this use.
  - (b) There shall be compliance with the provisions of Sections 8.36 to 8.38, inclusive.
  - (c) Automobile, truck and trailer repair and sale of automotive accessories shall be permitted only as an accessory use to a gasoline service station and shall be conducted within an enclosed building.
- (6) Restaurant and Drive-In Businesses, except outdoor theaters, but including cafes, tea rooms, and other drive-in businesses, provided for drive-in restaurants and businesses there shall be compliance with the following:
  - (a) All vehicle parking and standing areas shall be in accordance with the provisions of Chapter 7.
- (7) Ice storage and dispensing structures of not more than five tons capacity.
- (8) Motel, motor-hotel, hotel, and transient lodging facilities except tent or camp sites provided there is compliance with the following:
  - (a) Minimum Floor Area of each guest unit shall contain not less than two hundred fifty (250) square feet.
  - (b) The Minimum Lot Area shall be one acre with a minimum width of one hundred fifty (150) feet, provided that there shall be at least eight hundred (800) square feet of lot area for each guest unit.

(c) The Maximum Lot Coverage of all buildings, including accessory buildings, shall not be more than twenty-five (25%) percent of the area within the boundary lines of land developed at any one time.

(d) Minimum Yard Dimensions: All buildings shall be set back no less than seventy-five (75) feet from any street line, and no less than forty (40) feet from any side or rear property line.

(e) The Maximum Building Height shall be two stories but shall not exceed twenty-eight (28) feet.

(f) Site Screening: The site may be enclosed by open structure wood or wire fences, shrubs and/or trees which, along any yard line, shall not exceed six (6) feet in height. No screening shall impair safe vertical or horizontal sight distance for any moving vehicle. Screening at least four (4) feet high shall be erected to prevent headlight glare on adjacent residential or agricultural property. No screening shall be closer than fifty (50) feet to any street line, except headlight screening shall not be closer than thirty (30) feet.

(g) Lighting: All outdoor lighting shall be arranged so that it is deflected from adjacent properties, streets and thoroughfares, and shall not impair the safe movement of traffic.

(h) Swimming pools and other outdoor recreational uses, which are accessory to the main use and provided swimming pools are securely enclosed by a fence at least six (6) feet in height.

(i) Accessory uses, such as meeting rooms, taverns, bars, or similar uses, provided such shall be conducted within the same building as the principal use. A caretaker's or proprietor's residence shall be permitted as an accessory use only when the principal use is a motel, motor-hotel, hotel, or other transient tourist facility.

**Sec. 5.42 SITE DEVELOPMENT REQUIREMENTS**

(1) The Minimum Lot Area shall be ten thousand (10,000) square feet.

(2) The Minimum Lot Width shall be one hundred (100) feet.

(3) Yards:

(a) The Front Yards shall be 75 feet.

(b) The Side Yards shall be 20 feet on each side.

(c) The Rear Yards shall be 30 feet.

(4) Exceptions to Required Lot Areas, Width and Yards: In cases where an owner or lessee proposes an integrated site development of unified groups of buildings, the Appeal Board may grant a variance waiving or modifying the lot area, lot width, and yard requirements except front, yard requirements, provided the proposed development conforms to the basic intent of this district and complies with the parking requirements as herein provided.

(5) Motor Vehicle Access:

(a) Site Plans: All site plan proposals submitted for this district shall provide for the proper handling of traffic on the highway, frontage road, or street giving access to the district. No access by motor vehicles, other than stated herein, shall be permitted to a minor or residential street. All points of entrance or exit shall be no closer than fifty (50) feet from the intersection of the right-of-way lines of two streets.

(b) Interstate or Interchange Site Location: Whenever a proposed use is located adjacent to or within one-half mile of an existing, or planned state or interstate limited access highway interchange, it shall be incumbent upon the applicant to show that the proposed site location shall not cause unsafe traffic congestion resulting at or in conjunction with said limited access interchange, and the ap-

licant shall request and submit with his application a written recommendation from the Traffic Division of the Michigan Department of State Highways. In no case, shall private access drives be less than two hundred (200) feet from an interchange.

(6) Transition Strips: There shall be, as part of any site development within this district, a strip of land fifty (50) feet or more in width on the sides of the Highway Service District which abut a residential or agricultural district, except on the side fronting on a major street or highway, which strip shall serve as a transition zone between the districts. No part of the transition strip shall be used for any purpose except that it shall be occupied by plants, shrubs, fences or walls, either separately or in combination. The plans or specifications for the site development shall include the arrangement for such plantings and/or structures.

(7) The Maximum Building Height of buildings shall not exceed two stories or twenty-eight (28) feet, provided that any building within sixty-five (65) feet of a residential or agricultural district shall not exceed fifteen (15) feet in height.

(8) Signs shall be those identifying any of the permitted uses within this district and shall be in accordance with the provisions of Section 6.7.

(9) Off-Street Parking and Loading Requirements shall be in accordance with the provisions of Chapter 7 and shall conform to the following:

(a) At Motels, motor-hotels, hotels, and other transient residential uses, parking shall be furnished on the immediate premises.

(b) At Restaurants and Drive-In Businesses, parking shall be provided on the premises or in the district within five hundred (500) feet of the building, containing the principal use.

(10) The Storage of Refuse and space required for the accumulation and outloading of garbage, trash, scrap, waste, and containers therefor shall be contained within an enclosed structure.

**Sec. 5.43 REVIEW REQUIREMENTS, CERTIFICATE OF ZONING COMPLIANCE**

Before a building permit may be issued for any use in this district, a Certificate of Zoning Compliance must be granted.

**Sec. 5.44 DATA REQUIREMENTS - CERTIFICATE OF ZONING COMPLIANCE:**

(1) In addition to the provisions of Section 3.2, an application for a Certificate of Zoning Compliance or to rezone a district to the uses permitted in this district shall contain:

(a) A site plan of the premises indicating the location of all present and proposed buildings, drives, parking areas, waste disposal facilities, landscaping, plant materials, screening fences or walls, traffic lanes, and control devices, signs and other surface improvements which shall be proposed.

(b) A description of the operations proposed.

(c) Engineering and Architectural Plans For:

(1) The treatment and disposal of sewage.

(2) The proposed handling of traffic congestion, air pollution, water pollution, fire, or safety hazards.

(d) The proposed hours of business and the estimated number of employees and customers during peak business hours.

**Sec. 5.45 APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE**

The procedure for obtaining a Certificate of Zoning Compliance shall be according to the provisions of Sections 3.3 to 3.6 inclusive.

**Sec. 5.45 B-4 DISTRICT: Planned shopping center**

The standards for this district are intended to promote safe and convenient access to shopping and business facilities and to avoid or minimize undue traffic congestion or other adverse effects upon property within adjacent districts.

**Sec. 5.47 REVIEW PROCEDURE - CERTIFICATES OF ZONING COMPLIANCE: ZONING AMENDMENT**

(1) Before a building permit may be issued for this District, a Certificate of Zoning Compliance must be granted.

(2) The procedure applicable to the issuance of a Certificate of Zoning Compliance affecting this district or to rezone a district to the uses permitted in this district shall be as provided in Sections 3.3 to 3.6 inclusive.

(3) Approval of all plans shall be required before a Certificate of Zoning Compliance can be granted for a shopping center development. Approval shall be obtained from the County Road Commission and the Michigan Department of State Highways, prior to approval of the site plan.

**Sec. 5.48 DATA REQUIREMENT - CERTIFICATE OF ZONING COMPLIANCE:**

(1) In addition to the provisions of Sec. 3.2, an application for a Certificate of Zoning Compliance shall contain:

(a) A market analysis, by a recognized market analyst, stating the economic justification and need for the establishment of a center of the type and size proposed by the applicant. This analysis shall be based upon, but not limited to, such factors as the trade area for the community and travel time from various parts thereof to the proposed center site; general development trends; expected sales volumes of the center as indicated by the demand for certain types of retail merchandise; existing or anticipated competing commercial facilities; and other data and analyses which relate to the need and potential success of the proposed center.

(b) A site plan defining the areas to be developed for buildings; the areas to be devoted to parking; the location of pedestrian and vehicular circulation and the points of ingress and egress; the location of walls, landscaped areas, terraces, and other open spaces; the provision of spaces for loading, unloading and servicing; the location, size, and number of signs; and the required transition strips.

(c) A traffic survey prepared by a qualified traffic engineer, indicating the effect of the proposed shopping center on adjacent streets, which shall disclose the points of origin, direction, and amount of traffic flow to and from the proposed center, as well as adequate means of ingress and egress.

(d) A list of proposed uses to be included in the proposed center, with the area of each to be devoted to retail space.

(e) A statement of financial responsibility to assure construction of the planned shopping center in accordance with the site plan and the requirements of this Section.

(f) Engineering and architectural plans for:

(1) The treatment and disposal of sewage.

(2) The disposal of storm waters from roofs, parking lots and all hard surfaced areas of the development.

(3) The proposed handling of traffic congestion, glare, air pollution, fire or safety hazards.

(g) The proposed hours of business and the estimated number of employees and customers anticipated during peak business hours.

(h) Final plans of the entire shopping center, including a time schedule for completion of construction.

- (2) The data required in this Section shall be submitted with an application for rezoning or zoning amendment for the purpose of creating a B-4 Planned Shopping Center District.

#### Sec. 5.49 USES PERMITTED

The following uses shall be permitted:

- (1) All uses permitted by "RIGHT," under "SPECIAL CONDITIONS" or by "SPECIAL USE PERMIT" in the B-1 Local Business Districts, provided there is compliance with the provisions of Sections 5.28 to 5.29, inclusive.
- (2) Department stores, variety stores, and other establishments of a similar nature.
- (3) Banks and other financial institutional offices.
- (4) Auditorium, assembly and indoor entertainment facilities.

#### Sec. 5.50 SITE DEVELOPMENT REQUIREMENTS

The following types of structures and activities as they pertain to the Planned Shopping Center, shall be incorporated by reference as permitted uses in addition to the uses provided in Section 5.49.

- (1) Types of Structures - Activities: All permitted activities and uses shall be conducted entirely within a permanent building, except for such outside activities which by the nature of the specified use are required and associated to the indoor activities of the permitted uses and except:
  - (a) The parking of customers' and employees' automobiles.
  - (b) The loading and unloading of commercial delivery vehicles, at a location which shall not interfere with the pedestrian walkways, or the customer parking facilities.
  - (c) Recreational facilities, incidental to the center's principal operations, of a nature normally conducted out-of-doors, provided there may be no admission charge.
  - (d) Gasoline service stations, provided that they shall be in compliance with the provisions of Sections 8.36 to 8.48, inclusive.
- (2) Parking Areas: All automobile parking areas and interior circulation for motor vehicles shall be designed in accordance with the following.
  - (a) Notwithstanding the parking space requirements contained in Chapter 7, there shall be provided four (4) square feet of parking space for every square foot of gross floor area of the aggregate of all building space devoted to retail sales and/or services. For the purposes of this section, parking areas shall be deemed to include only actual parking spaces and necessary appurtenant drives and vehicular access on the shopping center property.
  - (b) Any individual parking space in the center shall be accessible by clearly defined walks from the shopping area. Such walkways shall not intersect a vehicular way more than once.
  - (c) Pedestrian travel from an establishment in the center to any other establishment shall be possible without crossing a vehicular way.
  - (d) Automobile, pedestrian, and truck traffic shall be separated to the fullest possible extent.
  - (e) Automobile circulation design shall provide for access to parking areas in such a way that there shall be no backing up of traffic into any external street under conditions of anticipated maximum center-destined traffic.
  - (f) All areas accessible to vehicles or pedestrians shall be illuminated.
- (3) External Access: Access to the shopping center shall be provided by at least one direct access from a major thoroughfare. The

owners, or developers of the center shall establish and present adequate evidence and traffic surveys to prove that all access points to an external thoroughfare or thoroughfares shall be fully capable of absorbing the maximum hourly traffic anticipated to be generated by the center without undue interference to other traffic on the thoroughfare(s).

- (4) Surface Improvements: All areas accessible to vehicles shall be paved and maintained so as to provide a permanent, durable and dustless surface and shall be graded and provided with adequate drainage facilities in order that all collected surface water is effectively carried away from the site.
- (5) Structure Location: No structure, with the exception of permitted signs, fences, walls, water towers, and light standards shall be located closer to any property line of the center than a distance equal to twice its height.
- (6) Signs: Signs identifying any of the permitted uses within this district shall be in accordance with the provisions of Section 6.7.
- (7) All outdoor illumination shall be so arranged or aligned so that it is deflected from adjacent properties, streets, or thoroughfares, and so that it shall in no way impair the safe movement of traffic.
- (8) Transition Strips: All Planned Shopping Center Districts, when located in or adjacent to an Agricultural or Residential District, or when adjacent to a school, hospital, or other public institution shall include, as an integral part of the site development, a strip of land twenty (20) feet in width on all sides of the site abutting such districts or developments except the side abutting on a state or federal highway which shall be set back 150 feet from the road right-of-way. No part of such land may be used for any shopping center function, but shall be occupied by plant material, shrubs or structural fences and walls, used separately or in combination. The plans and specifications for a shopping center development shall include the proposed arrangement of such plantings and structures.
- (9) The Minimum Lot Area shall be five (5) acres provided that it abuts on a major thoroughfare.

#### Sec. 5.51 M-1 DISTRICT: LIMITED INDUSTRIAL

#### Sec. 5.52 USES PERMITTED

No building, structure or land shall be used and no building or structure shall hereafter be erected, altered or enlarged except for the following uses:

- (1) To production, processing, clearing, testing, repair, storage, and distribution of materials, goods, foodstuffs, and other semi-finished or finished products from previously prepared material.
- (2) Veterinary hospital.
- (3) Trade or industrial schools.
- (4) Public utility installations and buildings.
- (5) Truck or rail freight terminal.
- (6) Airports, provided there is compliance with all applicable state and federal aviation safety requirements and that no lodge, school, church or other public meeting place be located adjacent to an airport.
- (7) Contractor's establishment.
- (8) Commercial freestanding towers, provided there is compliance with the provisions of Section 6.17 (3).
- (9) Storage facilities for building materials, sand, gravel, stone, lumber, and contractor's equipment, provided there is compliance with the provisions of Section 5.53 (1).
- (10) Accessory uses clearly appurtenant to the main use of the lot and customary to and commonly associated with the main use, such as:
  - (a) Incidental offices for management and materials control.

- (b) Restaurant or cafeteria facilities for employees working on the premises.
- (c) Caretaker's residence is situated upon a portion of the lot complying with all of the requirements of the residential districts.

- (d) Identification signs referring to the principal activities on the premises or to the person or firm performing such activities.

- (11) Other uses of a similar character, provided there is compliance with the provisions of Section 5.53.

#### Sec. 5.53 USES REQUIREMENTS

- (1) Enclosed Buildings: All activities with the exception of storage in accordance with the provisions of Section 5.54 (3) (f), shall be within enclosed buildings.
- (2) Noise: There shall be no sound or noise discernible at or beyond the lot lines of the property of said use in excess of the average intensity of street and traffic noise, and shall in no event exceed eighty decibels as measured at said property lines.
- (3) Smoke, Smog, or Air Pollution: No smoke, odorous gases or other matter shall be emitted beyond any property line of the subject use. In no event shall the density of the smoke, shade or appearance thereof, be darker than No. 1 of the Ringlemann Chart, as published and used by the United State Bureau of Mines.
- (4) Dust or other particulate matter, created by any industrial operation or emanating from any products stored prior or subsequent to processing, shall not be discharged into the atmosphere.
- (5) Heat or glare, detrimental to the health, safety, and general welfare at or beyond the lot boundaries shall not be produced.
- (7) Radioactive materials, that exceed quantities established by the U.S. Bureau of Standards, shall not be discharged into the atmosphere.
- (8) The production, or storage, of any material designed for use as an explosive, shall be prohibited.

#### Sec. 5.54 SITE DEVELOPMENT REQUIREMENTS

- (1) There shall be no minimum lot area.
- (2) The Minimum Lot Width shall be 100 feet.
- (3) Yards:
  - (a) All structures shall observe a front setback of twenty percent of the depth of the lot, which setback, shall be not less than 75 feet. Side and rear yards shall be ten (10%) percent of the lot width and depth, respectively but need not exceed forty (40) feet each. Where a lot abuts a lot in a residential district, no building in this District shall be closer than one hundred feet to the property line of such residential district.
  - (b) Except for landscape improvements and necessary drives and walks, the front yard shall remain clear, and shall not be used for parking, loading, storage or accessory structures. Side and rear yards, except for a strip along the lot boundary ten feet in width may be used for parking and loading but not for storage. The side or rear yard may be eliminated where a railroad service to the site is obtained at that side of the lot.
  - (c) Structures and solid fences or walls shall not be closer to the lot boundary than a distance equal to twice their height. This provision shall not apply to main buildings fifteen (15) feet or less in height, nor to accessory structures, fences, or walls ten (10) feet or less in height.
  - (d) When the side or rear yard areas abut a residential or commercial district, and when such yard areas are to be used for parking, loading, unloading or servicing, then such side and rear yard areas shall be screened by a solid, uniformly finished wall or fence. Such wall or fence shall be at least four (4) feet in height, but in no

case shall the fence or wall be lower than the enclosed parking, loading, or servicing activity to be screened.

(e) When the side or rear yard areas abut a residential or commercial district, then a landscaped transition strip on the boundary of the subject use at least ten (10) feet in width, shall be required.

(f) Open Storage Screening: No outdoor or open storage shall be permitted in this District unless it is located a minimum of three hundred (300) feet from any District except M-2 Heavy Industrial. All outdoor storage shall be limited to building materials, sand, gravel, stove lumber, finished products and contractors equipment, and shall be screened by a solid, uniformly finished wall or fence with solid entrance and exit gates. Said wall or fence shall be no lower in height than the enclosed storage, and shall not exceed ten (10) feet in height, unless a variance is granted by the Board of Appeals. Parking of licensed motor vehicles of less than twenty-four (24) hours at a time shall not be deemed to be included within these storage screening requirements but shall be nevertheless, in compliance with the provisions of Sec. 5.54 (3). The parking of licensed motor vehicles exceeding one and one-half (1½) ton rated capacity for a period exceeding twelve (12) hours in any day, and all outdoor storage of contractors' equipment shall be deemed to be included within the screening provisions herein prescribed.

