

DIVISION 2

SUPPLEMENTAL PROVISIONS AND EXCEPTIONS

Section 3.201 Height Exceptions.

Exceptions to the maximum height standards set forth in this Article shall be permitted, as follows:

1. **Farm structures.** The maximum permitted height of farm structures shall be 75 feet.
2. **Wireless communication towers.** Wireless communication towers and antennae shall be subject to the maximum height standards of Section 14.02 (Wireless Communication Facilities).
3. **Wind energy conversion systems (WECS).** Wind energy conversion systems shall be subject to the maximum height standards of Section 14.07 (Wind Energy Conversion Systems).
4. **Exempt structures.** Public utility structures and public monuments in any zoning district shall be exempt from the maximum height standards of this Ordinance.
5. **Limited exceptions.** Chimneys, steeples, elevator towers, stage scenery lofts, mechanical equipment, and similar structures shall not be included in calculating the height of a principal building, provided that the total area covered by such structures shall not exceed twenty percent (20%) of the roof area of the building.

Section 3.202 Lot Standards.

The following standards and exceptions to the lot provisions set forth in this Article shall apply to all lots in the Township:

A. Lot Width Measurements

The minimum required width of any lot shall consist of the horizontal straight-line distance between the side lot lines measured along the front building line, or the required front yard setback line for vacant lots. The straight-line distance between the side lot lines at their foremost points, where they intersect the street line, shall not be less than eighty percent (80%) of the required lot width, except in the case of lots fronting onto the turning circle of cul-de-sac streets, in which case the minimum distance shall be 20 feet.

B. Lot Area

The lot area used to satisfy the minimum lot area, lot coverage, and floor area ratio requirements shall not include areas within any street rights-of-way.

Section 3.203 Yard Standards.

Any required front yard area shall be used primarily for recreational and ornamental purposes, unless otherwise permitted by this Ordinance. No permanent structures shall be maintained within the required front yard, except fences and similar improvements permitted by this Ordinance.

A. Yard Measurements

Yard measurements shall be further subject to the following:

1. Yards shall be measured from the outer edge, including overhangs, of the exterior faces of a structure to lot lines.
2. Front and corner side yards shall be measured from existing right-of-way or easement lines.
3. All required yards shall be located parallel and adjacent to property lines.
4. All required yards shall be measured from the right-of-way line of a public street, or from the right-of-way or easement line of a private street.

B. Corner Lots.

Structures on corner lots shall comply with the minimum front yard setback requirements from all street rights-of-way, except as may otherwise be required by this Ordinance. Such lots shall be deemed to have two (2) front yards for purposes of this Ordinance.

C. Double Frontage Lots.

Where a block of double frontage lots exists, one (1) street may be designated by the Zoning Inspector as the front street for all lots in the block. Otherwise, both frontages shall be considered front yards for purposes of this Ordinance.

D. Maximum Setback.

The purposes of the maximum front yard setback (also known as a "build-to line") for certain zoning districts are to minimize the need for excessive signage by maximizing the visibility of permitted commercial buildings; and to minimize visual and other impacts from large expanses of parking within a front yard. All new buildings constructed after the effective date of this Ordinance shall comply with the maximum setback requirements of this Article.

E. Transition Buffer.

A transition buffer shall be required wherever a lot occupied or proposed to be occupied by COMMERCIAL USES, OFFICE, SERVICE, AND COMMUNITY USES or INDUSTRIAL, RESEARCH, AND LABORATORY USES subject to site plan approval per Article 10.0 (Site Plan Review) abuts a lot in a rural or residential zoning district or occupied or planned to be occupied by permitted RURAL USES or RESIDENTIAL USES, the following standards shall apply (see "Transition and Landscape Strips" illustration):

| Transition Buffer Standards | | |
|---|---|---------------------------------------|
| Use Group | Abutting Zoning District or Use Group | Minimum Transition Strip Width |
| COMMERCIAL USES | RURAL USES, RESIDENTIAL USES, Rural Districts, Rural Residential Districts, and Urban Residential Districts | 20 feet |
| OFFICE, SERVICE, AND COMMUNITY USES | | 20 feet |
| INDUSTRIAL, RESEARCH, AND LABORATORY USES | | 50 feet |

