

ARTICLE 10

DEFINITIONS

SECTION 10.1 DEFINED WORDS AND TERMS. (Amended XX)

For the purpose of this Ordinance certain terms are herein defined.

ACCESSORY BUILDING OR STRUCTURE. A subordinate building or structure on the same premises with a principal use, building or portion of a principal building, except as otherwise permitted in this Ordinance, and occupied by or devoted to an accessory use. However, when attached as an integral part of the principal building, the accessory building or structure shall be considered part of the principal building.

ACCESSORY USE. A use naturally and normally incidental and subordinate to the principal use of the land or building.

AGRICULTURAL USES, BONA FIDE. The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products, and includes, but is not limited to:

- A. Marketing produce at roadside stands or farm markets.
- B. The generation of noise, odors, dust, fumes and other associated conditions.
- C. The operation of machinery and equipment necessary for a farm including, but not limited to, irrigation and drainage systems and pumps and on-farm operations on the roadway as authorized by the Michigan motor vehicle code, as amended.
- D. Field preparation and ground and aerial seeding and spraying.
- E. The application of chemical fertilizers or organic materials, conditioners, liming materials or pesticides.
- F. Use of alternative pest management techniques.
- G. The fencing, feeding, watering, sheltering, transportation, treatment, use handling and care of farm animals.
- H. The management, storage, transport, utilization and application of farm by-products, including manure or agricultural wastes.
- I. The conversion from a farm operation activity to other farm operation activities.
- J. The employment and use of labor.

AGRICULTURAL RELATED COMMERCIAL ENTERPRISES. An accessory commercial use clearly related to a bona fide agricultural use.

ALL TIME HIGH WATER MARK. The line between upland and bottomland that persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation. On Lake Charlevoix the all time high water mark shall be the legally established lake level of 582.3 feet IGLD 1985.

ALTERNATIVE TOWER STRUCTURE. Man-made trees, clock towers, bell steeples, light poles and other similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

ANEMOMETER. An instrument for measuring and recording the speed of the wind.

ANEMOMETER TOWER. A structure, including all accessory facilities, temporarily erected for no more than two (2) years, on which an anemometer is mounted for the purpose of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.

ANTENNA. . Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals, wireless telecommunications signals) or other communication signals.

BASEMENT. That portion of the building which is partly or completely underground and which has most of its floor to ceiling height below grade.

BED AND BREAKFAST INN. A single-family, owner-occupied dwelling in which transient guests are provided a sleeping room and board for compensation as an accessory use of the single-family dwelling.

BILLBOARD. A sign, whether placed individually or on a V-type, back-to-back, or double-faced display, which is intended or used to identify or communicate a noncommercial message such as an idea, belief, or opinion or a commercial message related to an activity conducted, a service rendered, or a commodity sold at a location different than the property on which the billboard is located. However, a billboard shall not include a tourist-oriented directional sign for which a permit has been issued by the Michigan Department of Transportation pursuant to Public Act 299 of the Public Acts of 1996, as amended.

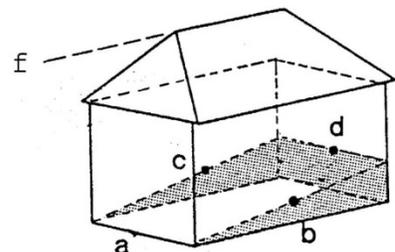
BOAT. For purposes of this Ordinance, a boat shall include all motorized watercraft (or any moored or docked sailboat greater than twelve (12) feet in length). A boat shall not include windsurfers, inflatable craft (unless it is motorized), non-motorized canoes and kayaks. Further, one personal watercraft or “jet ski” shall be equal to ½ boat; and one sea plane shall be equal to one boat for the purpose of calculating number of boats.

BOAT PARKING SPACE. A docking space, slip, marina space, mooring, hoist, or any other in-water location designed and used to accommodate a boat.

BUILDING. Any structure either temporary or permanent, having a roof and used for or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall not include tents, awnings, vehicles, whether mounted or not on wheels and situated on private property and used for the purpose of a building.

BUILDING FOOTPRINT. The boundaries on a lot, parcel or condominium unit in which the principal building or structure intended for or constructed together with any attached or detached accessory buildings are sited.