(4) The Maximum Building Height: shall not exceed three stories in height or fifty (50) feet.

(5) Off-Street Parking spaces shall be provided in compliance with the provisions of Chapter 7. Sufficient parking space shall be provided for all vehicles owned or leased by the occupant, including but not limited to, passenger cars, trucks, tractors, trailers, and similar vehicles.

(6) Off-Street Loading-Unloading shall be in compliance with the provisions of Chapter 7.

(7) Signs: Signs identifying any of the uses in this district shall be in compliance with the provisions of Section 6.7.

#### Sec. 5.55 REVIEW - PROCEDURE

A building permit for a use, specified in this District, or for a use specified in District M-2, shall not be issued until a Certificate of Zoning Compliance, or a Special Use Permit therefor has been issued as the case may be.

#### Sec. 5.56 APPLICATION

In addition to the provisions of Section 3.2, an application for a building permit or for a Certificate of Zoning Compliance in an M-1 or M-2 Industrial Districts shall contain:

(1) A site plan of the property showing the location of all present and proposed buildings, drives, parking areas, waste disposal fields, landscaping, plant materials, screening fences or walls and other construction features.

(2) A description of the proposed use, in sufficient detail, to indicate the effect of the use in creating traffic congestion, noise, air pollution, water pollution, fire or safety hazards or the emission of any harmful or obnoxious matter.

(3) Engineering and Architectural Plans For:

(a) The treatment and disposal of sewage and industrial waste or unusable by-products.

(b) The proposed handling of traffic congestion, noise, glare, air pollution, water pollution, fire or safety hazards, or emission of potentially harmful or obnoxious matter.

(4) The number of shifts to be worked and the estimated number of employees on each shift.

(5) A signed statement, by the owner or occupant, certifying that the proposed use will be in compliance with the Use Requirements as provided in Section 5.53.

(6) When a Special Use Permit is granted, a Certificate of Zoning Compliance shall not be required.

#### Sec. 5.57 APPLICATION FOR A CERTIFICATE OF ZONING COMPLIANCE

The application shall, in the M-1 and M-2 Districts, be in compliance with the provisions of Sections 3.3 to 3.9, inclusive.

#### Sec. 5.58 M-2 DISTRICT: HEAVY INDUSTRIAL

#### Sec. 5.59 USES PERMITTED

(1) Any use permitted in the M-1 District.

(2) Heating and electric power generating plants.

(3) The production, processing, cleaning, servicing, testing, repair, or storage of goods, materials, or products which shall be in compliance with the provisions of Sec. 5.53 (3 to 8 inclusive.)

(4) Open industrial or storage uses, provided that any activity in which materials being processed or stored are located, transported, or treated outside a building, shall be enclosed by a permanent and maintained fence or wall no lower than the subject use or storage.

(5) Junk Yards:

(a) All uses shall be in compliance with state law.

(b) The site shall be at least five acres in area.

(c) A solid fence or wall at least eight (8) feet in height shall be constructed around the periphery of the site to screen the site. Such fence or wall shall be of sound, permanent construction and shall be continually maintained.

(d) All activities shall be confined within the enclosed area. There shall be no piling of material above the height of the fence or wall, except that movable equipment used on the site may exceed the wall or fence height. No equipment, material, signs, or lighting shall be used or stored beyond the confines of the enclosed area.

(e) All enclosed areas shall be set back at least 100 feet from any front street or property line. The front yard setback shall be planted with trees, grass and shrubs.

(f) No open burning shall be permitted and all industrial processing involving the use of equipment for cutting, compressing or packaging shall be conducted within an enclosed building.

(g) A transition strip at least two hundred (200) feet in width shall be provided between the enclosed area and the adjoining property. The side yard set back shall be landscaped in accordance with appropriate landscape design.

(6) Accessory structures and uses incidental thereto shall be permitted, provided there is compliance with the provisions of Section 5.53 (3 to 8 inclusive).

#### Sec. 5.60 USES PROHIBITED

No building, structure or land shall be used and no building or structure shall hereafter be erected, altered or enlarged except in compliance with the provisions of Section 5.59.

#### Sec. 5.61 SITE DEVELOPMENT REQUIREMENTS

(1) The minimum lot area, lot width, yards and maximum building heights for this district shall be the same as those required for the M-1 District.

(2) Off-Street Parking Space shall be provided in compliance with the provisions of Chapter 7 and parking shall be provided for all vehicles owned or leased by the occupant, including, but not limited to, passenger cars, trucks, tractors, trailers and similar vehicles, all of which shall be in compliance with the provisions of Chapter 7.

(3) Off-Street Loading-Unloading, shall be in compliance with the provisions of Chapter 7.

(4) Signs: All signs shall be in compliance with the provisions of Section 6.7.

#### Sec. 5.62 REVIEW

The provisions of Sections 5.55 to 5.57 inclusive, shall be applicable in this district and compliance therewith shall be had.

#### Sec. 5.63 A-1 DISTRICT: AGRICULTURAL

All uses permitted in this district are classified as those uses permitted by RIGHT, under "SPECIAL CONDITIONS", and by "SPECIAL USE PERMIT."

#### Sec. 5.64 USES PERMITTED BY RIGHT

No building, structure or part thereof shall be erected, altered or used, or land or premises used, in whole or in part, for other than the following:

(1) Single Family Dwellings.

(2) Field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, greenhouses, tree nurseries, and similar agricultural enterprises.

(3) Raising and keeping of small animals, such as rabbits, poultry, and goats provided that such are raised on a farm having an area of not less than twenty (20) acres of land, and except in compliance with the provisions of Section 5.65.

(4) General and specialized farms, including the raising and keeping of cattle, hogs, horses, ponies, sheep, swine, and similar livestock on a farm having an area of not less than twenty (20) acres of land.

(5) Public and private conservation areas and structures for the conservation of water, soil, open space, forest, and wildlife resources.

(6) Public areas, such as forest preserves, game refuges, forest type recreation parks, and similar public uses.

(7) Accessory Uses, incidental to any of the permitted uses. All accessory buildings shall be in compliance with the provisions of Sections 6.5 to 6.9 inclusive.

#### Sec. 5.65 USES PERMITTED UNDER SPECIAL CONDITIONS

The following uses shall be permitted, subject to the conditions hereinafter imposed:

(1) Home Occupations are provided in R-1A Districts.

(2) Cemeteries, public or private, provided in R-1A Districts.

(3) Roadside stands selling products grown on the premises provided that space for the parking of customer's vehicles is furnished off the road right-of-way in the ratio of one parking space for each fifteen square feet of roadside stand floor area and that said structure is located at least ten (10) feet from the road right-of-way, and provided there is compliance with the provisions of Sections 6.5 to 6.9 inclusive.

(4) Railroad rights-of-way as provided in R-1A Districts.

(5) Accessory uses incidental to the principal use of the premises. The following accessory uses may be permitted:

(a) The storage of not more than one unoccupied mobile home upon each farm, or upon each one-family rural residential lot.

(b) All signs shall be in compliance with the provisions of Sec. 6.7.

(6) Notwithstanding the provisions of Section 5.7, the raising and keeping of livestock and small animals such as poultry, rabbits and goats and household pets may be conducted in this District, on a lot of less than twenty (20) acres, provided that the raising and keeping, including the killing and dressing thereof where applicable, are for the sole use or consumption by the occupants of the premises, and provided further that such activities are conducted on a parcel of land not less than two (2) acres in area and in accordance with the following provisions:

(a) No storage of manure, odor or dust producing materials or use shall be

permitted within one hundred feet of any adjoining lot line.

(b) A minimum of two (2) acres shall be provided for one animal housed in a barn or stable, and one additional animal may be kept for each additional two acres of land area. Stables and buildings housing animals shall not be closer to any adjoining lot line than one hundred feet. In the event residential housing is located on adjoining lots, then the animals shall be fenced so as to insure that such animals, shall not be closer than one hundred feet from an adjoining residence. All livestock shall be fenced and confined from all adjoining lots and roadways, except when accompanied by owners or riders.

(c) Household pets are defined as excluding horses and ponies, and customary farm income producing animals, but shall include any domesticated dog, cat or animal that is kept as a pet or for hunting purposes. Except when a kennel license has been granted, household pets may not exceed four in number for any one residence, and shall at all times, be housed or fenced within an enclosure that will not permit said pets to run at large outside the confines of the owners' property lines.

**Sec. 5.66 USES PERMITTED BY SPECIAL PERMIT**

The following uses may be permitted in any agricultural district by the issuance of a special use permit upon compliance with the provisions of Sections 8.1 to 8.10, inclusive.

- (1) Public recreation and playgrounds.
- (2) Greenhouses and nurseries selling at retail on the premises.
- (3) Riding Stables and livestock auction yards.
- (4) Production of fur bearing animals for profit.
- (5) Game or hunting preserves operated for profit.
- (6) Veterinary hospitals, clinics, and kennels.
- (7) Seasonal labor housing complexes associated with agricultural enterprises, provided they are maintained in safe and sanitary condition, with inside water and sanitary sewage disposal facilities and that they are occupied no more than eight (8) months in any one (12) month period.
- (8) Sawmills.
- (9) Grain and seed elevators and sales, cold storage for cooperative and/or wholesale agricultural products.
- (10) Private Noncommercial Recreation Areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, upon compliance with the provisions of Sections 8.22 to 8.24 inclusive.
- (11) Golf Courses and Country Clubs other than golf driving ranges and miniature golf courses, upon compliance with the provisions of Section 5.7 (3).
- (12) Mobile Home Park Developments upon compliance with the provisions of Sec. 8.31 to 8.35, inclusive.
- (13) Institutions for human care, religious institutions, educational and social institutions, upon compliance with the provisions of 8.11 to 8.15 inclusive.
- (14) Public buildings and public service installations upon compliance with the provisions of Sections 8.11 to 8.15, inclusive.
- (15) Sand or gravel pits, quarries, public or private dumps, incinerators, sanitary fills, junk yards, sewage treatment and disposal installations, upon compliance with the provisions of Sections 8.40 to 8.41 inclusive.
- (16) Drive-In Theaters temporary and transient amusement enterprises, golf driving ranges, miniature golf courses, upon compliance with the provisions of Sections 8.40 to 8.41, inclusive.

(17) Special Open Space Uses public beaches, bath houses, private resorts, recreational camps, and other open space uses operated for profit, upon compliance with the provisions of Sections 8.40 to 8.41 inclusive.

(18) Commercial Freestanding Towers upon compliance with the provisions of Section 6.17.

(19) Airports, provided that all applicable State and Federal aviation safety requirements are complied with and that lodges, schools, churches or other public meeting places shall not be located adjacent to any airport.

**Sec. 5.67 DIMENSIONAL REQUIREMENTS**

The following dimensions shall be required for every structure and land use in this district.

- (1) The Minimum Lot Area: Same as R-1A District.
- (2) The Minimum Lot Width: Same as R-1A District.
- (3) The Minimum Corner Lot Width: Same as R-1A District.
- (4) Front, Side and Rear Yard Requirements: Same as R-1A District.
- (5) Maximum Lot Coverage: No building, including accessory buildings, shall cover more than twenty (20%) percent of the total lot area.
- (6) Maximum Building Height: Two and one-half stories or 35 feet, for residential structures. Structures for agricultural operations such as barns and silos may be permitted up to one hundred feet in height.
- (7) The Minimum Dwelling Floor Area: Same as R-1A District.
- (8) Signs: Signs identifying any of the permitted uses within this district shall be in compliance with the provisions of Section 6.7.

**Sec. 5.68 R-1R DISTRICT: ONE-FAMILY RESTRICTED RESIDENTIAL**

**Sec. 5.69 USES PERMITTED**

- (1) One-family dwelling with garage and
- (2) Utility building.

**Sec. 5.70 DIMENSIONAL REQUIREMENTS**

Dimensional requirements shall be the same as R-1B, Sec. 5.13, except for floor area requirements (9), which are as follows:

1 story	1,190 sq. ft.	1st story
1½ story	930 sq. ft.	1st story
2 story	880 sq. ft.	1st story
tri-level	1,000 sq. ft.	outside measurements of living area

**Sec. 5.71 R-1T DISTRICT: TRAILER COACH AND MOBILE HOME SUBDIVISION**

**Sec. 5.72 INTENT AND PURPOSE**

This district is to provide for an area that may be set aside and platted for the accommodation of people wishing to live in trailer coaches or mobile homes; to provide said area with road, water, and sanitation facilities; to limit the use of said area to individuals who have purchased lots or sites and desire to move said coaches or mobile homes onto them and enjoy the facilities and privileges provided by this zoning.

For the purpose of this Section, the word "trailer" shall be considered to mean any one or all of the following: "Trailer Coach", "Double Trailer Unit", or "Mobile Home".

**Sec. 5.73 USES PERMITTED BY RIGHT**

- (1) Trailer coaches, double trailer units, and mobile homes when assembled and mounted on a foundation approved by the Official and used for residential purposes only.
- (2) One Private garage for each lot having a maximum floor area of eight-hundred (800) square feet.
- (3) One (1) accessory building having a maximum floor area of two hundred (200) square feet for each lot.

(4) One (1) permanent maintenance building.

(5) One (1) developer's residence and garage.

(6) Home Occupations as provided in R-1A District.

(7) Household pets as provided in R-1A District.

**Sec. 5.74 USES REQUIRING SPECIAL USE PERMITS**

The following uses may be permitted by obtaining a Special Use Permit as provided for in Sec. 8.1 - 8.15 inclusively. The uses listed in Sec. 5.8 shall be closely followed and shall be compatible with the area in which they are located.

**Sec. 5.75 DIMENSIONAL REQUIREMENTS**

Every lot on which a trailer coach, double trailer unit or mobile home is moved or erected shall comply with the following:

- (1) Minimum site area: The minimum area of such trailer coach and mobile home subdivision shall be no less than five (5) acres with a minimum width of two-hundred and fifty (250) feet. Entrance and exit drives which have a minimum width as required by the Clinton County Road Commission shall be located no closer than two-hundred (200) feet from the intersection of any two (2) public streets or Highways.
- (2) Minimum Lot Area: Twenty thousand (20,000) square feet where not served by sanitary sewer and twelve thousand (12,000) square feet where served by sanitary sewer. There shall be not more than one (1) living unit upon each lot.
- (3) Minimum Interior Lot Width: One hundred (100) feet where not served by sanitary sewer and eighty (80) feet where served by sanitary sewer.
- (4) Minimum Corner Lot Width: One hundred ten (110) feet where not served by sanitary sewer and ninety (90) feet where served by sanitary sewer.
- (5) Front Yards: The minimum front yard for this district shall be fifty (50) feet. Front yard, except for necessary drives and walks shall be unobstructed except for necessary landscaping.
- (6) Rear Yards: The minimum rear yard shall be not less than sixty (60) feet.
- (7) Side Yards: The interior lot shall have a side yard width of ten (10) feet on each side and a corner lot shall be set back (50) feet from the abutting road right-of-way.
- (8) Maximum Lot coverage: The maximum lot coverage shall be not more than twenty-five (25) percent when not served by sanitary sewer and thirty (30) per cent when served by sanitary sewer.
- (9) Maximum Building Height: The maximum building height shall not exceed thirty-five (35) feet.
- (10) Minimum Floor Area: Each trailer coach, double-trailer unit or mobile home shall have a minimum floor area of four-hundred and eighty (480) square feet in living area and in no case less than one-hundred twenty-five (125) feet of living area for each occupant living in each trailer coach, double-trailer unit or mobile home.
- (11) Off-Street Parking Requirements: Two (2) vehicle parking spaces for each lot.
- (12) Site Development requirements for accessory buildings, including detached garages, shall be the same as Section 6.16.

**Sec. 5.76 PERMITS AND FEES:**

- (1) No Trailer coach, double trailer-unit, or mobile home shall be moved onto any lot or site in the R-1T District until a permit therefor shall have been issued by the Official
- (2) The schedule of fees that shall accompany the application will be as set forth in DeWitt Township Ordinance Number 36.

CHAPTER 6. SUPPLEMENTARY REGULATIONS

Sec. 6.1 PRIOR BUILDING PERMITS

Any building permit issued prior to the effective date of this Ordinance shall be valid even though not conforming to the provisions herein, provided that construction is commenced within ninety (90) days from the date of issuance and that the entire building shall be completed according to the plans filed with the permit application, within one year from the date of issue.

Sec. 6.2 ACCESS TO A STREET

All lots of record created after the effective date of this Ordinance shall have frontage on a public street, except in the case of an officially approved group housing development as provided in Section 5.25. Any lot of record created before the effective date of this Ordinance without any frontage on a public street shall not be occupied without access to a street provided by an easement or other right-of-way no less than twenty (20) feet wide. No more than one lot may be served by such an access route.

Sec. 6.3 REAR DWELLING PROHIBITED

No building in the rear of a and on the same lot with a principal building shall be used for residential purposes except for watchmen, caretakers and domestic employees whose employment is related to the functions of the principal building, provided that all other requirements of this Ordinance are satisfied.

Sec. 6.4 REQUIRED WATER SUPPLY AND SANITARY SEWERAGE FACILITIES

After the effective date of this Ordinance, no structure for human occupancy shall be erected, altered, or moved upon any lot or premises and used in whole or in part for dwelling, business, industrial, or recreational purposes unless it shall be provided with a safe, sanitary and potable water supply and with a safe and effective means of collection, treatment, and disposal of human excreta and domestic, commercial and industrial wastes. All such installations and facilities shall conform with the minimum requirements of the local health department having jurisdiction and the Michigan Department of Public Health.

Sec. 6.5A USES OF STRUCTURES FOR TEMPORARY DWELLING

No structure shall be used for dwelling purposes that is not in compliance with this Ordinance and the Township Building Code. No garage, or other accessory building, trailer coach, cellar, basement, tent, cabin, partial structure, whether of a fixed or portable construction, shall be erected or moved onto a lot and used for any dwelling purpose for any length of time. An accessory building used as construction facility for said principal building shall be permitted provided that it is not used for residential or dwelling purposes, and its use shall terminate thirty (30) days after completion of the principal building or buildings.