1. Use groups shall be as defined in Article 4.0 (Land Use Table).
2. The minimum required transition buffer for uses in the Village Center (VC) District shall be equal to fifty percent (50%) of the width otherwise required by this subsection.
3. The transition buffer shall be provided along every lot line, except front lot lines, which is contiguous to or across the street from a lot in such district
4. No road, driveway, parking area, sidewalk or similar improvement shall be located in the transition buffer area, except to cross in a more or less perpendicular direction for the purpose of providing access to the property from an adjacent street right-of-way.
5. The transition buffer and adjacent side yard setback area shall be improved with screening elements and plantings in accordance with Section 14.10D (Methods of Screening). In addition to the transition buffer, the Planning Commission may require a fence to control the blowing of debris onto adjacent property.
6. Where a required transition buffer abuts or overlaps a lot boundary, all required building and yard setbacks for the lot shall be measured from the near boundary of the transition strip. The transition buffer area shall not be included in the area used in calculating lot coverage or floor area ratio.

F. Landscaping Strip.

For any use subject to site plan approval per Article 10.0 (Site Plan Review) and as otherwise required by this Ordinance, a landscape strip at least 20 feet wide shall be provided along and adjacent to the front property line, along all street frontages, and shall extend across the entire width of the lot, subject to the following (see "Transition and Landscape Strips" illustration):

1. No road, driveway, parking area, sidewalk or similar improvement shall be located in this strip, except to cross in a more or less perpendicular direction for the purpose of providing access to the property from an adjacent street right-of-way.
2. The landscape strip may overlap the required front yard setback area for the zoning district.
3. The landscape strip and required front yard setback area shall be improved with plantings in accordance with Section 14.10D (Methods of Screening).
4. Where RESIDENTIAL USES are proposed adjacent to a road right-of-way, the landscape strip shall not be part of any individual lot, but rather shall be part of the common land area for the development.

G. Permitted Yard Encroachments.

Architectural features, chimneys, and other building projections, egress window wells, HVAC equipment, and similar structures and improvements shall be considered part of the primary building for purposes of determining yard and setback requirements. Limited projections into certain required yards shall be permitted as follows:

1. The following structures may be located within any required yard setback area: open and unroofed terraces, and patios; awnings; flag poles; hydrants; trellises; recreation equipment; outdoor cooking equipment; sidewalks; trees, plants, shrubs, and hedges; solid fences, screens, or walls less than four (4) feet in height; fences, screens, or walls having at least fifty percent (50%) of their surface area open when viewed from the perpendicular; and mailboxes.
2. Barrier-free access, such as ramps, to existing dwelling units shall meet the required yard setbacks for the zoning district in which the dwelling is located, wherever possible. A waiver to allow barrier free access improvements within a required yard setback area may be granted by the Zoning Inspector upon the applicant's showing of the following:
 - a. The need for such access by an occupant of the dwelling or by an immediate family member of the occupant; and
 - b. The encroachment into the required setback is the minimum encroachment necessary to construct or install the barrier-free access.

3. Porches and decks may encroach into the required rear yard setback when all of the following conditions apply:
 - a. The porch or deck does not enlarge, expand, or extend an existing nonconformity.
 - b. The porch or deck serves a single family detached dwelling.
 - c. The maximum encroachment is limited to ten (10) feet in depth and 200 square feet in area.
 - d. The lot area of the parcel is 18,000 square feet or less.
 - e. Portions of porches or decks that encroach into the setback shall be unroofed and open-sided except for guards and handrails as required by the State Construction Code.

H. Watercourse and Wetland Setback.

A minimum open space setback area from watercourses and wetlands shall be required in accordance with Section 14.05B (Watercourses and Wetlands). This open space setback area shall overlap any minimum required yard setback area as regulated by this Article.

Section 3.204 Density Regulations.