BUILDING HEIGHT. The vertical distance from the peak of the roof to the average finished grade. When the terrain is sloping, the height shall be computed averaging the high point and low point of the finished grade at the building wall, (see Figure). No portion of the structure’s roof (except chimneys and cupolas), may exceed the maximum height allowed in the specific District regulations.



a = low point at bldg wall d=high point at bldg wall
 Average Grade: $(a+d)/2 = e$
 Height = f (elevation at peak) – e (average grade)

BUILDING LINE. A line paralleling the front lot line drawn through that part of the principal building foundation closest to the front lot line.

CAMPGROUND/SEASONAL TRAILER PARK. "Campground" means a parcel or tract of land under the control of a person in which sites are offered for the use of the public or members of an organization, either free of charge or for a fee, for the establishment of temporary living quarters for 5 or more recreational units. "Seasonal mobile home park" means a parcel or tract of land under the control of a person upon which 3 or more mobile homes are located on a continual or temporary basis but occupied on a temporary basis only, and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, enclosure, street, equipment, or facility used or intended for use incidental to the occupancy of a mobile home.

CONDOMINIUM UNIT OR SITE CONDOMINIUM UNIT. That portion of a condominium project or site condominium subdivision developed in conformance with the Michigan Condominium Act, Act 59 of the Public Acts of 1978, as amended, which is designed and intended for separate ownership and use, as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, recreational, used as a timeshare unit, or any other type of use.

CONTIGUOUS LAND HOLDING. Any property directly abutting and sharing a property line with any portion of an adjacent property on which a development project is proposed, but shall not include properties located across the street or abutting only at a point.

COTTAGE INDUSTRIES. See Home Business, Cottage Industry.

DENSITY. The total number of dwellings divided by the gross parcel area of a residential development.

DEPENDANT CARE FACILITIES. Includes Adult Foster Care, Nursing Homes, and Assisted Living Facilities providing supervision, personal care, and protection for persons who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an on-going basis and are provided with room and board for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.

DOCK. A structure extending from the land into the water for the purpose of access into the water.

DWELLING. A single unit building, or portion thereof, providing complete independent living facilities for one (1) family for residential purposes, including permanent provisions for living, sleeping, heating, cooking, and sanitation.

DWELLING, SINGLE-FAMILY. A building, or portion thereof, containing one (1) dwelling designed exclusively for occupancy by one (1) family.

DWELLING, MULTIPLE FAMILY. A building, or portion thereof, containing two (2) or more dwellings designed exclusively for occupancy by two (2) or more families living independently of each other.

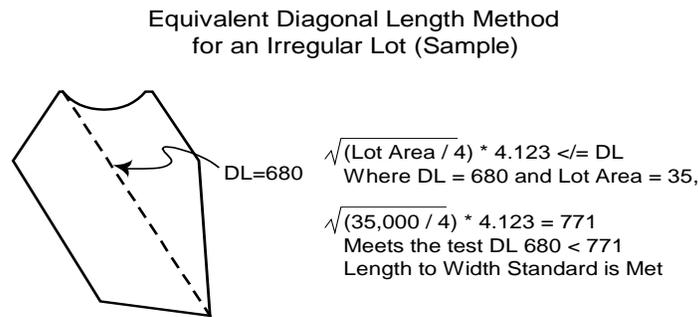
ERECTED. Includes built, constructed, reconstructed, moved upon, or any physical operation on the land required for the structure. Excavations, fill, drainage and the like shall be considered a part of erection.

ESSENTIAL SERVICES. Essential services shall mean the erection, construction, alteration, maintenance, and operation by public utilities, municipal departments or commissions, of underground or

overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, traffic signals, and hydrants reasonably necessary for the furnishing of utility service. Essential services do not include telecommunication towers, alternative tower structures, antennas, wind turbine generators, and anemometer towers.

EROSION. The wearing away of the land by the action of gravity, ice, water, wind, or other geological agents.

EQUIVALENT DIAGONAL LENGTH. The square root of (Lot Area/4) x 4.123 shall be less than or equal to DL, where DL is the shortest interior distance between the two most distant points of the lot.



EXCAVATION OR CUT. Any act by which soil or rock is cut into, blasted, dug, quarried, uncovered, removed, displaced or relocated and shall include the conditions resulting therefrom.

FAA. The Federal Aviation Administration.

FCC. The Federal Communications Commission.