Sec. 6.5B TEMPORARY HOUSING OCCUPANCY

The provisions of this Article shall not be construed to enable conditional or temporary permits for substandard housing occupancy, individual mobile home units, or basement dwelling, except that in the following extenuating circumstances temporary permits for occupancy of mobile homes may be allowed with the following restrictions:

- (1) Emergency Housing. When a dwelling is destroyed by fire, collapse, explosion, acts of God, or acts of the public enemy. Permits may be issued to the owner at the time of destruction by the Zoning Administrator for not more than six (6) months. Any extensions must be taken to the Appeal Board who may, or may not, grant the same for a period of not more than one (1) year.
- (2) Medical Reasons: A person may make application to the Appeal Board to occupy a mobile home in Clinton County. Said applicant shall also provide a signed statement from their physician stating why a temporary housing permit is requested. The Clinton County Zoning Appeal Board shall act on all such applications and either grant, with certain restrictions if it is felt necessary, or deny the same. The permit, if granted, would be only to the occupant(s) named in the application and expires as stated in approval by Appeal Board.

Sec. 6.6 ACCESSORY BUILDINGS

Authorized accessory buildings, may be erected as a part of the principal building or may be connected

to it by a roofed over, porch, patio, breezeway, or similar structure, or may be completely detached. If attached, to the principal building, an accessory building shall be made structurally a part of it, and shall comply in all respects with the requirements applicable to the principal building. An accessory building not attached and not made a part of the principal building shall not be nearer than ten feet from any other structure on the same lot and shall also comply with the front, rear and side yard requirements of this Ordinance.

- (1) Accessory Uses - Garages: The structural space which is permissible in residential districts for motor vehicle storage, and for incidental space, as accessory to an authorized use shall not exceed the following:
  - (a) R-1A Residential Districts not to exceed nine hundred square feet.
  - (b) R-1B and R-1C Residential Districts not to exceed eight hundred square feet.
  - (c) R-1M and R-1D Districts and Group Housing Developments not to exceed five hundred (500) square feet per each family unit, but in no case less than two spaces per dwelling unit.
  - (d) There shall be no residential storage of commercial vehicles, except one per residential dwelling not to exceed one ton rated capacity, or in the case of an agricultural operation, or of a home occupancy, which are part of the principal residence use, then except one per residential dwelling not to exceed one and one-half ton rated capacity.
  - (e) Space in a garage accessory to an R-1M, R-1D, or to a motel shall not be rented out except to occupants of the principal dwelling.
  - (f) A parking area of ten (10) feet by twenty (20) feet shall be considered an adequate and normal parking or motor vehicle storage space per each motor vehicle.
- (2) Accessory Uses, Fallout Shelters: Fallout shelters are permitted uses and structures in any district, subject to the yard and lot coverage regulations of the district. Such shelters may contain or be contained in other structures or may be constructed separately, and in addition to shelter use may be used for any accessory use permitted in the district.

Sec. 6.7 SIGNS

The signs for identification of premises and for providing information relative to the functions of the premises shall be permitted upon compliance with the following requirements:

- (1) All Zoning Districts: Signs shall not be allowed in any district which are:
  - (a) Obsolete.
  - (b) Illegal under state laws or regulations and applicable local ordinance or regulations.
  - (c) Not clean and in good repair.
  - (d) Not securely affixed to a substantial structure.
  - (e) or which attempt or appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with or resemble any official traffic sign, signal or device.
  - (f) Erected or maintained upon trees, painted or drawn upon rock or other natural features.
  - (g) Projecting above the cornice or roof line, except as noted in a particular zoning district.
  - (h) Not consistent with the standards of this Ordinance.
- (2) R-1A, R-1B, and R-1C, Residential Districts:
  - (a) One nonilluminated sign advertising the sale or lease of the lot or building not exceeding six square feet in area on any one lot, such sign being placed no closer to the street line than twenty-five feet.

- (b) One nonilluminated sign announcing a home occupation or professional service not to exceed two square feet in area for platted lots, four square feet in unplatted areas and attached flat against a building wall, and no closer to the street line than twenty-five feet.
  - (c) One nonilluminated sign or structure advertising a recorded subdivision or development not to exceed fifty square feet and placed no closer to any street line than twenty-five feet.
  - (d) All plans for the construction and design of signs shall first be submitted to the Planning Commission for review and approval, excepting those signs permitted in (a) and (b) of this subsection.
- (3) R-1D, Residential, R-1M Multiple, and Group Housing Developments:
- (a) All signs permitted in R-1A, R-1B, and R-1C, Residential Districts, and subject to the same limitations required for those districts.
  - (b) One flat sign or structure announcing the identification of the apartment development that shall not exceed twelve square feet in area. Such sign or structure may be illuminated provided that the source of light is not visible.
- (4) O-1 Office and Professional Districts:
- (a) Signs may be attached flat against a main building or parallel to the building with a projection not to exceed eight inches and may face only public streets or parking areas which are part of the development.
  - (b) Signs which pertain to an activity occurring on the premises, provided that signs shall be attached flush with the face of the building.
  - (c) Signs shall be visible only from the street upon which the building faces.
  - (d) Signs shall not exceed twenty (20) square feet in area, nor extend above the height of the eaves, nor beyond the width of the structure.
  - (e) Sign illumination shall be by a reflector method using a nonanimated, nonintermittant light source.
- (5) B-1 Local Business District:
- (a) All signs permitted in any residential district and subject to the same limitations required for those districts.
  - (b) Signs may be attached flat against a main building or parallel to the building with a projection not to exceed eight inches and may face only public streets or parking areas which are part of the development.
  - (c) All bare incandescent light sources and immediately adjacent reflecting surfaces shall be shielded from view. No flashing lights, or animated advertising devices shall be permitted.
  - (d) Signs shall not project above the cornice or roof line.
  - (e) No temporary sign made of paper, cardboard, canvas, or similar material, other than a sign advertising the sale of rental of the premises on which the same is located, shall be permitted on the exterior walls.
  - (f) Signs shall not exceed, in height, twenty (20%) percent of the building height, and the total area of all signs on any wall shall not exceed twenty (20%) percent of the area of such wall.
- (6) B-2 General Business Districts:
- (a) The same requirements as provided for B-1 Business Districts shall prevail.
  - (b) Signs may be illuminated; but if intended to have moving illumination, such illumination must first be approved by the Zoning Board of Appeals, which shall insure that light intensity, color, and movement will not distract motor vehicle operators or constitute a traffic safety hazard.

- (c) Advertising structures, billboards or outdoor signs, provided there is compliance with the provisions of Section 8.40.

(7) B-3 Highway Service Districts:

All signs permitted in District B-2, subject however to the following limitations:

- (a) Signs shall be placed flat against the main building, or parallel to the building on a canopy and may face only public streets or parking areas which are part of the development.
- (b) A sign shall not exceed in height twenty percent of the building height and the total area of all signs shall not exceed twenty percent of the area of the nearest building face with which they are parallel.
- (c) Signs may be illuminated but not flashing or variable in light intensity. All lighting shall be accomplished in a manner such that no illumination source is visible outside the lot lines.

- (d) Signs may not project above the cornice or roof lines.

- (e) Signs not exceeding two square feet, purely for traffic regulations and directions within the development, may be utilized as required.

- (f) One free standing sign structure may be utilized to identify the district development, provided such sign is set back twenty-five feet from any public street right-of-way, does not exceed a height of thirty-five feet and is of such size and design that it will, in the judgment of the Township Planning Commission meet the vehicular safety and protective standards of the Highway Service Department.

- (g) The plans and specifications for site development which are required within this Section shall include the type, size, location, and illumination of all signs proposed as part of the site development. The Township Planning Commission shall insure that light intensity, color, and movement shall not likely be distracting to motor vehicle operators as to constitute a traffic hazard.

- (h) Signs permitted in this District shall be restricted to identification relative to the business occupants and their functions on the premises only.

(8) B-4 Planned Shopping Center Districts:

The same requirements as provided for B-3 Highway Service Districts, but subject further to the following regulations:

- (a) No sign shall be erected on the sides of a building but shall be located on the front rear portion of the building, as is used for normal customer entrance.

- (b) Signs shall be so designed to be integrated and harmonious to the shopping center and to the other signs within the center.

(9) M-1 Limited Industrial and M-2 Heavy Industrial Districts:

- (a) All signs permitted in any residential, agricultural or business districts and subject to the same requirements and limitations for those districts.

- (b) Advertising structures, billboards or outdoor signs, provided there is compliance with the provisions of Section 8.40.

(10) A-1 Agricultural Districts:

- (a) All signs permitted in R-1A, R-1B and R-1C, Residential Districts, and subject to the same limitations required for those districts.

- (b) One nonilluminated sign advertising the sale of farm products grown on the premises not to exceed fifty square feet in area and placed no closer to any street or road line than twenty-five (25) feet.

- (c) Identification painted on or otherwise made a part of the surface of a roof of a barn and other accessory buildings

pertaining to and identifying the owner and/or activity of the farm unit, provided said identification is not for advertising purposes.

- (d) Memorial or historical signs such as "Centennial Farm" signs and/or other signs representing awards won by the farm unit and/or its proprietors.

- (11) For Nonconforming Uses: One sign placed flat on the wall of a legal nonconforming use not to exceed twenty square feet in area.

- (12) For Organizations and Institutions: One sign per lot for churches, schools, clubs, associations and institutions serving as identification and/or bulletin boards not to exceed twenty square feet in area. Such signs may be placed flat against the wall of a building or may be free standing, provided that it shall be no closer to any property line than 25 feet. Such signs may be illuminated providing the source of light is not visible.

Sec. 6.8 EXCAVATION OF SOILS AND MINERALS

The excavation of peat, muck, sand, gravel, clay, shale, or other natural mineral deposit, including the quarrying of rock minerals, but except crude oil, may be authorized in any district by the Planning Commission by the issuance of a special permit upon compliance with the provisions of Sections 8.40 to 8.41, inclusive.

- (1) Excavation of Top Soil: Top soil shall not be stripped, excavated or otherwise removed on any premises for sale at retail or wholesale, or for any other use than on the premises on which the top soil was originally located except when as a product of an authorized excavation of other soils as provided in this Section. This provision shall not be construed, however, to prohibit sod farm operations.

Sec. 6.9 FENCES, WALLS, AND SCREENS

No fence, wall or structural screen, other than plant materials, shall be erected on any residential property higher than eight (8) feet, nor shall they be placed beyond the front building line.

No hedge, or other screen planting shall exceed a height of three (3) feet in any residential front yard, nor closer than twenty (20) feet to the front property line. On any corner lot, no hedge or other screen planting shall exceed a height of three feet within twenty feet of any corner so as to interfere with traffic visibility across the corner.

Sec. 6.10 EXCEPTION TO REQUIRED LOT AREA FOR RESIDENTIAL DISTRICTS

Any residential lot created and recorded prior to the effective date of this Ordinance may be used for any permitted use even though the lot area and/or dimensions are less than those required for the district in which the lot is located, provided:

- (1) That the other requirements of the district are met.
- (2) That no adjacent land or lot is owned by the owner of the lot in question.
- (3) That no lot shall be so reduced in area that the required open spaces will be smaller than those established as a minimum for the district in which the lot is located.
- (4) That any lot so excepted shall be no less than fifty (50) feet in width, at the street line.

Sec. 6.11 LOT AREA CAN BE ALLOCATED ONCE

No portion of a lot can be used more than once in complying with the provisions for lot area and yard dimensions for the construction of a proposed building or the alteration of an existing building.

Sec. 6.12 ACCESSORY BUILDING

An accessory building shall not occupy more than thirty (30%) percent of the area of any rear yard.

Sec. 6.13 SUPPLEMENTARY YARD REGULATIONS

- (a) For residential lots adjoining an alley, the least width of a required side yard may be measured to the centerline of the alley, provided no building shall be erected

closer than five (5) feet to the nearest alley right-of-way line.

- (b) For lots of record eighty (80) feet or more in width at the building line, the same side yard requirements as for lots one hundred feet or over in width.

- (c) For lots of record sixty feet to seventy-nine feet in width at the building line the least width of either side yard shall be eight (8) feet; but the sum of the two side yards shall not be less than eighteen (18) feet.

- (d) For lots of record fifty to fifty-nine (59) feet in width at the building line, the least width of either side yard shall be six (6) feet; but the sum of the two side yards shall not be less than thirteen (13) feet.

Sec. 6.14 REAR YARD REDUCTION

When a lot of record in any residential district has a depth of less than one hundred fifteen (115) feet prior to the effective date of this Ordinance, the rear yard of such lot may be reduced one-fourth of the distance if the lot depth is less than one hundred fifteen feet, provided that no rear yard shall be less than twenty (20) feet in depth.

When there is a public alley at the rear of a lot upon which the lot abuts for its full width, measurements of the depth of the rear yard may be made to the centerline of such alley.

Sec. 6.15 PERMITTED YARD ENCROACHMENTS

- (1) Paved terraces, patios, and uncovered porches shall not be subject to yard requirements, provided:

- (a) The paved area is unroofed and without such walls, parapets, or other forms of solid, continuous enclosure that connect the paved area to the principal building that an enclosed area is formed which appears functionally a part of the principal building.

- (b) The highest finished elevation of the paved area is not over three feet above the average surrounding finished ground grade.

- (c) No portion of any paved area is closer than five feet to any lot line.

Paved areas may have an open railing or fence not over three (3) feet high, and may have noncontinuous windbreaks or visual screen fences or walls not over six feet high and not enclosing more than one-half the perimeter of the paved area.

- (2) Enclosed porches, either one story, two story, or an unenclosed porch having solid foundations, and capable of being enclosed shall be considered an integral part of the building and shall, therefore, be subject to all yard and area dimensional requirements established for principal buildings.

- (3) Special structural elements, such as cornices, sills, belt-courses, chimneys, gutters, eaves, pilasters, and similar structural features may project into any yard a maximum of two and one-half feet.

- (4) Fire escapes, outside stairways, and balconies, if of open construction, may project into the yard area a maximum of five feet.

Sec. 6.16 ACCESSORY BUILDINGS

- (1) In a Front Yard: No accessory building shall project into any front yard.

- (2) In a Rear Yard: No accessory building including detached garages, shall be closer than eight (8) feet to any lot line.

- (3) In a Side Yard: No accessory building, including garages, shall be erected closer to any side lot line than the permitted distance for a dwelling within a residential district; except when an accessory building is located ten feet or more to the rear of the principal dwelling, then the accessory building shall be no closer than eight (8) feet to the side lot line.

- (4) On a corner lot: No accessory building shall be closer to the side street lot line than the side yard setback of the principal building on

the lot. Where the rear line of a corner lot coincides with the side line of an adjoining lot in a residential district, an accessory building shall not be closer than eight (8) feet to the common lot line.

#### Sec. 6.17 SUPPLEMENTARY HEIGHT REGULATIONS

The following structural appurtenances shall be permitted to exceed the height limitations. Exceptions may be authorized only when all of the following conditions are satisfied: No portion of any building or structure, permitted as an exception to a height limitation, shall be used for human occupancy or for commercial enterprise. Any structural exception to height limitations shall be erected only to such height as may be necessary to accomplish the purpose it is intended to serve, so as not to become a hazard to aviation. If the roof area of structural elements permitted to exceed the height limitations exceed twenty percent of the gross roof area, they shall be considered as integral parts of the whole structure and thereby shall not exceed the height limitations.

- (1) Ornamental in purpose, such as church spires, belfries, cupolas, domes, ornamental towers, flag poles, and monuments.
- (2) Appurtenances to mechanical or structural functions, such as chimneys and smoke stacks, water tanks, elevator and stairwell penthouses, ventilators, bulkheads, radio towers, masts aials, television antennas, fire and hose towers, and cooling towers.
- (3) Commercial freestanding towers when not attached to a building or structure, shall be constructed in compliance with State and Federal regulations pertinent thereto.
- (4) Freestanding Towers such as T.V. or radio towers intended primarily to serve the occupants of the main structure shall not exceed one and one half times the structural height limitations for structures in that district.

#### Sec. 6.18 PERMITTED EXCEPTIONS, RESIDENTIAL DISTRICTS

There shall be no exceptions permitted for residential structures; certain nonresidential structures in residential districts may be permitted to exceed height limitations provided there is compliance with the provisions of Sections 8.1 to 8.15 inclusive.

#### Sec. 6.19 PERMITTED EXCEPTIONS, BUSINESS AND INDUSTRIAL DISTRICTS

- (1) In any business or industrial district, any principal building may be erected to a height in excess of that specified for the district, provided each front, side and rear yard is increased one foot for each one foot of such additional height.
  - (a) In those districts not requiring one or more yard setbacks, any portion of a principal building may be erected to a height in excess of that specified for that particular district provided that such portion is set back from all street, lot and required yard lines one foot for each foot of additional height.

#### Sec. 6.20 USES PERMITTED BY SPECIAL USE PERMIT

The following uses may be permitted by the issuance of special use permit:

- (1) Gas regulator stations, utility pumping stations, power substations and water towers.
- (2) Radio, facsimile and television towers.
- (3) Sewage treatment and disposal installations, public dumps, incinerators, sanitary land fills and borrow pits.
- (4) Buildings, within floodplains meeting the standards of the Michigan Water Resources Commission as published in the 1967 State Administrative Code, as amended.

#### Sec. 6.21 FLOOD PLAIN REGULATIONS

all land included in the flood plain area shall be subject to the provisions herein and to the district requirements in which said land shall be located.

#### Sec. 6.22 FLOOD PLAIN AREAS

The flood plain areas within Clinton County shall be as determined by the Michigan Water Resources Commission and the U. S. Army Corps of Engineers. As this information becomes available, it will be kept in the office of the Official and County Drain Engineer. Said flood plain areas shall be restricted as to use and occupancy so human life is protected and further flood damage is minimized.

#### Sec. 6.23 PERMITTED PRINCIPAL USES

Notwithstanding any other provisions of this Ordinance, no building or structure shall be erected, converted, or altered and no land and/or structure shall be used except for one or more of the following uses, in the flood plain areas:

- (1) Open space uses, such as farms, truck gardens, nurseries, parks, playgrounds, golf courses, preserves, bridle trails, nature paths, private or commercial recreation, and other similar open uses.
- (2) Off-Street Parking provided that all parking shall be at grade level and in conformance with the provisions of Chapter 7.
- (3) Yard and Setback Areas required for any district shall be included within the flood plain areas. The elevation of the lowest floor designed or intended for human habitation shall be at least three (3) feet above the established flood plain.

