SECTION 30. ADDITIONAL REMEDIES. In addition to the above remedies, the Building Inspector shall have full police authority, and shall institute any appropriate action or proceedings to prevent any erection, construction, alteration repair, maintenance or use of any building or land constituting a violation of any of the provisions of this Ordinance, to restrain, correct or abate such violation, to prevent the occupancy of any such building, structure or land, or to prevent any unlawful act, conduct, business or use in or about such land and/or buildings.

TITLE G—BOARD OF APPEALS

SECTION 31. ESTABLISHMENT AND POWERS OF THE BOARD. There is hereby created a Board of Appeals on Zoning in accordance with the provisions of Act 207 of the Public Acts of Michigan for 1921, and amendments thereto. The Board shall consist of five (5) members, all residents of the City of Farmington, appointed by the City Commission; and not less than two (2) members of the Board shall, when appointed, be members of the City Commission; the appointments shall be for terms of one (1) for one (1) year, two (2) for two (2) years, and two (2) for three (3) years, respectively, in the first instance, and thereafter appointments shall be for three (3) years each. The powers and duties of the Board, in conformity with the aforesaid Act 207 of the Public Acts of Michigan for 1921 and amendments thereto, shall be as follows:

SECTION 32a. To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision or determination made by the Building Inspector, or any deputy delegated to him in the administration and enforcement of this ordinance.

SECTION 32b. To order the Building Inspector to submit to it for review, and any action which it deems proper to take within the scope of its powers, any application or other matter filed with him or any permit granted by him which comes under the terms of this Ordinance, if in its judgment such a review and any consequent action by the Board of Appeals is necessary to maintain the spirit of this Ordinance.

SECTION 32c. To hear and decide appeals from the action of the Building Inspector when a Certificate of Compliance or Occupancy has been refused or the construction or use of a building or premises stopped because of the failure of such a building or premises to comply with the provisions of this Ordinance, or such appeal is based on unusual conditions which, it is alleged, cause practical difficulties or unnecessary or unintended hardship in the application of the strict letter of the Ordinance to the case under appeal.

SECTION 32d. To hear and decide upon the Authorization of special exceptions to the terms of this Ordinance or to affect any variation in this Ordinance, upon which the Board is required to pass under the provisions of this Ordinance.

SECTION 32e. When and if any part of an application is appealed or requires the approval of the Board of Appeals, the whole application and/or any part thereof is considered subject to review by the Board of Appeals and open to any action within the scope of the powers granted to the Board by the laws of the State of Michigan and by the terms of this Ordinance.

SECTION 32f. To render an advisory decision, or opinion on any matter referred to it by the Building Inspector whether or not such matter is expressly or clearly implied by the terms of this Ordinance as being within the scope of his power and authority to dispose of, when, in his judgment, such action would be necessary or helpful in maintaining the spirit and intent of this Ordinance.

SECTION 32g. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Inspector, or to decide in favor of the applicant any matter upon which the Board is required to pass under the terms of this Ordinance or to effect any variation in this Ordinance.

SECTION 32h. BOARD TO RENDER DECISIONS. If, after the Board hears any matter upon which it is required to pass or may pass, it shall find that in its opinion an error has been made, or that unusual conditions warrant a variance in the application of any of the provisions of this Ordinance, or that a special permit should be authorized as specified in subsequent provisions hereof, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from or may vary or modify the application of any of the provisions of this Ordinance in a manner not contrary to the public interest; and insofar as they apply to local conditions the latest and most up-to-date results of scientific research in zoning and city planning and the recommendations of a competent zoning and planning authorities, widely recognized as such, shall guide and direct the Board in rendering its decisions, particularly where the literal application of the provisions of this Ordinance would cause undue hardship, and in making any variances or modifications in the terms of this Ordinance, to the end that substantial justice will be done and the spirit and intent of the Ordinance preserved; and, the Board shall make such order, requirement, decision or determination as in its opinion ought to be made in any land or buildings, and to that end shall have all the powers of the Building Inspector relative to the administration and enforcement of this Ordinance, the Board shall notify the Building Inspector in writing of any such action taken, and such action shall not be valid until such notice shall have been delivered to the office of the Building Inspector. The decisions of the Board shall be final so far as it involves discretion or the finding of facts and shall be mandatory on the Building Inspector.

SECTION 32i. To hear and decide all appeals arising under the administration of Ordinance No. C-17 known as the Building Code, when required by the provisions of said Ordinance and then, only under such procedures and conditions as may be specified therein.

TITLE H—BOARD TO MAKE OWN RULES

SECTION 33a. The Board of Appeals shall make reasonable rules for the filing of appeals and the presentation of all matters requiring its attention, and, when required, shall hold hearings upon such appeals or other matters within a reasonable time. It shall give, or cause to be given, to all interested parties, adequate notice of such hearing and shall render its decision within a reasonable time thereafter.