FAMILY. An individual, a collective number of individuals related by blood, marriage, adoption, or legally established relationships such as guardianship or foster care, or a collective number of unrelated individuals whose relationship is of a permanent and distinct domestic character who occupy a single dwelling and live as a single nonprofit housekeeping unit with single culinary facilities. A family, however, shall not include any society, club, fraternity, sorority, association, lodge, or group of individuals, whether related or not, whose association or living arrangement is temporary or resort-seasonal in character or nature.

FARM. All of the unplatted, contiguous, neighboring or associated land operated as a single unit on which bona fide agricultural uses are carried on directly by the owner/operator, manager or tenant farmer by his own labor or with the assistance of members of his household or hired employees, provided, further, that orchards, hatcheries and similar specialized agricultural enterprises may be considered as farms; but establishments keeping fur bearing animals, game or operated as fish hatcheries, dog kennels, stock yards, slaughter houses, stone quarries, gravel or sand pits or the removal and sale of top soil, fertilizer works, bone yards, the disposal of garbage, sewage, rubbish, junk or offal, shall not constitute a farm hereunder.

FARM BUILDING. Any building or structure other than a dwelling, moved upon, maintained, used or built on a farm which is essential and customarily used on farms of that type for pursuit of their agricultural activity.

FARM STAND. A frame structure used or intended to be used solely by the owner or tenant of the farm on which it is located, selling only seasonable farm products of the immediate locality on which such roadside farm stand is located.

FLOOR AREA. The area of all floors computed by measuring the dimensions of the outside walls of a building. Porches, patios, terraces, breezeways, carports, verandahs, garages, unfinished attics, attic floor areas with less than five (5) vertical feet from floor to finished ceiling, and all basements, including walkout basements, are excluded.

FLOODPLAINS, FLOODWAYS. That area of land adjoining the channel of a river, stream, water course, lake, or other similar body of water which will be inundated by a flood which can reasonably be expected for that region.

FOREGROUND MEADOWS. In a conservation subdivision, a treeless grassy area located between the main (off-site) highway and the residentially developed portion of the site.

GRADING. Any stripping, excavating, filling, stockpiling, or any combination.

GROSS SITE AREA: All horizontal land area within the property lines of the proposed development, to be measured along the all time high water level (for Lake Charlevoix this is 582.35 feet International Great Lakes Datum 1985) for a parcel fronting any water body. Gross site area shall not include off site, non-contiguous land holdings.

GROUND COVER. Low-growing plants (herbaceous plants, grasses and shrubs) that form a dense, extensive growth and tend to prevent soil erosion.

GROUND SIGN. Any free-standing, pole-mounted, pylon-mounted, or monument style advertising sign permanently installed in the ground.

HAZARD TREE. A tree, or portion of a tree, that has an increased likelihood of failure caused by a structural defect within the tree or its root system, including but not limited to decay, wind damage, lightning, disease, or physical damage cause by being struck by another tree or object or by any malicious act against the tree

HIGHWAY. Any public thoroughfare, road or street, except alleys, including Charlevoix County, Federal and State roads and highways.

HOME BUSINESS. A profession or occupation, or trade that is accessory to a principal residential use conducted within a dwelling or residential accessory building. Home businesses fall into two classifications defined below:

HOME OCCUPATIONS: An activity conducted entirely within a dwelling that does not involve retail sales, except for items that are incidental to services provided or performed on site and for items produced by the home occupation, which is clearly secondary to the residential use and carried out for economic gain.

COTTAGE INDUSTRY: An activity conducted within a detached residential accessory structure, which is clearly incidental and secondary to the use of the lot, and dwelling for residential purposes. Cottage industries are regulated by Section 4.30.

HOME OCCUPATION. See Home Business, Home Occupation.

IMPERVIOUS AREA. Those surfaces, such as paved or gravel driveways, parking areas, or roads which prevent the infiltration of water into the soil.

KENNELS. The keeping or harboring, on a temporary or permanent basis, of more than three dogs, four (4) months or older, or are kept for the purpose of breeding or selling.

LOT AREA The total horizontal area within the lot lines of a lot.

LOT, CORNER. A lot located at the intersection of two (2) public or private roads, or a lot bounded on two (2) sides by a curving public or private road, any two (2) sides of which form an angle of one hundred thirty-five (135) degrees or less.

LOT COVERAGE. The percentage (%) of the property covered by buildings, driveways, sidewalks, parking areas, loading docks, or other structures or other impervious surfaces which impede the free infiltration of water.