The following shall be excluded from the total acreage used in calculating the net density of dwelling units in any zoning district that permits RESIDENTIAL USES as part of a development project subject to site plan approval, condominium site plan approval, subdivision plat approval, or Special District Area Plan approval in accordance with this Ordinance or other Township ordinances:

1. Existing rights-of-way and easements;
2. Rights-of-way and easements of proposed public and private streets, and rights-of-way of local and collector streets;
3. Floodplains, wetlands, bodies of water, watercourses, and drainageways; and
4. Steep slopes, as defined in Section 17.03 (Definitions).

Section 3.205 Compliance with Dimensional Standards.

New lots created, new structures erected, and alterations to existing structures after the effective date of adoption or amendment of this Ordinance shall comply with all applicable dimensional standards of this Ordinance.

1. No structure shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the yard and area regulations of the district in which the structure is located.
2. No lot, adjacent lots in common ownership, required yard, parking area or other required open space shall be created, divided or reduced in dimensions or area below the minimum requirements of this Ordinance.
3. Every building hereafter erected on a lot or parcel of land created subsequent to the effective date of this Ordinance shall comply with the lot size, lot coverage, and setback requirements for the district in which it is located.
4. Existing yard setbacks shall not be reduced below the minimum requirements of this Ordinance.

Section 3.206 Number of Principal Dwellings per Lot.

Not more than one (1) principal, non-farm single-family detached dwelling shall be located on a lot, nor shall a single-family detached dwelling be located on the same lot with any other principal building or use, except as permitted in a Special District and as permitted on farms for farm labor housing. For single-family condominium developments, not more than one (1) principal detached dwelling shall be placed on each condominium lot, as defined in Section 17.03 (Definitions).

Section 3.207 Access to Streets.

No dwelling shall be built on any lot that does not abut and have direct frontage on an approved road. Access to streets shall be subject to the following:

A. Access to Public or Private Streets

In any district, every lot created and every principal use or structure which is established after the effective date of adoption or amendment of this Ordinance shall be on a lot or parcel which abuts a public or private street by the entire width of the lot. Such street shall have a right-of-way at least 66 feet wide unless a lesser width has been established and recorded prior to the effective date of this Ordinance.

B. Access for Emergency Services and Parking and Loading Areas.

Every building and structure located or relocated after the effective date of adoption or amendment of this Ordinance shall be so located on lots as to provide safe and convenient access for emergency purposes and fire protection vehicles, and for required off-street parking and loading areas.

C. Access to Uses Not Permitted in Residential Districts.

No land in any Rural Residential or Urban Residential Districts shall be used for vehicular or pedestrian access to land or structures in other zoning districts used for any purpose not permitted in the residential district, except as provided in this subsection or otherwise authorized by this Ordinance. Where provision does not exist for safe access for emergency and public service vehicles and such access is not reasonably feasible except through privately-owned residentially zoned land, access reserved for and limited to such vehicles may be authorized by the Planning Commission, subject to such conditions and safeguards as the Planning Commission deems necessary to protect the tranquility and character of the residential lands so traversed.

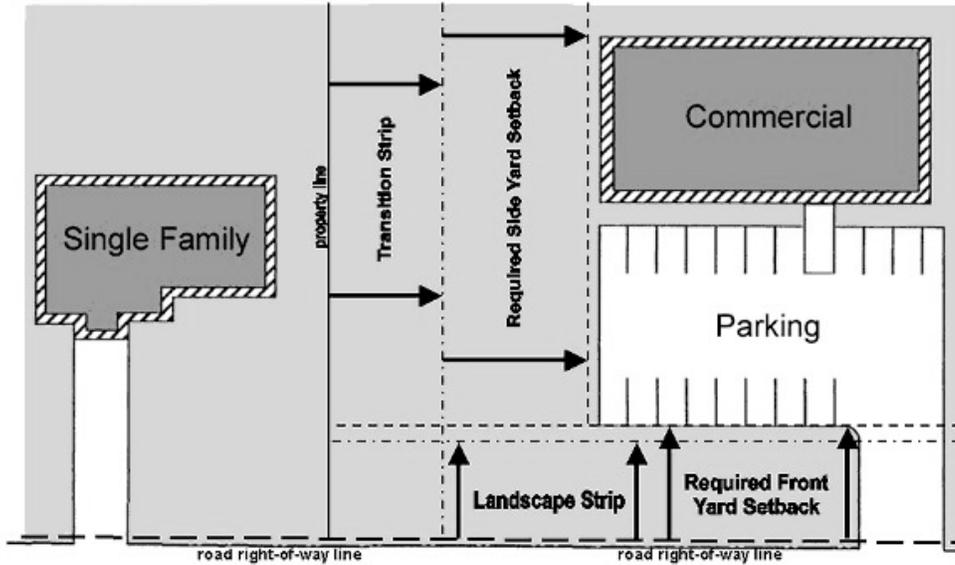
Section 3.208 Corner Clearance Zones.