#### Sec. 6.24 APPLICATIONS FOR BUILDING PERMIT

Prior to the issuance of a building permit for a structure in a flood plain area, the Planning Commission shall require the applicant to submit topographic data, engineering studies, a site plan or other data needed to determine the possible effects of flooding on the proposed structure and/or the effect of the structure on the flow of water. All such data shall be prepared by a registered, professional civil engineer.

#### Sec. 6.25 TRANSITION PROVISIONS

To accommodate a natural tendency for a gradual transition between two distinctly different kinds of land use activities, there are hereby created transition zones at the periphery of certain commercial and industrial districts. Within these transition zones restrictions for residential districts are modified within a specified distance to the less restrictive requirements of a commercial or industrial district.

#### Sec. 6.26 LIMITS OF TRANSITION ZONES

Certain structures and uses specified herein may be permitted in the R-1A, R-1B, and R-1C Districts within one hundred feet of the B-2, M-1 and M-2 Districts, provided that any nonresidential use allowed within the transition zone shall be permitted only upon the issuance of a special use permit upon compliance with the provisions of Sections 8.1 to 8.10, inclusive.

#### Sec. 6.27 USES PERMITTED

The following uses shall be permitted in any transition zone:

- (1) all uses permitted by right in the R-1A, R-1B, and R-1C Residential Districts.
- (2) Lodges and clubs except those, the chief activity of which is a service customarily carried on as a business or primarily for gain.
- (3) Tourist homes, for the accommodation of transient guests, having not more than four rooms.
- (4) Personal services such as dress making, millinery, hairdressing, hair cutting, beautician and massage service provided such activity is carried on by the resident occupant of the dwelling unit in the principal building and that any such accessory use does not employ more than one nonresident person.
- (5) Business services and sales not involving handling of merchandise or rendering personal services on the premises.
- (6) Offices for occupancy by physicians, surgeons, dentists, attorneys, architects, or engineers.

- (7) Off-street parking lots, public or private, upon compliance with the provisions of Chapter 7.

#### Sec. 6.28 SITE DEVELOPMENT REQUIREMENTS

- (1) Yards: All yard dimensions, height, area, and bulk requirements for the particular residential district shall be complied with.
- (2) Off-street parking and loading facilities as required for the particular nonresidential use shall be provided.
- (3) Sign regulations for the particular residential district shall be complied with.

#### Sec. 6.29 TRANSITION REQUIREMENTS FOR BUSINESS DISTRICTS OR INDUSTRIAL DISTRICTS THAT ADJOIN A RESIDENTIAL DISTRICT

- (1) The following uses shall be no closer than one hundred feet to any residential district, except as otherwise provided:
  - (a) Gasoline service or filling stations.
  - (b) Automobile repair and public garages.
  - (c) Drive-in food or drink dispensing facilities.
  - (d) Drive-in theaters.
  - (e) Drive-in golf ranges.
  - (f) Amusement parks, carnivals, tent shows.
  - (g) Music or dancing schools and studios.
  - (h) Laundry or dry-cleaning establishments.
  - (i) Animal hospitals, clinics or kennels.
  - (j) Storage facilities for live poultry.
  - (k) Poultry killing or dressing.

#### Sec. 6.30 NONCONFORMING USES

The lawful use of land or buildings existing at the time of the adoption of this Ordinance may continue although such use does not conform to the regulations specified by this Ordinance for the district in which said land or building is located, subject to the following conditions and specifications:

- (a) A nonconforming use, other than a building, shall be made to conform to the provisions of the zoning ordinance within a period of two years after adoption of the zoning ordinance.
- (b) Any nonconforming use of land or building which has ceased by discontinuance or abandonment for a period of one year shall thereafter conform to the provisions of this ordinance.
- (c) Any nonconforming building which has been destroyed or damaged by fire, explosion, act of God, or by a public enemy to the extent of sixty percent or more of its assessed valuation, shall thereafter conform to the provisions of this ordinance. Where more than forty percent of the assessed value of the building remains, after such damage, such structure may be restored to the same nonconforming use as existed before such damage.
- (d) No nonconforming use of a building may be moved to any other part or parcel of land upon which same was conducted at the time of the adoption of the ordinance.
- (e) A nonconforming use of a building existing at the time of the adoption of this Ordinance may be extended throughout the building. No nonconforming building shall be repaired, enlarged, structurally altered, or accessory buildings added, except to make it a conforming building, or except those allowed by the Official if it is felt that the spirit of the Ordinance will be upheld, or if approval is granted by the Board of Appeal.
- (f) The use of a nonconforming building may be changed only to a use of like or similar character, or to a use conforming to the district in which the property is located.

(g) Any nonconforming signs or billboards shall be removed within a period of two years from the adoption of this ordinance.

(b) No basement, cellar or garage home or other incompletely dwelling in existence on the date of this Ordinance shall be used as such after the lapse of one year from the date of enactment of the Ordinance. If a vacancy in occupancy, occurs prior thereto, then said use shall terminate and be void forthwith.

(i) The foregoing provisions shall also apply to nonconforming uses in districts hereafter changed by amendment to this ordinance.

**Sec. 6.31 REGISTRATION OF NONCONFORMING USES**

All owners and/or occupants of nonconforming uses existing on the effective date of this Ordinance shall register the same with the Official in writing and no later than six (6) months from the effective date of this Ordinance. Failure to register such nonconforming uses shall be considered conclusive evidence of abandonment. No such nonconforming use that is not registered, as provided herein, shall be re-established or in any manner restored or used unless a special use permit is granted in compliance with the provisions of this Ordinance.

**CHAPTER 7 OFF-STREET PARKING AND LOADING**

**Sec. 7.1**

All vehicles shall be stored on the premises occupied by the principal building except for vehicle storage for certain areas which may be located off the premises, as provided in Section 7.9.

**Sec. 7.2 DEFINITIONS**

The term "floor area" as applied to offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used for services to the public, including those areas occupied for fixtures, and equipment used for display or sale of merchandise, but excluding floor areas which are used exclusively for storage, housing of mechanical equipment integral with the building, maintenance facilities, or those areas where customers, patients, clients, salesman, and the general public are denied access. "Floor area" shall be measured from the exterior faces of exterior walls or from the center line of walls separating two buildings. In all other instances, the definitions set forth in Chapter 10 shall govern.

**Sec. 7.3 FRACTIONAL SPACES**

When units of measurement determining the number of required parking spaces result in a fractional space, any fraction to and including one-half shall be disregarded and fractions over one-half shall require one parking space.

**Sec. 7.4 REQUIREMENTS FOR A USE NOT MENTIONED**

In the case of a use not specifically mentioned, the requirements of off-street parking for a use which is mentioned and which is most similar to the use not listed shall apply.

**Sec. 7.5 USE OF PARKING AREAS**

No commercial repair work, servicing or selling of any kind shall be conducted in any parking area. Parking space shall be used only for the parking of vehicles, used to service the establishment to which it is accessory, and, by its patrons.

- (1) No sign shall be erected in parking areas except that no more than one directional sign at each point of ingress or egress may be erected which may also bear the name of the enterprise the lot is intended to serve. Such signs shall not exceed twenty (20) square feet in area and shall not project beyond the property line of the premises.

**Sec. 7.6 BUILDING ADDITIONS OR OTHER INCREASES IN FLOOR AREA**

Whenever a use requiring off-street parking is increased in floor area, or when interior building modifications result in an increase in capacity for any premise use, additional parking shall be provided and maintained in the proper ratio to the increase floor area or capacity.

**Sec. 7.7 JOINT USE OF PARKING AREAS**

The joint use of parking facilities by two or more uses may be granted by the Board of Appeals whenever such use is practical and satisfactory to each of the uses intended to be served, and when all requirements for location, design, and construction are met.

- (1) Computing Capacities; In computing capacities of any joint use, the total space requirement is the sum of the individual requirements that will occur at the same time. If space requirements for individual uses occur at distinctly different times, the total of such off-street parking facilities required for joint or collective use may be reduced below the sum total of the individual space requirements.

- (2) Record of Agreement: A copy of an agreement between joint users shall be filed with the application for a building permit and recorded with the Register of Deeds of Clinton County. The agreement shall include a guarantee for continued use of the parking facility by each party.

**Sec. 7.8 PARKING SPACE REQUIREMENTS**

The number of required off-street parking spaces in all districts for every use shall be provided in accordance with the following:

**USE REQUIRED PARKING SPACE**

- (1) One and Two Family Dwellings...Two spaces for each family dwelling unit.
- (2) Multiple Dwellings...Two spaces for each dwelling unit.
- (3) Boarding and lodging houses, fraternities, private clubs...One space for each bedroom or each two occupants of the structure, whichever is greater.
- (4) Motels, auto courts, tourist homes...One space for each sleeping unit plus two spaces for operating personnel.
- (5) Hotel...One space for each guest room, plus one additional space for every 5 employees.
- (6) Mobile Home Park...Two spaces for each mobile home site plus 1 space for each mobile home park employee.
- (7) Convalescent home, convents or similar use...One space for each 4 beds plus 1 space for every 4 employees.
- (8) Hospitals, sanitariums...One space for each 3 patient beds plus 1 space for each staff or visiting doctor and plus 1 space for each 4 employees.
- (9) Clinics...Four spaces for each doctor plus 1 space for each employee.
- (10) Auditoriums (incidental to schools), churches, theaters, buildings of similar use with fixed seats...One space for each 4 seats plus 1 space for every 2 employees.
- (11) Auditoriums (other than incidental to schools), lodge halls, meeting halls, community centers, or buildings, of similar use without fixed seats...One space for every 8 seats.

**USE REQUIRED PARKING SPACE**

- (12) Elementary and junior high schools...One space for every 2 employees.
- (13) High Schools and colleges...One space for every employee plus one space for each 5 students.
- (14) Libraries, museums, post offices...One space for every 800 square feet of floor area plus 1 space for every 4 employees.
- (15) Private golf clubs, swimming pool clubs, tennis clubs, or other similar uses...One space for every 2 member families or individuals.
- (16) Golf courses open to the general public, except miniature or "par 3" courses...Four spaces for each hole plus 1 space for each employee.
- (17) Stadiums and sport arenas...One space for every 4 seats.
- (18) Dance halls, pool and billiard rooms, exhibition halls, roller rinks...One space for each 100 square feet of floor area used for dancing or assembly.
- (19) Bowling alleys...Five spaces for each alley plus 1 space for each employee.
- (20) Miniature or "par 3" golf courses...Three spaces for each hole plus 1 space for each employee.
- (21) Professional offices and banks...One space for every 100 square feet of floor area.
- (22) General offices...One square for every 200 square feet of floor area.
- (23) Clothing, furniture, appliance, hardware, automobile, machinery sales, shoe repair, personal services (other than beauty and barber shops), wholesale sales...One space for every 200 square feet of floor area.
- (24) Barber shops and beauty parlors...Two spaces for each beauty and/or barber chair.
- (25) Supermarket, self-service food store...One space for every 50 square feet of floor area.
- (26) Restaurants, cafeterias, taverns, bars...One space for every 75 square feet of floor area, plus one space for every three seats.
- (27) Automobile service and repair garages; gasoline filling and service stations...Three spaces for each repair and service stall plus 1 space for every employee.
- (28) Drive-in restaurants...One space for every 15 square feet of floor area.

**USE REQUIRED PARKING SPACE**

- (29) Drive-in banks, cleaners, car laundries, and similar businesses... Space for 5 cars between the sidewalk area and the service window, plus one space for every 200 square feet of floor area.
- (30) Retail stores, except as otherwise specified herein... One space for every 150 square feet of floor area.
- (31) Funeral home and mortuaries... One space for every 50 square feet of floor area in slumber rooms, chapels, and assembly rooms.
- (32) Warehouses, wholesale stores... One space for every 800 square feet of floor area.
- (33) Industrial or manufacturing establishments, including research and testing laboratories, creameries, bottling works, printing and engraving shops... One space for every 2 employees for industries working two or more shifts. One space for every 3 employees for industries working 1 shift or one space for every 400 square feet of gross floor area, whichever is greater.

**Sec. 7.9 LOCATION OF PARKING AREAS**

All off-street parking areas shall be located on the same lot, or on the adjacent premises in the same District as the use they are intended to serve, with the exception of the following:

- (1) Uses in B-2 Districts: Parking on the premises or within five hundred (500) feet.
- (2) Uses in M-1 Districts: Parking on the premises or within eight hundred (800) feet.
- (3) Uses in M-2 Districts: Parking on the premises or within one thousand (1000) feet.
- (4) Public and quasi-public buildings, places of assembly, private clubs, associations and institutions: Parking on the premises or within five hundred (500) feet.

**Sec. 7.10 PLOT PLAN REVIEW**

Whenever four or more vehicles are required for a given use, plans and specifications for the construction or alteration of an off-street parking area shall be submitted to the Official before a building permit can be issued. Such plans and specifications shall indicate the location, basis of capacity calculation, size, site design, surfacing, marking, lighting, drainage, curb cuts, entrances, exits, landscaping, and any other detailed feature essential to the complete design and construction of the parking area.

**Sec. 7.11 SITE DEVELOPMENT REQUIREMENTS**

All off-street parking areas shall be designed, constructed and maintained in accordance with the following standards and requirements:

- (1) A minimum area of one hundred eighty (180) square feet shall be provided for each vehicle parking space; each space shall be definitely designated and reserved for parking purposes exclusive of space requirements for adequate ingress and egress.
- (2) Parking areas shall be so designed and marked as to provide for orderly and safe movement and storage of vehicles.
- (3) Adequate ingress and egress to the parking area by means of clearly limited and defined drives shall be provided.

(a) Except for parking space provided for single family and two family residential lots, drives for ingress and egress to the parking area shall be not less than twenty (20) feet wide and so located as to secure the most appropriate development of the individual property.

(b) Each entrance to and exit from any off-street parking area shall be at least twenty-five (25) feet from any adjacent lot within a residential district.

(4) Each parking space, within an off-street parking area, shall be provided with adequate access by means of maneuvering lanes. Backing directly onto a street shall be prohibited. The width of required maneuvering lanes may vary depending upon the proposed parking pattern, as follows:

(a) For right angle parking patterns seventy-five (75) to ninety (90) degrees, the maneuvering lane width shall be twenty (20) feet.

(b) For parking patterns fifty-four to seventy-four (54-74) degrees, the maneuvering lane width shall be fifteen (15) feet.

(c) For parking patterns thirty to fifty-three (30 to 53) degrees, the maneuvering lane width shall be twelve feet.

(d) All maneuvering lane widths shall permit one way traffic movement, except for the ninety (90) pattern which may provide for two-way traffic movement.

(5) Parking areas with a capacity of four (4) or more vehicles shall be surfaced with a material that shall provide a durable, smooth and dustless surface and shall be graded and provided with adequate drainage.

(6) Except for single-family and two-family residential lots, adequate lighting shall be provided throughout the hours when the parking area is in operation. Such lighting shall not exceed an intensity of five foot candles nor shall it be less than 1.5 foot candles. All lighting shall be so arranged as to reflect light away from any residential property adjacent to the parking area and any adjacent road or street.

(7) Where a parking area with a capacity of four (4) or more vehicles adjoins a residential district, a planted buffer strip at least ten (10) feet wide shall be provided between the parking area and the adjoining property, and a fence or wall no less than four (4) feet in height shall be erected.

**Sec. 7.12 REDUCTION, MODIFICATION, WAIVER**

The Board of Appeals may authorize a reduction modification, or waiver of any of the off-street parking or loading regulations provided in this Chapter when it can be demonstrated that circumstances of extreme practical difficulty exist that would result in hardship to the applicant. Hardship shall not be deemed economic only, but shall be evaluated also in terms of the use of a particular parcel of land. A hardship that is a result of any action of the applicant shall not be considered by the Board of Appeals. In no case shall the off-street parking or loading standards be reduced by more than twenty-five (25%) percent, provided there is compliance with the provisions of Sections 4.22 and 4.23.

**Sec. 7.13 ADDITIONAL TO PARKING SPACE**

Loading space required shall be additional to off-street parking space as required herein and shall not be considered as part of off-street parking space.

**Sec. 7.14 ACCESS**

Access to a standing, loading, or unloading space shall be provided directly from a public street or alley and such space shall be so arranged to provide sufficient off-street maneuvering as well as adequate ingress and egress to and from a street or alley.

**Sec. 7.15 SITE REQUIREMENTS**

Off-street loading spaces and access drives shall be paved, drained, lighted, and shall have appropriate bumper or wheel guards where needed. Any light used for illumination shall be so arranged as to reflect the light away from the adjoining premises

and streets. Where off-street loading adjoins or abuts premises used for residential, educational, recreational, or religious purposes, or abuts a residential district, there shall be provided a solid fence or wall not less than five (5) feet in height, between the off-street loading space and the adjacent premises.

**CHAPTER 8 USES AUTHORIZED BY SPECIAL USE PERMIT**

**Sec. 8.1 PROCEDURE**

An application for a special use permit for any use permitted under this Chapter shall comply with the following requirements:

(1) An application shall be submitted through the Official to the Planning Commission on a form provided by the Official not less than thirty (30) days before any regular meeting of the Planning Commission. The application shall be accompanied by payment of the fee as established by the Board of Trustees to cover costs of processing the application. No part of any fee shall be refundable.

(2) The application shall be submitted with seven copies of the following:

(a) The form provided by the Official completed by the applicant, including a statement of supporting evidence as provided in Section 8.2.

(b) Site plan, plot plan, or development plan, drawn to scale of the total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, the location and extent of all above ground development both existing and proposed, and the extent and location of landscaping.

(c) Preliminary plans and specifications of the proposed development and all construction.

(3) The Official shall approve each application to insure compliance with this Ordinance.

(a) An application made without full compliance with this Ordinance shall be returned to the applicant.

(b) An application which is incomplete shall not constitute submission so as to commence the running of time for processing the application.

(c) An application complying with the provisions of this Ordinance shall be scheduled for public hearing by the Planning Commission.

(4) Any person having an interest in any application may present any petition or document supporting his position for or against such application:

(a) All documents shall be submitted to the Zoning Administrator no later than ten days before the hearing at which the application will be considered.