LOT DEPTH. The distance measured from the front line to the rear lot line. In cases where the front and rear lot lines are not parallel or there is a change in bearing along a front or rear lot line, the lot depth shall be measured by drawing imaginary lines from the front lot line to the rear lot line perpendicular to the front lot line at ten (10) foot intervals and averaging the length of these imaginary lines.

LOT, INTERIOR. A lot other than a corner lot with only one (1) lot line fronting on a public or private road.

LOT OR PARCEL. A piece of land described either by metes and bounds or by reference to a recorded plat, or a site condominium unit created in a recorded master deed, occupied or to be occupied by a use of building and its accessory buildings or structures together with such open spaces, minimum area, width, and depth as required by this Ordinance for the zoning district in which it is located.

LOT LINES. The front, rear, and side property lines as defined in this Ordinance bounding a lot, or two or more lots used as one development site.

LOT LINE, FRONT. In the case of a corner lot or through lot, it is the line separating the lot from the abutting public or private road right-of-way. In the case of an interior lot, it is the line separating the lot from the abutting public or private road right-of-way. In the case of a waterfront lot, it is the All Time High Water Mark or shoreline.

LOT LINE, REAR. The lot line opposite and most distant from the front lot line. In the case of a lot irregularly shaped at the rear, it is an imaginary line parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line and wholly within the lot.

LOT LINE, SIDE. A lot line other than a front lot line or a rear lot line. A side lot line separating a lot from an abutting public or private road right-of-way is a street side lot line. A side lot line separating a lot from another lot is an interior side lot line.

LOT OF RECORD. A lot defined by a legal description and recorded in the office of the Charlevoix County Register of Deeds Office on or before the effective date of this Ordinance, or any amendments of this Ordinance.

LOT, THROUGH. Any interior lot having frontage on two (2) more or less parallel public or private roads.

LOT, WATERFRONT. A lot having a lot line abutting the shore of a lake or river.

LOT WIDTH. The shortest distance between the side lot lines measured at the front setback line.

MARINA, COMMERCIAL: A facility located on a body of water that provides docking, storage, maintenance and other facilities for boats. Slips may be rented, leased, or sold on a transient, short term, or long term basis to the general public.

MARINA, PRIVATE: A facility located on a body of water that provides docking, storage, maintenance and other facilities for boats. Usage of the facility is limited to the residential property owners in the associated development, their guests, and tenants.

MASTER PARCEL. A single lot, or two or more adjacent lots, under the same ownership, lawfully in existence on the effective date of this Ordinance.

MINI WAREHOUSING. A commercial venture which rents individual cubes of space for storage purposes. Individuals typically have joint access to the lot but possess individual access and keys to their respective units. Also known as self storage units.

MOBILE HOME. A factory-built, single-family structure that is transportable in one or more sections, is built on a permanent chassis, and is used as a single-family dwelling, but which is not constructed with a permanent hitch or other device allowing transportation of the unit other than for the purpose of delivery to a permanent site, which does not have wheels or axles permanently attached to its body or frame, and which is constructed according to the National Mobile Home Construction and Safety Standards Act of 1974, as amended.

MOBILE HOME PARK. A parcel of land which has been planned and improved for the placement of two or more mobile homes for residential dwelling use.

MODERATE SLOPES. Those soil mapping units in the Soil Survey of Charlevoix County other than Primary Conservation Areas, with slopes ranging from 12% to 18%. The following soil mapping units are included in this definition: EmD, EoD, KaD, and LdD.

NONCOMMERCIAL WIND TURBINE GENERATOR. A wind turbine generator designed and used primarily to generate electricity or produce mechanical energy for use on the property where located.

NONCONFORMING LOTS OF RECORD. A lot which lawfully existed on the effective date of this Ordinance or lawfully exists on the effective date of any amendment to this Ordinance that is applicable to the lot and which fails to conform to the dimensional regulations of the zoning district in which it is located.

NONCONFORMING STRUCTURE. Any structure or portion thereof lawfully existing on the effective date of this Ordinance or amendments thereto which does not conform after the passage of this Ordinance or amendments thereto with the dimensional restrictions of the district in which it is situated.

NONCONFORMING USE. The use of land or the use of any building or portion thereof lawfully existing at the effective date of this Ordinance or amendments thereto which does not conform after the

passage of this Ordinance or amendments thereto which does not conform to the use regulations of the zoning district in which it is located.