SECTION 33b. In addition to formulating its own rules of procedure as provided in Section 33a the Board shall keep a permanent record of its proceedings and the disposition of all matters requiring its decision together with the vote of each member upon each matter considered. The presence of four (4) members shall be necessary to constitute a quorum. The Board shall have a Secretary and shall appoint someone to that position who may receive any compensation which may be fixed by the City Commission; or, the Board may ask that the City Commission designate the City Clerk to act in such capacity. All meetings of the Board shall be open to the public and shall be held at the place where the City Commission regularly meets. The Board shall appoint one of its members as Chairman, and the person so appointed shall serve in such capacity for a term of one year and shall, at the same time, retain and exercise all his privileges, perquisites, prerogatives, powers, duties and responsibilities as a member of the Board.

SECTION 34. APPEALS, HOW TAKEN. All appeals from the acts of the Building Inspector shall be taken within such time as shall be prescribed by the Board by general rule, by filing with the Building Inspector and with the Board a Notice of Appeal specifying the grounds thereof. The Building Inspector shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

SECTION 35. STAY. An appeal stays all proceedings in furtherance of action appealed from unless the Building Inspector certifies to the Board after the notice of appeal shall have been filed with him that by reason of the facts stated in the Certificate, a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by proper judicial authority, on application, on notice to the Building Inspector and on due cause shown.

TITLE I—POWERS OF THE BOARD WITH RESPECT TO NON-CONFORMING USES

SECTION 36. RECONSTRUCTION, ALTERATIONS, AND EXTENSIONS. The Board of Appeals may authorize the issuance of a Certificate of Compliance and/or Occupancy covering the reconstruction and re-occupancy of a building or structure constituting, or occupied by, a non-conforming use, where such building or structure has been destroyed to an extent greater than fifty (50) per cent of the assessed valuation specified in Section 24, or may authorize the necessary Certificates for minor changes in a non-conforming building or use, or for the extension thereof upon the lot occupied thereby, or upon an adjoining or neighboring lot where such lot was in the same single ownership at the time of taking effect of this Ordinance.

SECTION 37. BUILDINGS VACATED. The Board may authorize a temporary re-occupancy by a non-conforming use of a building occupied by, or erected for, a non-conforming use at the time this Ordinance becomes effective, in which such use has been discontinued, provided that the construction or location of such building is such that it cannot be easily or economically converted or used for a conforming activity, but such authorization shall be for an initial period not to exceed one (1) year, and shall be renewable annually thereafter. However, the Board shall not authorize or issue a Certificate for any such building or use, where the non-conforming activity permitted thereby will tend to alter the character of the neighborhood or increase the detriment caused thereto by an existing non-conforming building or use.

SECTION 38. REVOCATION OF CERTIFICATES ISSUED TO NON-CONFORMING USES. The Board, at any time more than three (3) years after this Ordinance becomes effective, may order the revocation of a Certificate issued to a non-conforming use, when the continuance of such use, due to the development of neighboring property, other conditions of municipal growth, such as changing economic and social uses of land, and the development and character of population shifts, arising since the issuance of such Certificate, has become a hindrance to the normal development of the surrounding property in the manner contemplated by this Ordinance. Written notice of intent to order such revocation shall be given by registered mail to the owner or his authorized agent, and to the occupant of the land and/or structure occupied by such non-conforming use, at least six (6) months prior to the issuance of such order, and a public hearing shall be held at which said owner, agent or occupant shall be granted opportunity to show cause why such order should not be issued, the owners and occupants of any property in the vicinity of such non-conforming use and effected thereby shall also be notified of such hearing and given an opportunity to be heard. If, after such hearing, the Board finds that the public interest demands the issuance of such revocation order, the Board shall proceed therewith and such order shall take effect six (6) months from the date of issuance thereof.

SECTION 39. TEMPORARY CERTIFICATES. The Board may order the issuance of necessary Certificates for temporary non-conforming buildings or uses incidental to the development of any section of the city; for temporary non-conforming buildings and uses in undeveloped sections under such conditions that they will not impede the orderly development of those sections; and on any lot adjoining one occupied at the time this Ordinance becomes effective by a non-conforming use impairing the value of such lot for the uses normally permitted upon it, authorize such temporary modification of the yard, area, height, or use requirements applying to such lot as the Board may deem necessary to secure its equitable and appropriate development without injury to other neighboring properties or create an undue traffic hazard; Provided, that the Certificate for any such temporary non-conforming use shall be granted for an initial period not to exceed one (1) year, renewable annually at the discretion of the Board; And Provided, further, that such Certificate, in the case of a non-conforming building or structure or part thereof, shall be issued only upon application accompanied by a bond forfeitable to the City of Farmington and of sufficient amount to cover either the cost of removal of such building or structure or part thereof by the city, or the cost of injunction proceedings to compel the removal of such building or structure or part thereof by the owner, his agent, or occupant, in case such building or structure or part there of is not removed or made to conform with the requirements of the District in which located within thirty (30) days from the date of the expiration of the Certificate therefor.