(b) It shall be incumbent upon the applicant to furnish adequate evidence in support of the proposed use complying with the provisions of this Ordinance. It shall be the obligation of the applicant to furnish sufficient evidence, or proof, of present and future compliance with the provisions of this Ordinance.

(c) Until a special use permit has been issued, for any use requiring the same if this Ordinance, and until a proper building permit has been granted pursuant to the special use permit, there shall be no construction or excavation on said land, nor shall use of the land be made toward the intended purposes of such special use permit.

**Sec. 8.2 SPECIAL USE PERMIT**

(1) The Township Board, wherein the premises described in the application are situated, shall receive a copy of the application from the Official, within five (5) days after the same has been filed with the Official, for review by the Township Board.

(a) The Township Board may review the application and make recommendations

within thirty (30) days after receipt thereof, to the Planning Commission, which recommendations may be considered by the Planning Commission.

- (2) A copy of the application shall be submitted to the Clinton County Planning Commission within five days after the same has been filed with the Official.

#### Sec. 8.3 PUBLIC HEARING

- (1) The Planning Commission shall conduct at least one public hearing on any application submitted to it.

(a) Notice of the time, place and purpose of the hearing shall be given by two publications in a newspaper of general circulation in the Township, the first not more than thirty (30) days, nor less than twenty (20) days and the second not less than eight (8) days before the date of such hearing.

(b) Not less than twenty (20) days notice, of the time and place of such hearing, shall be given, by certified mail, to all public utility companies and railroads within the district affected.

(c) Upon conclusion of such hearing procedures, the Planning Commission shall transmit a written recommendation within sixty (60) days to the Township Board setting forth the reasons for the acceptance, denial, or modification of the special use permit application.

#### Sec. 8.4 BASIS FOR DETERMINATION

Before making a recommendation, the Planning Commission shall:

- (1) Review each application to determine that each proposed use complies with the following standards and, shall find evidence that each use will:

(a) Be harmonious and in accordance with the principles of the Comprehensive Development Plan for DeWitt Township;

(b) Be designed, constructed, operated, and maintained harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed;

(c) Not be hazardous or disturbing to existing or future uses in the general vicinity;

(d) Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

(e) Not involve uses, activities, processes, materials, and equipment or conditions that will be detrimental to any persons, property or general welfare by reason of excessive traffic, noise, smoke, fumes, glare, or odor.

- (2) Standards: The Planning Commission may impose conditions deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent of this Ordinance will be observed, and that there will be compliance with the provisions of this Ordinance.

#### Sec. 8.5 CONSIDERATION BY BOARD OF TRUSTEES

After the public hearing, the Planning Commission shall transmit its recommendations to the Township Board of Trustees. The Board of Trustees, at any regular meeting or any special meeting called for such purpose, shall consider the recommendations and vote to grant or deny, the application. The Board of Trustees shall make no change or departure from the recommendations of the Planning Commission unless such proposed change or departure shall first be submitted to the Planning Commission for its recommendation. The Planning Commission shall have thirty days from and after receipt of such referral within which to make further recommendations to the Board of Trustees, after which the Board of Trustees shall take such action as it determines.

#### Sec. 8.6 TOWNSHIP BOARD ACTION

Upon receipt of the Planning Commission's recommendation, the Township Board shall consider the special use permit application at its next regular meeting. The Township Board shall approve or disapprove the recommendations of the Planning Commission. Only upon approval of the Township Board may a special use permit be issued by the Township Clerk.

#### Sec. 8.7 EFFECTIVE DATE OF SPECIAL USE PERMIT

The special use permit shall become effective when the application has been approved by the Board of Trustees.

(a) A building permit shall not be issued until approval of such special use permit, by the Board of

(b) Land subject to a special use permit may not be used or occupied for purposes of such special use until after a certificate of occupancy for same has been issued pursuant to the provisions of this Ordinance.

#### Sec. 8.8 EXPIRATION OF SPECIAL USE PERMIT

A special use permit shall be valid for as long as the permitted use continues in accordance with the terms stated therein. If there is not compliance with the terms of the special use permit within six months from the date of its issuance, then it shall automatically expire and be of no further effect or validity. The Official shall notify the applicant, in writing, mailed to the address listed on the application that such special use permit has expired.

#### Sec. 8.9 RE-APPLICATION

No application for a special use permit which has been denied, wholly or in part, by the Board of Trustees, shall be resubmitted until the expiration of one year from the date of such denial, except on the grounds of newly discovered evidence or proof of changed conditions.

#### Sec. 8.10 REQUIREMENT COMPLIANCE - PENALTIES

It shall be the duty and obligation of the owner(s) and occupant(s) or operator(s) if such is under a management arrangement, under a special use permit that the continued use of such land shall at all times be in compliance with the use requirements of this Ordinance. Failure thereof shall be violation of this Ordinance and subject to the penalties and remedies provided in Section 3.9 and the continuance thereof is hereby declared to be a nuisance per se.

#### Sec. 8.11 INSTITUTIONAL STRUCTURES AND USES IN RESIDENTIAL, LOCAL BUSINESS AND AGRICULTURAL DISTRICTS.

The Planning Commission and the Board of Trustees may authorize the construction, maintenance and operation in any residential or agricultural district, certain institutional uses provided herein by the issuance of a special use permit. Such permit shall not be issued unless there is compliance with the provisions of this Chapter.

#### Sec. 8.12 INSTITUTIONAL USES THAT MAY BE PERMITTED

The following uses may be permitted in a residential or agricultural district and the uses stated in subsection (4) may be permitted in a local business district:

(1) Institutions for Human Care, including hospitals, sanitariums, nursing or convalescent homes, homes for the aged, philanthropic and eleemosynary institutions.

(2) Religious Institutions including churches, or similar places of worship, convents, parsonages, and parish houses, and other housing for clergy.

(3) Educational and social institutions, including public and private elementary schools, high schools and institutions for higher education, PROVIDED that none are operated for profit, auditoriums and other places of assembly, center for social activities, but excluding schools or studios for music and dancing instruction.

(4) Public Buildings and Public Service Installations, including publically owned and operated buildings, public utility buildings and structures, telephone exchange buildings, transformer stations and substations, gas regulator stations, radio, television, and micro-wave transmitter towers.

#### Sec. 8.13 INSTITUTIONS SPECIFICALLY PROHIBITED

The following uses, shall not be permitted in any residential district but may be allowed in any agricultural district:

(1) Institutions for the care of mentally retarded and physically handicapped, drug or alcoholic patients.

(2) Camps or correctional institutions.

#### Sec. 8.14 SITE LOCATION PRINCIPLES

The following principles shall be utilized to evaluate the proposed location of any institutional use within a residential local business or agricultural district.

(1) Any institutional structure or use shall be located at the edge of a residential or agricultural district, abutting either a business or industrial district, or adjacent to a public open space, wherever possible.

(2) Vehicle entrances shall be made on a major thoroughfare, or as immediately accessible from a major thoroughfare.

#### Sec. 8.15 SITE DEVELOPMENT REQUIREMENTS

A special use permit shall not be issued for the occupancy of a structure or parcel of land or for the erection, reconstruction, or alteration of a structure unless there is compliance with the following provisions.

(1) Hospitals:

(a) The proposed site shall be at least ten (10) acres in area.

(b) The proposed site shall have at least one property line abutting a major thoroughfare. All ingress and egress to off-street parking shall be directly from the major thoroughfare.

(c) All two story structures shall be at least one hundred feet from all boundary or street lines. Buildings less than two stories shall be no closer than fifty (50) feet to any property or street line. For buildings above two stories the building shall be set back an additional one (1) foot for each foot of height above two stories.

(d) No more than twenty-five (25) percent of the gross site shall be covered by buildings.

(e) Ambulance and delivery areas shall be obscured from residential view by a solid wall six feet in height. Access to and from the delivery and ambulance area shall be directly from a major thoroughfare.

(f) All signs shall be in compliance with the provisions of this Ordinance.

(g) Off-street parking space shall be in compliance with the provisions of this Ordinance.

(2) Churches:

(a) The proposed site shall be at least one (1) acre in size plus one-half (1/2) acre per one hundred seats in the main auditorium.

(b) The proposed site shall be so located as to have at least one property line on a major or secondary thoroughfare. All ingress and egress to the site shall be directly onto said thoroughfares or a marginal access service drive thereof.

(c) No building shall be closer than fifty (50) feet to any property or street line. No building shall be erected to a height greater than that permitted in the district in which it is located, unless the building is set back an additional one foot for each foot of additional height above the district height limitation.

- (d) No more than twenty-five (25) percent of the gross site area shall be covered by buildings.
- (e) All signs shall be in compliance with the provisions of this Ordinance.
- (f) Off-street parking space shall be in compliance with the provisions of this Ordinance.
- (3) For all other uses that may be permitted, except public utility transformer stations and substations, gas regulator stations:
  - (a) The proposed site shall be at least two (2) acres in area.
  - (b) No building shall be closer than fifty (50) feet to any property or street line. No building shall be erected to a height greater than that permitted in the district in which it is located unless the building is set back an additional one foot for each foot of additional height above the district height limitations.
  - (c) No more than twenty-five (25) percent of the gross site area shall be covered by buildings.
  - (d) All buildings shall be of an appearance that shall be harmonious and unified as a group and shall blend appropriately with the surrounding area.
  - (e) All signs shall be in compliance with the provisions of this Ordinance.
  - (f) Off-street parking shall be in compliance with the provisions of this Ordinance. No parking shall be allowed in the front yard and the parking area shall be screened from surrounding residential areas by a wall or fence, in combination with suitable plant materials, not less than four (4) feet in height.

**(4) For Public Utility Transformer Stations and Substations, Gas Regulator Stations, Radio, Television and Micro-wave Transmitter Towers:**

- (a) The lot area and width shall be not less than that specified for the district in which the proposed use is located.
- (b) The yard and setback requirements shall be not less than that specified for the district in which the proposed use is located.
- (c) No building shall be erected to a height greater than that permitted in the district in which the proposed use is located, with exception of commercial freestanding towers as provided in Section 6.17.
- (d) Not more than thirty (30%) percent of the lot area may be covered by buildings.
- (e) All buildings shall be harmonious in appearance with the surrounding residential area and shall be similar in design and appearance to other buildings on the same site development.
- (f) Where mechanical equipment is located in the open it shall be screened from the surrounding residential area by suitable plant material and shall be fenced. All buildings housing mechanical equipment shall be landscaped and maintained to harmonize with the area.
- (g) All signs shall be in compliance with the provisions of this Ordinance.
- (h) Off-street parking shall be in compliance with the provisions of this Ordinance.

**Sec. 8.16 PLANNED UNIT DEVELOPMENTS**

A special use permit may be issued for the construction and occupancy of a planned unit development, upon compliance with Sections 8.17 to 8.21, inclusive in the R-1A and R-1B Districts.

**Sec. 8.17 OBJECTIVES**

The following objectives shall be considered in an application for a special use permit for planned unit development:

- (1) To provide a more desirable living environment by preserving the natural

character of fields, trees, ponds, brooks, flood plains, hills, and similar natural resources.

- (2) To encourage the provision of open spaces and the development of recreational facilities at central locations and within reasonable distance of all living units.
- (3) To encourage developers to use a more creative and imaginative approach in the development of residential areas.
- (4) To provide for more efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the bypassing of natural obstacles in the residential site.
- (5) To encourage variety in the physical development pattern of the County.

**Sec. 8.18 QUALIFYING CONDITIONS**

An application for a special-use permit shall comply with the following conditions to qualify for consideration as a planned unit development:

- (1) The site shall be not less than twenty acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit.
- (2) The site shall be located within the R-1B or R-1C Districts.
- (3) Public water and sewer facilities shall be available or shall be provided as part of the site development.
- (4) The proposed planned unit development shall be in compliance with the provisions of Section 8.3.

**Sec. 8.19 USES THAT MAY BE PERMITTED**

The following uses may be permitted within a planned unit development:

- (1) All uses permitted by right, under special conditions, or by special use permit in the R-1A and R-1B Districts, subject to all the restrictions specified therefor.
- (2) Two family dwellings.
- (3) Recreation and open space, provided that the following uses may be set aside as common land for open space or recreation use under the provisions of this Section:
  - (a) Private recreational facilities, such as golf courses, swimming pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.
  - (b) Historic building sites or historical sites, parks, and parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams, or areas of rough terrain when such areas have natural features worthy of scenic preservation.
- (4) Name plates and signs in compliance with the provisions of this Ordinance.
- (5) Off-street parking in compliance with the provisions of this Ordinance.
- (6) Customary accessory uses as permitted in R-1B and R-1C Districts.

**Sec. 8.20 LOT SIZE VARIATION**

The lot area for planned unit developments within R-1B and R-1C Districts may be averaged or reduced from those sizes required by the applicable district within which said development is located upon compliance with the following:

- (1) Site Acreage Computation; The gross acreage proposed for a planned unit development shall be computed to determine the total land area available for development into lots under the minimum lot size requirements of the applicable district in which the proposed development is located.

In arriving at a gross acreage figure, the following lands shall not be considered as part of the gross acreage in computing the maximum number of lots and/or dwelling units that may be created under this procedure:

- (a) Lands within flood plains as provided in Sections 6.21 to 6.24, inclusive.

(2) Maximum Number of Lots and Dwelling Units: After the total gross area available for development has been determined, the maximum number of lots and/or dwelling units that may be approved within a planned unit development shall be computed by subtracting from the total gross area available a fixed percentage of said total for street right-of-way purposes, and dividing the remaining net area available by the minimum lot area requirement of the district in which the planned unit development is located.

(a) The fixed percentage for street right-of-way purposes to be subtracted from the total gross area available for development shall be twenty (20%) percent for the R-1B District and thirty (30%) percent for the R-1C District. These percentages shall apply regardless of the amount of land actually required for street right-of-way.

(b) Individual lots may be reduced in area below the minimum lot size required by the district in which the planned unit development is located, provided that the total number of dwelling units and/or lots created within the development is not more than the maximum number that would be allowed if the tract were developed under the minimum lot area requirements of the applicable district in which it is located. This shall not be construed, however, to allow more than one dwelling per each platted lot in the subdivision.

(3) Permissive Minimum Lot Area: Notwithstanding other provisions herein, lot sizes within planned unit developments shall not be varied or reduced in area below the following minimum standards:

(a) One-Family Detached Dwelling Units: Twenty thousand (20,000) square feet within the R-1A District and twelve thousand (12,000) square feet within the R-1B District.

(4) Permissive Minimum Yard Requirements: Under the lot averaging or reduction procedure, each lot shall have at least the following minimum yards:

(a) Front Yard Setback: Forty (40) feet for all dwelling provided that front yard requirements may be varied by the Planning Commission after consideration of common greens or other common open space if such space provides an average of twenty-five (25) feet of front yard area per dwelling unit.

(b) Side Yard: Fifteen (15) feet on each side for all one family dwellings.

(c) Rear Yard: Twenty-five (25) feet for all dwellings, provided that rear yard requirements may be varied by the Planning Commission after consideration of common open space lands or parks which abut the rear yard area.

(5) Maximum Permissive Building Height: Two and one-half stories, but not exceeding thirty-five (35) feet. Accessory buildings shall not exceed a height of fifteen (15) feet.

**Sec. 8.21 OPEN SPACE REQUIREMENTS**

For each square foot of land gained through the averaging or reduction of lot sizes under the provisions of this Section, equal amounts of land shall be provided in open space. All open space, tree cover, recreational area, scenic vista, or other authorized open land areas shall be either set aside as common land for the sole benefit, use and enjoyment of present and future lot or home owners within the development, or may be dedicated to the public as park land for the use of the general public. The Planning Commission shall determine which is most appropriate and shall recommend to the Township Board of Trustees one of the following as part of its approval of a special use permit for a planned unit development:

- (a) That open-space land shall be legally conveyed from the tract owner or owners to a home owners association or other similar nonprofit organizations so that fee simple title shall be vested in tract lot owners as tenants in common, provided that suitable arrangements have been

made for the maintenance of said land and any buildings thereon, and that an open space easement for said land may be conveyed to the public to assure that open space land shall remain open.

- (b) That open space land may be dedicated to the public for park or recreational purposes by the tract owner or owners, provided that the location and extent of said land conforms to the master development plan for Clinton County, or to a township plan, and that access to and the characteristics of said land is such that it will be readily available to and desirable for public use, development, and maintenance in which event the developer shall not be required to improve the SAME.

#### Sec. 8.22 PRIVATE NONCOMMERCIAL RECREATION AREAS

To permit the construction of certain types of nonprofit, noncommercial recreation facilities within the R-1B, R-1C, and R-M1 Districts and the A-1 District. These uses may be authorized by the issuance of a special use permit upon compliance with the provisions of this Ordinance.

#### Sec. 8.23 USES THAT MAY BE PERMITTED

Private community swimming pools, community recreation centers, tennis courts and other non-commercial recreational facilities may be authorized, provided such facilities are constructed, maintained, and operated by an incorporated nonprofit club or organization with a specified limitation of members, and that such recreation facilities shall be operated for the exclusive use of organization members and their guests.

#### Sec. 8.24 SITE DEVELOPMENT REQUIREMENTS

The following requirements for site development together with other applicable provisions of this Ordinance shall be complied with:

- (1) Minimum Site Size: One acre with a minimum width of 150 feet.
- (2) Site Location: In those instances where the proposed site is intended to serve club or organization members who reside beyond the immediate neighborhood or subdivision in which the proposed site is located, the site shall be located on a major thoroughfare and all ingress and egress for the site shall be provided directly from said major thoroughfare.
- (3) Yards: Front, side and rear yards shall be at least 30 feet except on those sides adjacent to nonresidential districts wherein it shall be ten feet. All yards shall be appropriately landscaped with trees, shrubs, and grass. No structures or parking areas shall be permitted in the front or side yards, except for required entrance drives and those walls and/or fences used to obscure the use from abutting residential districts.
- (4) Off-Street Parking shall be provided in compliance with the provisions of this Ordinance.

Whenever a parking plan is so designed as to beam automobile lights into any residential district, a solid wall or open structure wood screen fence, four (4) feet in height shall be constructed along that side of the parking area. Shrubs or trees may be used in combination with said structural screens or walls.