PLACE OF WORSHIP. A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory building and uses customarily associated with such primary buildings.

PLANNING COMMISSION. The Planning Commission of Eveline Township.

PRINCIPAL BUILDING. The main building on land devoted to a principal use.

PRINCIPAL USE. The main, lawful purpose for which land is arranged, designed, or intended or for which land is or may be occupied according to this Ordinance.

REMAINING PARCEL. That portion of a Master Parcel remaining after Sublots have been split from it.

RESIDENTIAL CARE FACILITIES.

A. **Child Care Organization.** A facility for the care of children under 18 years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973, and the associated rules promulgated by the State Department of Human Services. Such organizations shall be further defined as follows:

1. Foster family home is a private home in which one (1) but not more than four (4) minor children, who are not related to an adult member of the household by blood, marriage or adoption, are given care and supervision for 24 hours a day, for four (4) or more days in a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
2. Foster family group home means a private home in which more than four (4) but fewer than seven (7) children, who are not related to an adult member of the household by blood, marriage or adoption, are provided care for 24 hours a day, for four (4) or more days a week, for two (2) or more consecutive weeks, unattended by a parent or legal guardian.
3. Family day care home means a private home in which at least one (1) but fewer than seven (7) minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.
4. Group day care home means a private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year.

B. **Adult Foster Care.** A facility for the care of adults, 18 years of age and over, as licensed and regulated by the State of Michigan Public Act 218 of 1979, and rules promulgated by the State Department of Social Services. Such organizations shall be defined as follows:

1. Adult foster care facility means a governmental or nongovernmental establishment that provides foster care to adults. It includes facilities and foster care family homes for adults who are aged, mentally ill, developmentally disabled or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care.
2. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation centers, or a residential center for persons released from or assigned to a correctional facility.
3. Adult foster care family home means a private residence with the approved capacity to receive six (6) or fewer adults to be provided with foster care for five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

ROAD, PRIVATE. Any road which is privately constructed and has not been accepted for maintenance by the Charlevoix County Road Commission, State of Michigan, or federal government, but which meets the requirements of this Ordinance.

ROAD, PUBLIC. Any road which has been dedicated to and accepted for maintenance by the Charlevoix County Road Commission, State of Michigan, or federal government.

SAND AND GRAVEL MINING. The removal of soil, sand, topsoil, or other material from the land over five hundred (500) cubic yards.

SANDWICH BOARD SIGN. An informational sign usually consisting of two sign faces hinged at the top. Sandwich board signs are not permanently attached to the ground and often include a changeable message area advertising a sale or special products. Sandwich board signs are also known as “tent signs”.

SENIOR HOUSING. A building or group of buildings containing dwelling units where the occupancy is restricted by age, commonly being age 60, by the housing management.

SETBACK. The minimum horizontal distance from an applicable lot line within which no building, structure or part thereof (by any name) shall be allowed, excluding sidewalks and driveway crossing, and except as otherwise provided in this Ordinance.

SETBACK, FRONT. The required setback measured from the front lot line.

SETBACK, REAR. The required setback measured from the rear lot line.

SETBACK, SIDE. The required setback measured from the side lot line.

SHORELINE. The all time high water level (582.35 feet International Great Lakes Datum 1985 for Lake Charlevoix) or, in the case of a stream or river, the observed edge of the shoreline.

SHRUB. A small to medium-sized woody plant, usually several-stemmed woody plants and at maturity is under twenty (20) feet tall.

SIGN. Any identification, description, illustration, display or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a message, idea, product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting,

banner, pennant, placard, balloon or temporary sign designed to advertise, identify or convey information. (See also BILLBOARD, GROUND SIGN, and SIGN AREA)

SIGN AREA. A single area fully encompassing the message on a sign including all lettering, pictures, messages, and logos. Sign area shall not include the sign supports or structures unless it is clearly part of the message or logo.

SINGLE LOADED ROAD. In a conservation subdivision, a road with homes fronting on only one side.

SLOPE. The deviation of a surface from the horizontal, expressed in percent (rise divided by run), in degrees, or as a ratio (rise:run).

STREAM. A channel with a definite bank, a bed, and visible evidence of a continued flow or continued occurrence of water.