On a corner lot in any zoning district, no fence, wall, hedge, screen, sign, structure, or planting shall be placed in such manner as to materially impede the vision between a height of two (2) feet and six (6) feet above the existing centerline road grade within a triangular area formed by the intersection of two (2) road right-of-way lines connected by a diagonal across the interior of such lines at the following distances from the point of intersection (see "Corner Clearance Area" illustration):

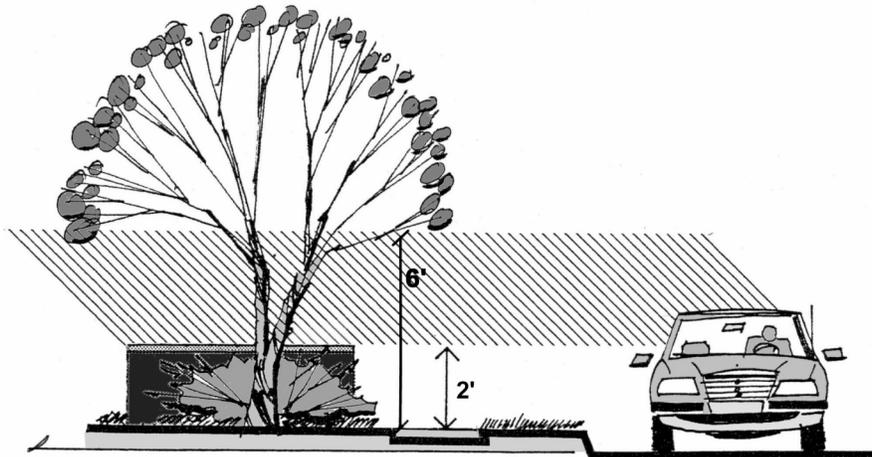
| Corner Clearance Zones | |
|--|--|
| Type of Road Intersection | Minimum Corner Clearance Distance along Rights-of-Way |
| Any intersection of two (2) primary roadways | 50 feet |
| Any intersection of a primary roadway and a collector or local roadway | 25 feet |
| Any intersection of a collector roadway and a collector or local roadway | 25 feet |
| Any intersection of local roadways | 10 feet |

1. Road classifications shall be as defined in the Township’s Growth Management Plan and the master transportation plans for state or county road authorities.
2. Trees shall be permitted within a corner clearance zone, provided that limbs and foliage are trimmed so that they do not obstruct visibility or otherwise create a traffic hazard.

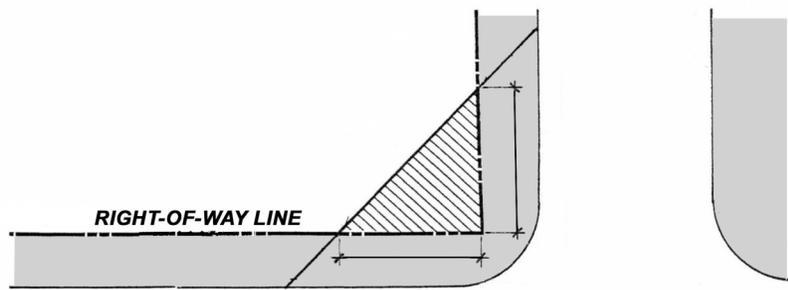
ILLUSTRATIONS



Transition and Landscape Strips



Elevation



Plan View

Corner Clearance Area