- (5) Swimming Pool: Whenever an unenclosed swimming pool is constructed under this Section, said pool shall be provided with a protective fence six (6) feet in height, and entry shall be provided by means of a controlled gate.
- (6) Lighting: No lighting shall have a visible source of illumination, unless such lighting is necessary to carry on particular recreation pursuits. All lighting shall be shielded to reduce glare and shall be so arranged as to direct the light away from all residential lands which adjoin the site and streets which adjoin the site.

#### Sec. 8.25 DAY NURSERIES

The use may be permitted upon the issuance of a special use permit upon compliance with the

provisions of this Ordinance and Sections 8.27 in the R-M1 District, and in churches in any district.

#### Sec. 8.26 USES THAT MAY BE PERMITTED

Nursery schools, day nurseries and child care centers provided that there shall not be more than one dwelling unit used for residential purposes on the site.

#### Sec. 8.27 SITE DEVELOPMENT REQUIREMENTS

The following requirements for site development together with any other applicable requirements of this Ordinance shall be complied with.

- (1) Minimum Site Size: Nine thousand (9,000) square feet with seventy-five (75) foot lot width, provided that no more than four children shall be kept on the premises in addition to the children of the foster family. For each child not a member of the family in excess of four, there shall be provided an additional two hundred (200) square feet of lot area.
- (2) Yards: Front, side and rear yards shall be in compliance with the provisions of Sec. 5.19.
- (3) Maximum Building Height and maximum lot coverage shall be no greater than that permitted in the R-M1 District.
- (4) Off-Street Parking shall be provided in compliance with the provisions of this Ordinance.
- (5) Signs as are in compliance with the provisions of this Ordinance.
- (6) Play Areas: There shall be provided on the site a useable outdoor play area at the rate of seventy-five square (75) square feet for each child not a member of the family exclusive of required front yard, required side yard along a street, and of driveways and parking areas. The play area shall be fenced and shall be screened from any adjoining residential land by suitable plant material.

#### Sec. 8.28 FUNERAL HOMES AND MORTUARIES

#### Sec. 8.29 USES THAT MAY BE PERMITTED

Funeral homes, undertaking parlors, and mortuaries, provided that the conduct of all activities related to such uses shall take place within the principal building and not in an accessory building. A caretaker's residence may be provided within the principal building. Such uses, by special use permit, may be authorized in the R-M1 District.

#### Sec. 8.30 SITE DEVELOPMENT REQUIREMENTS

The following requirements for site development together with the other applicable requirements of this Ordinance shall be complied with:

- (1) Minimum Site Size: One acre site with a minimum width of 150 feet.
- (2) Site Location: The proposed site shall front upon a major thoroughfare, with all ingress and egress directly from said thoroughfare.
- (3) Yards: Front, side and rear yards shall be at least fifty feet, except on those sides adjacent to nonresidential districts wherein it shall be 20 feet. All yards shall be appropriately landscaped with trees, shrubs, and grass. No structures or parking areas shall be permitted in said yards, except that rear yards may be used for parking purposes upon compliance with the provisions of Section 7.11 (7).
- (4) Site Coverage: No more than thirty (30%) percent of the gross site area shall be covered by buildings, including accessory buildings.
- (5) Maximum Building Height: No building shall be erected to a height greater than that permitted in the R-M1 District.
- (6) Appearance: All buildings shall be harmonious in appearance with the surrounding residential area.
- (7) Signs in compliance with the provisions of this Ordinance.
- (8) Off-Street Parking shall be in compliance

with the provisions of this Ordinance. Adequate off-street assembly area for vehicles used in funeral processions shall be provided in addition to any required off-street parking area. Parking and assembly areas shall be screened from surrounding residential areas by an open structure wood fence or solid masonry wall at least four (4) feet in height. Shrubs or trees may be used in combination with said structural screens or walls.

#### Sec. 8.31 MOBILE HOME PARK DEVELOPMENTS

#### Sec. 8.32 USES THAT MAY BE PERMITTED

In the R-M1 and A-1 Districts, a mobile home development may include any or all of the following uses, provided that a plan of the proposed development is approved by the State of Michigan in accordance with Act 243, Public Acts of 1959, as amended, and that said development plan shall comply with the provisions of this Ordinance:

- (1) Mobile homes, trailers, trailer coaches, or similar vehicles designed for occupancy as dwelling as defined in this Ordinance.
- (2) Accessory buildings required for normal operation of the mobile home development. Such uses as stores, mechanical dispensers, equipment storage, coin operated laundry and dry cleaning facilities may be permitted provided that such uses:
  - (a) Shall not occupy more than ten (10%) percent of total site;
  - (b) Shall be subordinate to the residential use and character of the park;
  - (c) Shall be located, designed, and intended to serve the trade or service needs of persons residing in the park;
- (3) One permanent building for conducting the operation and maintenance of mobile home park developments. A caretaker's residence may be provided within or in addition to said permanent building.

(4) Signs: The following signs pertaining exclusively to the mobile home park are permitted.

- (a) One free-standing, illuminated (but not flashing or moving) sign may be located near one entrance on each street upon which the mobile home park fronts according to the following:
  - (1) On major roads as designated by the Planning Commission a permanent sign shall not be larger than 25 square feet in size. A temporary sign up to 100 square feet could be allowed during construction and initial fill-up period for a designated period of time approved by the Official not to exceed three (3) years.
  - (2) On all other streets, the maximum permitted size shall be 12 square feet.
- (b) Signs shall not exceed 10 feet in height.
- (c) Signs shall be located so as not to obstruct visibility of pedestrians or motorists, within or without the mobile home park.
- (d) Signs purely for traffic regulation and direction within the mobile home park may be utilized as required.
- (5) Off-Street Parking in compliance with the provisions of this Ordinance.

#### Sec. 8.33 MOBILE HOME PARK SITE DEVELOPMENT REQUIREMENTS AND STANDARDS

- (1) Minimum and Maximum Park Size: A twenty (20) acre site accessible to a major thoroughfare shall be required as the minimum park size. In no event shall the first phase of the park be larger than three hundred (300) mobile home sites.
- (2) Park Location: The mobile home park shall be located so that all ingress and egress driveways or roadways within the park development are connected to a major paved thoroughfare, except for restricted emergency exits.

- (3) Side Yard Dimensions: All buildings and mobile homes within the mobile home park site shall be no closer than fifty (50) feet from any public street line or residential district. Also, there shall be a setback of 50' on any side or rear property line of the mobile home park site. This setback may be reduced to minimum of twenty (20) feet if approval is given by the Planning Commission and the area gained through reduction is put into open space. Such setback space shall be adequately landscaped.
- (4) Site Screening: The mobile home park shall be screened from adjacent residential districts by the use of obscuring fencing, walls earth forms, plantings, or any combination thereof. All structural screening shall be at least 4 feet but not more than 6 feet in height. The plans and specifications for the mobile home park development shall include the proposed arrangement of such plantings and screening structures and shall be subject to the approval of the Planning Commission.
- (5) Site Access: All mobile home development sites shall provide at least two points of entrance or exit to and from the park, located no closer than 200 feet from the intersection of any two public roads. The ingress and egress drives or roadways within the park shall be paved, and for a distance of at least one hundred feet from the public roads the ingress and egress routes shall be no less than 36 feet wide.
- (6) Space Requirements: The minimum lot area used or occupied by each mobile home shall be four thousand five hundred (4,500) square feet, exclusive of park drives, parking area, service facilities, and required recreation area.
- (7) Yard Requirements: The sum of the side yard at the entry side and non-entry side of a mobile home shall be not less than thirty (30) feet. Provided, however, there shall be a side yard of not less than fifteen (15) feet at the entry side of the mobile home and of not less than five (5) feet at the non-entry side of the mobile home. For irregularly shaped side yards the sum is determined as the sum of the average width of each side yard, provided that a minimum separation of twenty (20) feet is maintained between all mobile homes. There shall be a minimum of ten (10) feet between the end of the mobile home and the rear lot lines.
- (8) Setback: No mobile home shall be located closer than fifteen (15) feet to any private street or roadway nor shall it be located closer than fifty (50) feet to any public right-of-way, nor closer than five (5) feet to any common sidewalk.
- (9) Park Roads: Each mobile home lot shall have access to a park driveway, roadway, or street which shall be paved to a minimum width of 22 feet and have a cross section as approved by the County Road Commission, provided that no parking shall be permitted on said roadway. No park shall provide or have direct access through any recorded single family subdivision. The required paving width for said streets, roadways, or driveways may be adjusted if a one-way street pattern is proposed as part of the proposed site development. Said one-way streets shall be paved to a minimum width of twenty (20) feet and no parking shall be permitted on said roadway.
- (10) Walks and Curbs: A 36" wide concrete walk shall be provided on both sides of all collector roads. Curbing shall also be provided, and may be in the form of a one-piece curb, gutter and sidewalk installation where applicable.
- (11) Mobile Home Lot Improvements: A mobile home shall not be permitted to occupy a single or multiple lots or sites if either its length or width would cause it to occupy any minimum yard area or minimum distance as prescribed herein:
- Each mobile home site shall be provided with a minimum stand consisting of a solid concrete apron 10 feet wide by 50 feet long. The concrete apron shall be constructed of reinforced concrete to a depth of 4 inches, and shall be at least equal in area and dimension of the mobile home occupying the site. In lieu of the above, concrete piers to a depth of 42 inches may be provided as follows: For single units, fourteen (14) piers. For double-wide units, twenty-eight (28) piers. The area beneath the mobile home shall be graded in such a fashion as to eliminate the accumulation of water under the home.
  - An outdoor patio area of not less than one hundred eighty (180) square feet shall be provided each mobile home site, conveniently located to the entrance of the mobile home and appropriately related to open areas of the lot and other facilities.
  - Each mobile home shall be supported on jacks or blocks which shall be uniform throughout the mobile home park.
  - Skirting shall be provided and shall be uniform throughout the park. Skirting shall be of no less than 26-gauge metal and attached to the concrete apron so as to prevent entrance of rodents and insects. One access door shall be permitted and screen vents shall be installed to permit cross ventilation.
  - Tie-down facilities shall also be incorporated in to the concrete apron so that guy lines shall be installed under the mobile home at sufficient intervals to prevent upheaval of mobile homes during severe winds and storms.
- (12) Building Height: No building or structure shall exceed 15 feet in height, except that the one permanent building for conduction the business operation and one permanent building for recreation may exceed said height, but said buildings shall not exceed two stores. One central T.V. Tower to service the mobile home park may also exceed this height restriction.
- (13) Lighting: No permanent spot or flood lights shall be used for lighting or advertising purposes except during the construction and fill-up period for a designed period of time approved by the Official not to exceed three (3) years. No other lighting for identification or advertising purposes shall have a visible source of illumination. No lighting shall shine on adjacent properties. All other lighting shall be in accordance with Act 243, Public Acts of 1959, as amended.
- (14) Play Areas: Exclusive of other yard and open space requirements, there shall be provided a usable outdoor play area at the rate of seventy-five square feet for each mobile home space in the mobile home park. Such open space shall contain a minimum area of twelve thousand square feet and shall be developed and maintained by the management. Play areas and recreation areas as defined in item (8.33 - 18) may be combined providing that they shall have a minimum area of 12,000 square feet and shall provide a total of 175 square feet for every mobile home within the development, and further providing that there shall be a play area or recreation area within 500 feet of each lot in the development.
- (15) Fuel Tanks: All fuel oil and gas tanks shall be underground. All tanks shall be of an approved type to comply with building code standards and shall be equipped with vent pipes and with fused valves.
- (16) Plumbing, Water Supply and Sewage Disposal:
- Plumbing fixtures shall be connected to a public sanitary sewer or approved sewage disposal system, and shall meet with the requirements of the Mid-Michigan Health Department and the Plumbing Code of the State of Michigan.
  - The plumbing connections to each mobile home site shall be constructed so that all lines are protected from freezing, accidental damage, or from creating any type of nuisance or health hazard. If unsafe health conditions are present in either the water or sanitary sewer or disposal system, the special use permit will automatically be terminated upon the recommendation of the Mid-Michigan Health Department.
  - Water from a public or state tested and approved water supply shall be piped to each mobile home and shall be adequately protected from frost. Municipal water shall be utilized if available and accessible.
- (17) Utility Cabinets:
- Each mobile home park shall permit one enclosed waterproof structure suitable for storage of goods and usual effects of the inhabitants of such park, not to exceed eighty (80) square feet of storage space and not to exceed the height of the mobile home at each mobile home site, or shall provide other adequate structure or structures for such storage elsewhere in said park.
  - Storage of goods and articles in the open is prohibited.
- (18) Recreation Areas: Exclusive of other yard and open space requirements, common usable recreation space of at least one hundred (100) square feet per mobile home site in the park with a minimum area of eight thousand (8,000) square feet shall be developed and maintained by the management. The area or areas shall have a shape such that its length does not exceed two times its width and shall be no further than 500 feet from any mobile home site served. An indoor area or recreation center shall be provided and shall contain a minimum of five (5) square feet for each mobile home site developed in the park.
- (19) Fire Regulations: The mobile home park shall be subject to the rules and regulations of the State Fire Marshall.
- (20) Television Antennas: Every mobile home park shall construct a central antenna with service to each mobile home site provided by underground wiring. Individual antennas on mobile homes are prohibited.
- (21) Fire Hydrants: Fire hydrants shall be provided and so spaced that no mobile home site is further than four hundred (400) feet from said hydrant.
- (22) Electricity, Lighting, Telephones, Oil, Gas: All wiring for electricity, lighting, and telephone connections shall be underground, as shall gas and oil lines. Street and yard lights shall be so placed and sufficient in number to permit the safe movement of vehicles and pedestrians at night.
- (23) Refuse and Garbage: All refuse and garbage shall be collected at least once weekly. Where public service is not available, said service shall be provided by the Park. Central refuse incinerators may be permitted. In no case shall there be central trash, refuse or garbage gathering points that are not enclosed at the roof and all four walls. All doors and entrances shall be of rodent proof construction. All garbage containers within the park shall be tightly covered and stored out of sight.
- (24) Storm Shelter: There shall be provided one or more areas within an enclosed structure to be used as a storm and/or tornado shelter, of sufficient size to accommodate the entire resident population of the park development. Said facility shall be located below grade level when conditions permit. Said facility may or may not be in conjunction with the recreational building or mobile home park office building.
- (25) Mobile Home Sales: General sales of mobile homes as a dealership or franchise, new or used, shall be prohibited within mobile home parks except during initial fill-up period for a designated period of time approved by the Official not to exceed three (3) years.
- (26) Occupancy: No permit for occupying any completed mobile dwelling unit site shall be granted until all utilities, parking, access drives, walkways, and all appurtenances such as landscaping, recreation areas, and swimming pools indicated on the approval plan have been inspected and approved or a performance bond equal to the estimated cost of these items has been posted, with the Official. No mobile dwelling unit shall occupy any site until at least 25% of the sites are prepared and approved for use.
- (27) Off-Street Parking Facilities: Off-street parking shall be provided within 300 feet of all mobile home lots or sites that they are intended to serve and may be of a bay type design and each lot or site shall have parking space for 2 vehicles. All parking areas shall

be of paved material. No parking shall be permitted on any street or access way. No visitor vehicles shall be permitted to be parked or stored within any required open space between mobile homes or on any drive or street within the mobile home park, between the hours of 12:00 p.m. and 6 a.m. All paved surfaces shall be maintained in good repair by the park management.

(28) Permanent Office Building: The park development shall contain at least one permanent structure office building to conduct the business operation of the park. This building may be part of or within a caretaker's residence provided that same is a permanent type structure in the park development. Said office shall be maintained and open to the park occupants for transacting business on a regularly scheduled basis during business hours at least thirty hours per week.

#### Sec. 8.34 COMPLIANCE - PENALTIES

It shall be the duty and obligation of the owner(s) and operator(s) of any mobile home park development that the continued use of said property be all times in compliance with the provisions of this Ordinance. Failure thereof shall be a violation of this Ordinance, subject to the penalties and remedies specified herein and the continuance thereof is hereby declared to be a nuisance per se.

#### Sec. 8.35 PLANNED MOBILE HOME UNIT DEVELOPMENTS

It is the purpose of this Section to allow for an entirely new concept of mobile home development. Under the provisions of this Ordinance, mobile home parks may be so designed to allow for a cluster type of mobile home groupings with said clusters separated from each other by common open space, and housing units developed with related recreational space such as golf courses, swimming pools, private parks, community centers, and other recreational facilities. It is also the intent of this Section to allow the developer to use a more creative and imaginative design for mobile home parks, to preserve unusual natural features of the site, and to utilize excess or generally unusable land to bypass unusual natural obstacles, thereby reducing overall development costs of the project. All provisions of Section 8.7 shall prevail, except as provided herein:

(1) Parks designed to provide a cluster type arrangement may reduce the lot size abutting on common open space by ten percent, provided the reduced area be equally dedicated as common open space.

(2) A ten percent (10%) reduction in the side and rear yard requirement is allowed provided however, that the 20 feet home-to-home separation is maintained. The front yard set-back shall remain uniform throughout the development.

#### Sec. 8.36 GASOLINE SERVICE STATIONS

May be permitted in any business district upon the issuance of a special use permit which complies with the provisions of this Ordinance.

#### Sec. 8.37 USES THAT MAY BE PERMITTED

Gasoline service stations as defined in Chapter 10 including the servicing of motor vehicles of not more than one and one-half tons rated capacity, sales and installation of automotive accessories, and other servicing of motor vehicles, provided such accessory uses and services are conducted wholly within a completely enclosed building. Body repair, engine overhauling, steam cleaning, or other mechanical or physical modifications to motor vehicles are specifically prohibited. The sales of either new or used motor vehicles, and the storage of motor vehicles for a period exceeding twenty-four hours or the parking of motor vehicles for a rental fee are specifically prohibited.

#### Sec. 8.38 SITE DEVELOPMENT REQUIREMENTS

The following requirements for site development together with the other provisions of this Ordinance shall be complied with:

(1) Minimum Site Size: Fifteen thousand (15,000) square feet with a minimum width of one hundred-fifty (150) feet.

(2) Site Location: The proposed site shall have at least one property line on a major throughfare, provided where gasoline service stations are proposed as part of a planned

shopping center development as permitted in Sections 5.40 to 5.45 inclusive, the gasoline service station site, or sites, shall be located at the boundary of the center where it can be away from patterns of pedestrian circulation and have direct, unencumbered access to traffic arteries.