STRUCTURE. Any production or pieces of work artificially built up or composed of parts joined together in some definite manner, and construction, including but not limited to: decks, dwellings, porches, garages, buildings, roadways, parking lots, sanitary systems, signs, signboards, satellite dishes, and antennas

SUBLOT. A parcel of land less than Twenty-five (25) acres in area, created from a Master Parcel.

SUBPARCEL. A parcel of land Twenty-five (25) acres or greater in area created from a Master Parcel or Remaining Parcel.

TELECOMMUNICATION TOWERS AND FACILITIES OR TOWERS. All structures and accessory facilities, including Alternative Tower Structures, relating to the use of radio frequency spectrum for the purpose of transmitting or receiving radio signals; including, but not limited to, radio towers, television towers, telephone devices and exchanges, microwave relay facilities, telephone transmission equipment buildings, private and commercial mobile radio service facilities, personal communication services towers (PCS), and cellular telephone towers.

Not included in this definition are: citizen band radio facilities; short wave receiving facilities; radio and television broadcast reception facilities; satellite dishes; federally licensed amateur (HAM) radio facilities; and governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.

TOWNSHIP. Eveline Township, Charlevoix County Michigan.

TOWNSHIP BOARD. The elected Township Board of Eveline Township comprised of a Supervisor, Clerk, Treasurer, and two trustees.

TRADE SCHOOL. A school providing vocational education to adults or high school students, also sometimes referred to as a vocational school or career college, operated for the express purpose of giving its students the skills needed to perform a certain job or jobs.

TREE. A woody plant with an erect perennial trunk(s), which at maturity is twenty (20) feet or more in height and has a more or less definite crown or foliage.

UNDERSTORY VEGETATION. The vegetative layer, including herbaceous perennials, grasses, trees and shrubs, between the forest canopy and the ground cover.

VARIANCE OR DIMENSIONAL VARIANCE. A modification to the dimensional regulations of this Ordinance.

VEGETATION. Refers to plant life in general, such as shrubs and ground cover, within protected woodland areas.

VIEW CORRIDOR. The line of sight (identified as to height, width, and distance) of an observer looking toward an object of significance to the community (e.g., ridgeline, lake, river, historic building, etc.)

VIEW SHEDS. An area composed of land, water, biotic, and cultural elements which may be viewed from the roadway and which has inherent scenic qualities and/or aesthetic values as determined by those who view it.

WATERFRONT GREEN BELT. That area along any land abutting on lakes, rivers, or streams for a depth of fifty (50) feet from the All Time High Water Mark or observed shoreline on rivers or streams.

WETLANDS. Land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support wetland vegetation or aquatic life, and is commonly referred to as a bog, swamp, or marsh.

WIND TURBINE GENERATOR. A tower, pylon, or other structure, including all accessory facilities, upon which any, all, or some combination of the following are mounted: Sections 10.1- 10.2

- A. A wind vane, blade, or series of wind vanes or blades, or other devices mounted on a rotor for the purpose of converting wind into electrical or mechanical energy
- B. A shaft, gear, belt, or coupling device used to connect the rotor to a generator, alternator, or other electrical or mechanical energy producing device/
- C. A generator, alternator, or other device used to convert the energy created by the rotation of the rotor into electrical or mechanical energy.

WIND TURBINE GENERATOR TOWER HEIGHT.

- A. Horizontal Axis Wind Turbine Rotors: The distance between the ground and the highest point of the wind turbine generator, plus the length by which the rotor wind vanes or blades mounted on a horizontal axis wind turbine rotor exceeds the height of the wind turbine generator.
- B. Vertical Axis Wind Turbine: The distance between the ground and the highest point of the wind turbine generator.

YARD. The space between the principal building, excluding steps and unenclosed porches, and a lot line.

YARD, FRONT. The yard between the principal building and front lot line extending across the entire width of the lot.

YARD, REAR. A yard between the principal building and the rear lot line extending across the entire width of the lot.

YARD, SIDE. A yard between the principal building and the side lot line extending between the front yard and the rear yard.

ZONING ADMINISTRATOR. The Zoning Administrator of Eveline Township.

ZONING BOARD OF APPEALS. The Zoning Board of Appeals of Eveline Township.

SECTION 10.2 WORDS REQUIRING SPECIAL INTERPRETATION

When not inconsistent with the context, words used in the present tense include the future, words in the singular include the plural number, and conversely. The word "shall" is always mandatory and not merely directed. Whenever the word "owner" appears it is to be interpreted as including: the owner, his agent, or the lessee, as the case may be.