(3) Building Setbacks: The service station building or buildings, or gasoline pump accessory structures, or islands therefore, shall be set back no less than fifty feet from all street or highway right-of-way lines and shall not be located closer than 25 feet to any property line in a residential district. Hydraulic hoists, pits, and all lubrication, greasing, automobile washing, and repair equipment shall be entirely enclosed within a building.

(4) Access Drives: There shall be two access driveway approaches for any gasoline service station, one of which must provide direct access to a major throughfare while one may provide access to a minor street or roadway, each of which, however, shall not exceed thirty-five (35) feet in width at the property line.

(a) If the service station site fronts on two or more streets, the driveways shall be located as far from the street intersection as practicable but no less than fifty (50) feet.

(b) No driveway or curb cut for a driveway shall be located within ten feet of an adjoining property line as extended to the curb or pavement, or within twenty (20) feet of any exterior lot line as extended.

(c) Any two driveways providing access to a major thoroughfare shall be separated by an island with a minimum distance of twenty (20) feet at both the right-of-way line and the curb or edge of the pavement.

(5) Curbing and Paving: A raised curb at least six inches in height shall be erected along all of the street property lines except at driveway approaches. The entire service area shall be paved with a permanent surface of concrete or asphalt.

(6) Fencing: A solid fence or wall 4 feet in height shall be erected along all property lines abutting any lot within a residential district. A solid fence or wall 4 feet in height shall be erected at the rear and at both side yard lines of the gasoline service station site. When such site is located as part of any other business site, the two uses may be joined at either or both side yards by one service driveway not exceeding 25 feet in width or by pedestrian sidewalk(s) not exceeding six feet in width being constructed with a permanent surface of concrete or asphalt.

(7) Signs: Upon compliance with the provisions of this Ordinance, no signs, either permanent or temporary, shall be permitted within the public right-of-way.

(8) Off-Street Parking: Upon compliance with the provisions of this Ordinance. At no time shall unlicensed motor vehicles remain parked on the gasoline service station site location for more than 24 hours, except when located within a fully enclosed storage yard as provided in this Ordinance.

(9) Lighting: Exterior lighting shall be so arranged so that it is deflected away from adjacent properties.

#### Sec. 8.39 MISCELLANEOUS SPECIAL USES

#### Sec. 8.40 SPECIAL USES THAT MAY BE PERMITTED

The following uses may be permitted within the districts mentioned, provided upon issuance of a special use permit and compliance with the provisions of this Ordinance.

(1) Public or private dumps, incinerators and sanitary fills in any agricultural or industrial district.

(2) Junk yards in any industrial district.

(3) Sewage treatment and disposal installations in any industrial or agricultural district.

(4) Drive-in theaters, race tracks, temporary and transient amusement enterprises, golf

driving ranges, and miniature golf courses in the B-2 or any agricultural or industrial districts.

(5) Special open space uses, such as public beaches, bath houses, private resorts, recreational camps, and other open space uses operated for profit in any agricultural district.

(6) Institutions for the mentally retarded and physically handicapped, drug or alcoholic patients and camps or correctional institutions in any agricultural district.

(7) Sand or quarries, gravel pits, in any agricultural district.

(9) Advertising Structures, billboards, advertising structures or signboards, in any agricultural or industrial district.

(9) Drive-in restaurants and other drive-in businesses (excluding drive-in theaters) in the B-2 and B-3 Districts.

#### Sec. 8.41 SITE DEVELOPMENT REQUIREMENTS

A special use permit shall not be issued for the occupancy or use of a structure or parcel of land, except upon compliance with the following provisions:

without limiting the powers of the Board of Trustees, it shall have authority to revoke any special use permit when, after written notice, the operators of any use permitted in section 8.40, fail to comply therewith.

#### (1) Incinerators and Sanitary Fills:

(a) All uses shall be established and maintained in accordance with all applicable state laws.

(b) All uses shall be enclosed by a fence at least six (6) feet in height around the periphery of the property. Fences shall be adequate to prevent trespass and shall be placed no closer than fifty (50) feet to the top or bottom of any slope.

(c) All areas within any single development shall be rehabilitated progressively as they are depleted or abandoned.

(d) All installations shall be maintained in a neat and orderly condition.

#### (2) Junk yards.

(a) All uses shall be established and maintained in accordance with all applicable state laws.

(b) The site shall be a minimum of one acre in size.

(c) A solid fence or wall at least eight feet in height shall be provided around the periphery of the site to screen said site from surrounding property. Such fence or wall shall be of sound construction, painted or otherwise finished neatly and inconspicuously. Such fence or wall shall be of permanent finish or construction.

(d) all activities shall be confined within the enclosed area. There shall be no stocking of material above the height of the fence or wall, except that movable equipment used on the site may exceed the wall or fence height. No equipment, material, signs or lighting shall be used or stored outside the enclosed area.

(e) All enclosed areas shall be set back at least 100 feet from any front street or property line. Such front yard setback shall be planted with trees, grass, and shrubs to minimize the appearance of the installation. The spacing and type of plant materials shall be approved by the Planning Commission.

(f) No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.

(g) Whenever the installation abuts a residential or agricultural district, a transition strip at least 200 feet in width shall be provided between the enclosed

area and the adjoining district. Such strip shall contain plants, grass and structural screens of a type approved by the Planning Commission.

(3) Sewage Treatment and Disposal Installations:

- (a) All uses shall be established and maintained in accordance with all applicable state laws.
- (b) Any use shall comply with all provisions applicable to the districts.
- (c) All operations shall be completely enclosed by a wire-link fence not less than six (6) feet high.
- (d) All operations and structures shall be surrounded on all sides by a transition strip at least 200 feet in width within which grass, plants and structural screens shall be placed, which shall be approved by the Planning Commission.

(4) Drive-in Theaters, Race Tracks, Temporary and Transient Amusement Enterprises, Golf-Driving Ranges, and Miniature Golf Courses:

- (a) All sites shall be located on a major thoroughfare and ingress or egress shall be from the thoroughfare. Local traffic movement shall be accommodated within the site so that entering and exiting vehicles will make normal and uncomplicated movements into or out of the thoroughfare.
- (b) All points of entrance or exit shall be located no closer than two hundred feet from the intersection of any two streets or highways except miniature golf and driving ranges which shall be 100 feet.
- (c) All vehicles shall have clear vision approaching a public street within 100 feet of the street for a sight distance of five hundred (500) feet in either direction along the street.
- (d) Acceleration and deceleration lanes should be provided, where possible, at points of ingress and egress.
- (e) Whenever any use permitted in this subsection abuts property within a residential, business, or agricultural district, a transition strip at least 200 feet in width shall be provided between such use and the adjoining district. Grass, plants and structural screens of a type approved by the Planning Commission shall be placed within said transition strip. Golf driving ranges and miniature courses shall have a minimum transition strip of 50 feet when adjacent to a residential, agricultural or business district.
- (f) A minimum front yard of one hundred feet shall separate all uses, operations, and structures permitted herein, including fences, fronting any public street or highway used for access or exit purposes, which shall be landscaped in accordance with plans approved by the Planning Commission.
- (g) Golf driving ranges shall provide safety screening as deemed reasonable and necessary by the Planning Commission.
- (h) Race tracks and drive-in theaters shall be enclosed the entire periphery with an obscuring screen fence at least eight (8) feet in height. Fences shall be of permanent finish and construction, painted or otherwise finished neatly, attractively and inconspicuously.
- (i) Drive-in theaters shall have ticket gates as follows: one ticket gate for three hundred car capacity theaters; two ticket gates for six hundred car capacity theaters; three gates for eight hundred car capacity theaters; four gates for one thousand car capacity theaters. Vehicle standing space shall be provided between the ticket gates and the street or highway right-of-way line equal to at least thirty percent of the vehicular capacity of the theater.
- (j) Drive-in theater picture screens shall not face any public street and shall be so

located as to be out of view from any major thoroughfare.

(5) Special Open Space Uses:

- (a) The proposed site shall be at least 2 acres in area.
- (b) The proposed site shall have at least one side abutting a major or secondary thoroughfare. All ingress and egress to the site shall be directly from said thoroughfare.
- (c) all buildings and structures shall be set back at least two hundred feet from any property or street line. Whenever the installation abuts a residential district, this setback shall be landscaped with trees, grass and structural screens of a type approved by the Planning Commission.

(6) Institutions for the Mentally Retarded and Physically Handicapped, Drug or Alcoholic Patients and Camps or Correctional Institutions:

- (a) The proposed site shall be at least forty (40) acres in area.
- (b) The proposed site shall have at least one side abutting a major thoroughfare. All ingress and egress to the off-street parking area shall be directly from the major thoroughfare.
- (c) All 2 story structures shall be at least 100 feet from all boundary lines or street lines. Buildings less than 2 stories shall be no closer than fifty (50) feet to any property or street line. For buildings above two stories, the building shall be set back an additional one foot for each foot of additional height above 2 stories.
- (d) No more than twenty-five (25%) percent of the gross site shall be occupied by buildings.
- (e) Ambulance and delivery areas shall be obscured from residential view by a solid masonry wall six (6) feet in height. Access to and from the delivery and ambulance area shall be directly from a major thoroughfare.
- (f) All signs shall be in compliance with the provisions of this Ordinance.
- (g) Off-street parking and loading shall be provided in compliance with the provisions of this Ordinance.

(7) Sand or Gravel Pits, Quarries:

- (a) All uses shall be established and maintained in accordance with state laws.
- (b) In addition to the provisions of Sections 8.1 to 8.10, inclusive, applicant shall submit plans including contour, and proposals for the reuse of the property after completion of excavation. Such plans shall provide for rehabilitation of the excavated area.
- (c) The applicant shall file, with the Planning Commission, a performance bond in such amount deemed sufficient to insure rehabilitation.
- (d) No fixed machinery shall be erected or maintained within fifty feet of any property or street line.
- (e) All uses shall be enclosed by a fence at least four (4) feet in height, for the entire periphery of the excavation area. The top of the slope of the excavation shall not be closer than fifty (50) feet from the property line.
- (f) No slope shall exceed an angle with the horizontal of forty-five degrees.
- (g) All slopes and banks shall be reasonably graded and treated to prevent erosion or other deterioration.
- (h) No building shall be erected on the premises, except as may be permitted in this Ordinance, or except as temporary shelter for machinery, and field office which shall be approved by the Planning Commission.

(i) The roads within the area of operation shall be provided with a dustless surface.

(j) All permitted installations shall be maintained in a neat and orderly condition.

(k) Safeguards may be required by the Planning Commission to minimize the nuisance of noise and flying dust or rock. Such measures may include limitation of stockpiling of excavated materials on the site, and limitation of the number of trucks daily or at designated hours during the day.

(l) When excavation and removal operations or either of them are completed, the excavated area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of 3-1 (horizontal-vertical). A layer of arable topsoil shall be spread over the excavated area, except exposed rock surfaces, to a minimum depth of four inches in accordance with an approved contour plan. The area shall be seeded with a perennial rye grass and maintained until the area is stabilized.

(m) All areas within any development shall be rehabilitated as they are depleted or abandoned so that they shall comply with the rehabilitation plan as approved upon issuance of the Special Use Permit provided in paragraph (b) of this subsection.

(n) Any extension of quarrying operations beyond the property lines actually quarried on the effective date of this Ordinance shall be considered as a new operation and shall require a Special Use Permit.

(o) All pits, existing on the effective date of this Ordinance, shall be registered with the Official as a non-conforming use and shall be inspected by the Official to determine the nature and extent thereof. Uses found to be non-conforming shall be recorded and newly excavated areas shall conform to the provisions of this Ordinance and rehabilitation of the presently operated non-conforming pits shall be made conforming within one year.

(p) If approval for a Special Use Permit is granted by the Planning Commission, it shall be for a specific period of time not to exceed five (5) years. Those permits granted for a period of exceeding one (1) year shall be inspected a minimum of once a year by the Official to insure compliance with the requirements of this Ordinance governing sand and gravel operations and any other requirements of the Special Use Permit issued for that particular operation. If it is found by the Official that violations exist the holder of the Special Use Permit shall be notified by certified mail giving sixty (60) days to conform to said permit. Failure to do so will result in voiding of the Special Use Permit.

(8) Advertising Structures, Billboards or Signboards:

(a) Advertising structures, outdoor signs and other advertising display provided no billboard advertising signboard or advertising structure shall be erected or maintained that are more than 250 square feet in area. The bottom of such signs shall be four feet or more above the ground. If not attached to the wall of a building, for their entire length, signs must be lighted on all sides during the hours of darkness. The illumination of such signs shall be approved by the Planning Commission to insure that the light intensity, color and movement will not be likely to constitute a traffic safety hazard. Signs shall not be less than 40 feet from a lot or public right-of-way line. Along Interstate Highways and State Trunk Lines, the set back shall be a minimum of 50 feet from the said highway right-of-way line.

(9) Drive-In Restaurants and Other Drive-In Businesses, Excluding Drive-In Theaters:

(a) The minimum site size shall be 15,000 square feet with a minimum width of 150 feet.

- (b) The proposed site shall have at least one side on a public street or road.
- (c) The service building, or buildings, shall be set back forty feet from all street right-of-way lines and shall not be located closer than 25 feet to any property line in a residential district unless separated therefrom by a street or alley. No installation except walls or fencing and permitted signs, lighting, and essential services, may be constructed closer than 15 feet to the line of any street right-of-way.
- (d) No more than 2 driveway approaches shall be permitted directly from any thoroughfare nor more than one driveway approach from any minor street each of which shall not exceed 35 feet in width at the property line. If the restaurant site fronts on two or more streets, the driveways shall be located as far from the street intersection as practicable but no less than (50) feet. No driveway or curb cut for a driveway shall be located within ten feet of an adjoining property line, as extended to the curb or pavement, or within twenty feet of any exterior (corner) lot line as extended. Any two driveways providing access to a single street shall be separated by an island with a minimum width of 20 feet at both the right-of-way line and the curb or edge of the pavement.
- (e) A raised curb at least six (6) inches in height shall be erected along all of the street property lines, except at driveway approaches. The entire service area shall be paved with a permanent surface of concrete or asphalt.
- (f) A solid fence or wall at least four (4) feet in height shall be erected along all property lines abutting a residential district.
- (g) Signs, in compliance with the provisions of this Ordinance, provided that no signs, either permanent or temporary, shall be erected within the right-of-way.
- (h) Off-street parking shall be provided in compliance with the provisions of this Ordinance.
- (i) Exterior lighting shall be so arranged so that it is deflected from adjacent properties.

#### CHAPTER 9 JUNK CARS

##### Sec. 9.1

No person shall store, place, abandon or permit to be stored, placed, abandoned, or allow to remain, in any district, a dismantled, partially dismantled, unlicensed, or inoperable motor vehicles, junk, rubbish or litter upon any premises, except as provided in Sec. 5.59, or in the case of motor vehicles unless confined in a wholly enclosed structure.

##### Sec. 9.2

No person shall store, place, abandon or permit to be stored, placed, abandoned, or allow to remain, in any district, wrecked or inoperable farm machinery, unless hidden from the view of the general public or screened by a screen approved by the Official.

##### Sec. 9.3

Violations of this Chapter shall be punishable as provided in Sec. 3.9.

#### CHAPTER 10 AMENDMENTS

##### Sec. 10.1 TOWNSHIP BOARD ACTION

The regulations and provisions stated in the text of this Ordinance and the boundaries of zoning districts shown on the Zoning Districts Map of the Township may be amended, supplemented or changed by appropriate action of the Township Board in accordance with Act 184 of the Public Acts of 1943, and Act 168 of 1959, as amended.

##### Sec. 10.2 INITIATION OF AMENDMENTS

Proposals for amendments, supplements or changes may be initiated by the Township Board on its own motion, by the Planning Commission, or by petition of one or more owners of property to be affected by the proposed amendment.

#### Sec. 10.3 AMENDMENT PROCEDURE PETITION TO TOWNSHIP BOARD

Each petition by one or more owners for an amendment shall be submitted in application to the Township Clerk on a standard form provided. A fee, as shown in the schedule of fees, as established by the Township Board, shall be paid at the time of application to cover costs of necessary advertising for public hearing, for the use of an adequate sign, and investigation of the amendment request. No part of such fee shall be returnable to a petitioner. The Township Clerk or Treasurer shall transmit the application to the Township Board.

#### Sec. 10.4 REFERRAL TO PLANNING COMMISSION

The Township Board shall refer every proposed amendment, supplement, or change to the Planning Commission for its recommendation and action.

#### Sec. 10.5 PLANNING COMMISSION RECOMMENDATION

The Planning Commission shall consider each proposal for amendment in terms of its own judgment on particular factors related to the individual proposal and in terms of the likely effect of such proposal upon the Future Land Use Plan of DeWitt Township. The Planning Commission may recommend any additions or modifications to the original amendment proposal.

#### Sec. 10.6 PUBLIC HEARING

After deliberation on any proposal, the Planning Commission shall conduct at least one public hearing, notice of time and place of which shall be given by two (2) publications in a newspaper of general circulation in the Township, the first to be printed not more than thirty (30) days nor less than twenty (20) days, and the second not less than eight (8) days before the date of such hearing. No less than twenty (20) days notice of time and place of such hearing shall also be given by certified mail to each electric/gas pipeline and telephone public utility company that registers its name and mailing address with the Township Planning Commission for the purpose of receiving such notice and to each railroad operating in the district or zone affected. The notices shall include the places and times at which the tentative text and/or map amendment to the Zoning Ordinance may be examined.

#### Sec. 10.7 SUBMISSION OF ORDINANCE FOR APPROVAL

The Planning Commission, after such a hearing, shall submit the proposed zoning ordinance including any zoning maps to the Clinton County zoning or Planning Commission. The Clinton County Zoning or Planning Commission shall give its advice and recommendation with reference to the coordination of proposed zoning ordinances of any township having a common boundary with DeWitt Township. Approval of the proposed ordinance by Clinton County shall be conclusively presumed unless the Township Clerk is notified to the contrary within thirty (30) days from the date of the receipt of the proposed ordinance by the County.

#### Sec. 10.8 ACTION BY TOWNSHIP BOARD

The Planning Commission shall then transmit its recommendations concerning the proposed amendment to the Township Board; and if the Township Board shall deem that any amendments, changes, additions, or departures are advisable to the proposed text or district boundaries recommended by the Planning Commission, it shall refer the same back to the Planning Commission for a report thereon within a time specified by the Township Board. After receiving the report, the Township Board shall grant a hearing on the proposed amendment to any property owner who has filed a written request to be so heard and shall request the Planning Commission to attend such hearing. Thereafter, the Township Board may adopt the amendment with or without any changes.

#### Sec. 10.9 RESUBMITTAL

No application for a rezoning which has been denied by the Township Board shall be resubmitted for a period of one (1) year from the date of the last denial, except on grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Township Board to be valid.

#### CHAPTER 11 DEFINITIONS

##### Sec. 11.1 RULES APPLYING TO THE TEXT

- (1) Words used in the present tense include the future tense; and the singular includes the plural, unless the context clearly indicates the contrary.
- (2) The word "person" includes a corporation, partnership, or firm as well as an individual.
- (3) The word "building" includes the word "structure".
- (4) The word "lot" includes the word "plot", "tract", or "parcel".
- (5) The term "shall" is always mandatory and not discretionary; the word "may" is permissive.
- (6) 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 occupies".
- (7) Any word or term not defined in this Chapter shall be given a meaning of common or standard acceptance.

##### Sec. 11.2 AS USED IN THIS ORDINANCE

- (1) "Accessory Building" means a subordinate building or structure on the same lot with a principal or main building, or a part of the main building occupied by or devoted exclusively to an accessory use.
- (2) "Accessory Use" means a use customarily incidental and subordinate to the principal use or building located on the same lot as the principal use or building.
- (3) "Advertising Structure" means a structural poster panel or painted sign, either freestanding or attached to a building, for the purpose of conveying information, knowledge, or ideas to the public about a subject unrelated to the premises upon which it is located.
- (4) "Airport" means a transportation facility to accommodate the take-off and landing of aircraft, and the servicing and/or repair thereof, which has sod or paved runways.
- (5) "Alley" means a dedicated public way other than a street which provides a secondary means of access to abutting property and is not intended for general traffic.
- (6) "Alteration" means any modification, addition, or change in construction or type of occupancy; and change or rearrangement in the structural parts of a building; any enlargement of a building, whether by extending a side or by increasing its height; or the moving from one location to another.
- (7) "Apartment" means a room or suite or rooms, including bath and kitchen facilities, in a two-family or multiple dwelling intended or designed for use as a residence by a single family.
- (8) "Auto Laundry" means a building or portion thereof, containing facilities for washing more than two automobiles, using production line methods with a chain conveyor, blower, steam cleaning devices or other similar mechanical devices.
- (9) "Basement" means a story having part but not more than one-half of its height below finished grade. A basement shall be counted as a story for the purpose of height measurement or floor area measurement, if the vertical distance between the ceiling and the average level of the finished grade is more than five feet or if used for business or dwelling purposes.
- (10) "Boarding House" means a building, other than a hotel, where for compensation and by prearrangement for definite periods, lodging and meals are provided for three or more persons.
- (11) "Breezeway" means any structure connecting the principal dwelling unit with a freestanding accessory building.
- (12) "Building" means any structure having a roof supported by columns or walls and in-

- tended for shelter, housing or enclosure of persons, animals or property.
- (13) "Building Area" means the total of areas taken on a horizontal plane at the main grade level of the principal building and, all accessory buildings exclusive of uncovered porches, terraces and steps.
- (14) "Building, Front Line Of" means the line that coincides with the face of the building nearest the front line of the lot, which includes sun parlors and enclosed porches but not steps.
- (15) "Building, Height Of" means the vertical distance measured from the mean elevation of the finished grade line of the ground about the front of the building to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and the mean height level between eaves and ridge for gable, hip and gambrel roofs.
- (16) "Building Lines" mean a line defining the front, side and rear yard requirements outside of which no building or structure may be located.
- (17) "Building, Principal" means a building in which is conducted the main or principal use of the lot on which it is located.
- (18) "Cellar" means a story having more than one-half of its height below the average finished level of the adjoining ground. A cellar shall not be counted as a story for purposes of height measurement.
- (19) "Clinic" means a building where human or animal patients, who are not lodged overnight, are admitted for examination and treatment by a group of physicians, dentists, veterinarians or similar professions.
- (20) "Club" means an organization catering exclusively to members and their guests, or premises and buildings for recreational, artistic, political or social purposes, which are not conducted primarily for gain and which do not provide merchandise, vending, or commercial activities except as required incidentally for the membership and purpose of the club.
- (21) "Convalescent or Nursing Home" means a building wherein infirm, aged or in incapacitated persons are furnished shelter, care, food, lodging and medical attention.
- (22) "Coverage Lot" means that percent of the plot or lot covered by the building area.
- (23) "Common Land" means a parcel or parcels of land together with the improvements thereon, the use, maintenance and enjoyment of which are intended to be shared by the owners and occupants of the individual building units in a planned unit development.
- (24) "Density" means the number of dwelling units situated on or to be developed on a net acre of land.
- (25) "Dismantled Motor Vehicle" means a motor vehicle from which some part or parts, which are ordinarily a component thereof, have been removed or are missing and which render the vehicle incapable of being operated or propelled under its own power.
- (26) "District" means an area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements, and height limitations.
- (27) "Dormitory" means a building or portion thereof, used for housing purposes under the supervisions of a college, university, or other institution.
- (28) "Dwelling" means any building or portion thereof, which is designed or used exclusively for residential purposes.
- (29) "Dwelling, Single-Family" means a detached building designed and occupied exclusively by one family.
- (30) "Dwelling, Two-Family" means a detached or semi-detached building designed and occupied exclusively by two families living independently of each other.
- (31) "Dwelling, Multiple-Family" means a building or portion thereof used and designed to contain separate living quarters for three or more families, but which may have joint services or facilities.
- (32) "Dwelling, Row House or Town House" means three or more one-family dwelling units, each having access, on the first floor, to the finished grade and with common walls separating the dwelling units.
- (33) "Dwelling Unit" means a building, or portion thereof, designed exclusively for residential occupancy by one family and having cooking facilities.
- (34) "Erected" means the construction, alteration, reconstruction, moving upon, or any physical activity upon a lot.
- (35) "Essential Services" means the erection, construction, alteration or maintenance, by public utilities or municipal departments or commissions, of underground or overhead gas, electrical, telephone transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, towers, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings, necessary for the furnishing of service by such public utilities, departments or commissions.
- (36) "Family" means an individual, or two or more persons related by blood, marriage or adoption, or a group not to exceed two persons not related by blood or marriage, occupying premises and living as a single nonprofit housekeeping unit with single culinary facilities as distinguished from a group occupying a boarding house, lodging house, club, fraternity, hotel or similar dwelling for group use. Domestic servants residing on the premises shall be considered as part of the family.
- (37) "Farm" means a parcel of land, containing at least 20 acres which is used for gain in the raising of agricultural products, livestock, poultry and dairy products, which include necessary farm structures, and the storage of equipment used, but which excludes the raising of fur bearing animals, riding academies, livery or boarding stables and dog kennels.
- (38) "Floodplain" means that area of land adjoining the channel of a river, stream, watercourse, lake, or other similar body of water which will be inundated by a flood which can reasonably be expected for that region.
- (39) "Floor Area" means the sum of the gross horizontal areas of the floors of a building or dwelling unit, measured from the exterior faces of the exterior walls, or from the centerline of walls separating dwelling units.
- (40) "Garage, Parking" means a structure or series of structures for the temporary storage or parking of motor vehicles, having no public shop or service connected therewith.
- (41) "Garage, Private" means an accessory building or an accessory portion of a principal building designed or used solely for the storage of non-commercial motor vehicles, boats, house trailers, and similar vehicles owned and used by the occupants of the building to which it is accessory.
- (42) "Gasoline Service Station" means an area of land, including any structure or structures thereon, that is used or designed for the supply of gasoline or oil or other fuel for the propulsion of vehicles. For the purpose of this Ordinance, this term shall also mean any area or structure used or designed for polishing, greasing, washing, drycleaning, spraying (but not including painting) or otherwise cleaning or servicing such motor vehicles.
- (43) "Grade, Finished" means the completed surface of lawns, walks, and roads brought to grades as shown on official plans or designs related thereto.
- (44) "Guest Unit" means a room or group of rooms occupied arranged or designed for occupancy by one or more guests for compensation.
- (45) "Home Occupation" means an accessory use of a service or professional character conducted within a dwelling by the family residents thereof, which is clearly secondary and incidental to the use of the dwelling for living purposes and does not change the character thereof.
- (46) "Hotel" means a building in which the rooms are occupied or designed for temporary occupancy by individuals who are lodged with or without meals and in which there are more than ten sleeping rooms served only by a general kitchen and dining facility located within the building.
- (47) "Household Pets" means any domesticated dog, cat, or other animal kept for friendship or hunting purposes.
- (48) "Industrial, Heavy" means intensive high volume production, with a relatively high ratio of workers to floor area over 25 workers per gross industrial acre, wherein bulky, durable goods, requiring heavy trucking or rail movement, are fabricated and which produces smoke, noise, and odor.
- (49) "Industrial, Light" means volume production with a relatively low ratio of workers to floor area under twenty-five workers per gross industrial acre, wherein durable or nondurable goods requiring only trucking are fabricated and which produce no nuisance.
- (50) "Inoperable Motor Vehicles" means a vehicle, as defined in Act 300 of 1939, as amended, which by reason of dismantling, disrepair or other cause is incapable of being propelled under its own power, and which condition exists and continues for a period of twenty-four consecutive hours.
- (50A) "Junk" shall be considered to be miscellaneous dry solid waste material resulting from housekeeping, mercantile and manufacturing enterprises and offices, including but not limited to scrap metals, rubber and paper; abandoned, wrecked, unlicensed and inoperable automobiles and motor vehicles; rags, bottles, tin cans, and comparable items.
- (51) "Junk Yard" means any land or building over 200 square feet in area used for the 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 or machinery, or parts thereof.
- (52) "Kennel" means any lot or premises used for the keeping, sale, boarding or breeding of more than five dogs, cats, or other household pets.
- (53) "Lodging House" means a building in which three or more rooms are rented and in which no food is furnished.
- (54) "Line, Street" means the dividing line between a street right-of-way and a lot.
- (55) "Lot" means land occupied or to be occupied by a building, structure, land use, or group of buildings together with such open spaces or yards as are required under this Ordinance and having its principal frontage upon a street.
- (56) "Lot, Corner" means a lot which has at least two contiguous sides abutting upon a street for their full length.
- (57) "Lot, Depth Of" means the mean distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.
- (58) "Lot, Interior" means a lot other than a corner lot.
- (59) "Lot Line" means the lines bounding a lot.
- (60) "Lot of Record" means a lot which is part of a subdivision, the plat of which has been recorded in the Office of the Register of Deeds for Clinton County, or a lot described by metes and bounds, the deed to which has been Recorded in the Office of the Register of Deeds for Clinton County.
- (61) "Lot, Width of" means the width measured along the front lot street lines.

- (62) "Major Thoroughfare" means a public street, the principal use or function of which is to provide a paved arterial route for fast or heavy through traffic, with its secondary use or function the provision of access to abutting property. Major thoroughfares include county primary and secondary roads, state and federal highways, all of which are hard surfaced or paved.
- (63) "Manufactured Homes" means dwelling units prefabricated in part or total and transported to the building site for assembly as a permanent or temporary dwelling.
- (64) "Minor Street" means a public way, the principal use or function of which is to give access to abutting properties.
- (65) "Motel" means a building or group of buildings, whether detached or in connecting units, used as individual sleeping or dwelling units, designed primarily for transient automobile travelers and providing accessory off-street parking facilities. The term "motel" shall include buildings designed as "auto courts", "tourist courts", "motor courts", "motor hotels", and similar appellations which are designed as integrated units of individual rooms under common ownership.
- (66) "Mobile Home" means any structure used or designed for sleeping, living, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks or similar support and which has been, or reasonably can be, transported or drawn by motive power.
- (67) "Mobile Home Park" means any lot, site, parcel or tract of land under the control of management of any person, upon which two or more mobile home are parked, or which is offered to the public for that purpose, regardless of whether a charge is made therefor or not, and including any buildings, structure, tent, vehicle, or enclosure used or intended to be used as part of the equipment of the park.
- (68) "Motor Vehicle" means every vehicle which is self-propelled, but not operated upon rails and as defined in Act 300 of Public Acts of 1939, as amended.
- (69) "Nonconforming Use" means a building, structure, or use of land existing at the time of enactment of this Ordinance which does not conform to the regulations of the district in which it is situated.
- (70) "Office of Economic Expansion" means the office established in the Michigan Department of Commerce in accordance with Act 380 of Michigan Public Acts of 1965.
- (71) "Open Space" means any unoccupied space open to the sky on the same lot with a building.
- (72) "Partially Dismantled Motor Vehicle" means a motor vehicle from which some part or parts, which are ordinarily a component thereof, have been removed or are missing and which render the vehicle incapable of being operated or propelled under its own power.
- (73) "Principal Use" means the main use to which the premises are devoted and the principal purpose for which the premises exist.
- (74) "Public Utility" means any person, firm, corporation, municipal department or board authorized to furnish the public, electricity, gas, steam, telephone, telegraph, transportation or water services.
- (75) "Right-of-Way" means a street, alley or other thoroughfare or easement permanently established for passage of persons or vehicles.
- (76) "Ringlemann Chart". The "Ringlemann Chart" is one which is described in the U.S. Bureau of Mines Information Circular 6888, and on which are illustrated graduated shades of grey for use in estimating the light obscuring capacity of smoke (smoke density).
- (77) "Ringlemann Number". The "Ringlemann Number" is the number in the Ringlemann Chart that coincides most nearly with the

- visual density of emission or the light obscuring capacity of smoke.
- (78) "Roadside Stand" means a structure for the display and sale of agricultural products, with no space for customers within the structure itself.
- (79) "Room" means an area of a dwelling unit, not including bathrooms, closets and kitchens.
- (80) "Rooming House" means a building where lodging only is provided for compensation for three or more persons.
- (81) "Secondary Thoroughfare" means a public street, the principal use or function of which is to provide an arterial route for through traffic, with its secondary use or function the provision of access to abutting property.
- (82) "Signs" mean any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product which are visible from any public way and used as an outdoor display.
- (83) "Story" means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and shall include all floors whose levels do not exceed fifty percent of the main floor level measured between the floor and ceiling.
- (84) "Story, Half" means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet above the top floor level and in which space not more than two-thirds of the floor area is finished for the use. A half-story containing independent apartments or living quarters shall be counted as a full story.
- (85) "Story, Height of" means the vertical distance from the top surface of one floor to the top surface of the floor above, the height of the topmost story is the distance from the top surface of the floor to the top surface of the ceiling joints.
- (85A) "Story, Two" means a building having the outside vertical walls extend from the top surface of the floor on the bottom story and intersecting at the minimum ceiling height of the second story.
- (86) "Street" means a public thoroughfare which affords the principal means of access to abutting property.
- (87) "Street Line" means the legal line of demarcation between a street or road and abutting land, which is also known as the edge or furthest extreme of the right-of-way.
- (88) "Structure" means anything constructed or erected the use of which requires location on the ground, or attachment to something having location on the ground.
- (89) "Structural Alterations" mean any change in the supporting members of a building such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls.
- (90) "Towers, Commercial Freestanding" mean towers erected for communication transmission and/or reception and used for commercial purpose.
- (91) "Towers, Freestanding" means towers erected for communication and/or reception of those erected for other purposes and used privately on a noncommercial basis.
- (92) "Trailer Coach" means any structure used or designed for sleeping, living, business, or storage purposes having no foundation other than wheels, blocks, skids, jacks, or similar support, and which has been, or reasonably can be transported or drawn by motive power.
- (93) "Use" means the purpose for which land or a building is arranged, designed, or intended, or for which land or a building may be occupied.

- (94) "Watercourse" means an open conduit either naturally or artificially created which periodically or continuously contains moving water draining an area of at least 2 square miles.
- (95) "Yard" means an open space on the same lot with a building, unoccupied and, unobstructed, from the ground upward, except as otherwise provided herein. The measurement of a yard shall be the horizontal distance between the lot line and the building line.
- (96) "Yard, Front" means a yard extending across the front of a lot between the side lot lines and measured between the front line of the lot, excluding road right-of-way, and the nearest point on the main building or land use.
- (97) "Yard, Rear" means a yard extending the width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot or the center line of the alley, if any, and the rear line of the building.
- (98) "Yard, Side" means an open, unoccupied space on the same lot with building, situated between the building and the side of the lot and extending from the front yard to the rear yard. Any lot line not a front line or a rear line shall be deemed a side line.
- (99) "Official" means the administrator of this Ordinance, appointed by the Township Board of Trustees.
- (100) "Zoning Compliance Certificate" means a certificate issued by the Official upon approval by the Planning Commission, prior to granting a building permit, which certifies the intended use is within the proper district and that compliance with district requirements is met.

#### CHAPTER 12

##### VALIDITY AND SEVERABILITY

This Ordinance and the various Chapters, Sections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, section, clause or word is adjudged unconstitutional or invalid, for any reason, by any Court, such invalidity shall not affect the remaining portions or applications of this Ordinance which can be given effect without the invalid portion or application, provided such remaining portions are not determined by the Court to be inoperable.

#### CHAPTER 13

##### SAVINGS CLAUSE

This Ordinance shall not impair or affect any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time this Ordinance takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if this Ordinance had not been adopted. Such proceedings may be consummated under the according to the Ordinance in force at the time such proceedings are or were commenced. All prosecution, or other actions, pending at the effective date of this Ordinance and all prosecutions, or other proceedings, instituted after the effective date of this Ordinance, or offenses or acts committed prior to the effective date of this Ordinance, may be continued or instituted under and in accordance with the provisions of the Ordinance in force at the time of commission of such offense.

#### CHAPTER 14

##### EFFECTIVE DATE OF ORDINANCE

This Ordinance shall become effective immediately upon its publication.

The DeWitt Township Zoning District Map referred to in Section 5.2 of the DeWitt Township Interim Ordinance 37 is located in the DeWitt Township Hall at 780 East Wieland; in the offices of the Township Clerk and the Building/Zoning Department Official.