SECTION 40. AUTOMATIC RENEWAL OF TEMPORARY CERTIFICATES. Any temporary Certificate authorized by the Board of Appeals may, at the discretion of the Board, be made automatically renewable unless written notice of the final expiration thereof is given before eighty-three per centum (83%) of the time for which such Certificate is granted has passed.

SECTION 41. PERMITTED NON-CONFORMING USE ON LOTS ADJOINING A DISTRICT BOUNDARY LINE. Where a lot abuts upon a District Boundary line or is directly across a street or alley therefrom and is adversely affected by the activities conducted or permitted in such adjoining District, the Board may authorize on the portion of such lot nearest to such line (and not farther than one-hundred (100) feet from it in any case); the establishment or conduct of a use not conforming with the requirements of the District in which located. However, such modification of the requirements shall be only to the extent that the Board considers necessary for the fair and equitable use of such lot, and shall not be such as to depreciate the value or usefulness of other lots in that District.

TITLE J—POWERS OF THE BOARD WITH RESPECT TO ZONING MAP AND OTHER GENERAL POWERS OF THE BOARD.

SECTION 42. INTERPRETATION OF ZONING MAP. Where the actual lines of streets, alleys, or property boundaries vary from the conditions indicated on the Zoning Map the Board may apply the District delineations on such Map to the actual conditions in such manner as to carry out the spirit and intent and purpose of this Ordinance for the particular area in question.

SECTION 43. LOTS DIVIDED BY A DISTRICT BOUNDARY. Where a District boundary line divides a lot which is a lot of record at the time this Ordinance goes into effect, the Board may permit the extension of a use permitted on the less restricted portion of such lot to the portion lying in the more restricted District, but not for a distance of more than fifty (50) feet beyond the District boundary line in any case.

SECTION 44. POWER OF THE BOARD TO PERMIT USES IN ADDITION TO THOSE SPECIFIED. The Board may authorize in any District a use in addition to those specifically enumerated in the list of uses permitted in that District, provided such use is comparable in character to one of the specified uses and is equally in harmony with the character of the District; But, this shall not be construed to permit in any District any of the uses impliedly excluded therefrom by mention among those permitted in a less restricted District or by mention among those in Article XX which are prohibited in any District except under the conditions specified therein.

SECTION 45. OTHER SPECIFIED POWERS OF THE BOARD OF APPEALS. In addition to the powers and duties enumerated above, the Board shall pass upon applications for those activities which are listed in subsequent provisions of this Ordinance as requiring the Board's approval, and shall determine whether in the particular case before it, the activity prayed for will be so located, arranged and conducted that it will not tend to depreciate the character of the District in which situated. If the Board so finds it shall cause to be issued the necessary Certificates, with such conditions attached and made a part thereof as the Board may consider necessary to insure the protection of surrounding property, and the observance of the spirit and intent of the Ordinance.

TITLE K—PUBLIC NOTICE AND HEARING—PROTESTS

SECTION 46a. Whenever the provisions of this Ordinance require that certain specified activities are permitted only upon authorization by the Board of Appeals after a public notice and hearing, or whenever the Board feels that the spirit and purpose of this Ordinance would be enhanced by a public hearing, or that the public interest requires it, the procedure shall be as follows:

Upon receipt of an application for a certificate, or upon the occasion of an appeal to the Board which requires a public hearing, or at any other time on any other matter within the discretion of the Board, the Board of Appeals shall set a time for a public hearing on any such matters, and shall cause notice of the time and place and subject matter of such hearing to be posted in a conspicuous manner upon the property covered by such application for a period of fifteen (15) days prior to the hearing. Similar notice shall also be printed in all editions of a newspaper of general circulation in the City of Farmington on at least one (1) day not later than fifteen (15) days prior to such hearing, and on, or a reasonable time before, such day shall also be mailed to the owners of record of all lots or parts of lots within three-hundred (300) feet of any point on any lot intended to be occupied by the proposed activity; Provided HOWEVER, that, when the Board feels that the posting of a notice upon the property covered in an application is unnecessary, inadvisable or would be ineffective, such posted notices may be dispensed with, provided the hearing has been properly and adequately advertised in a newspaper as specified herein and all parties concerned have been duly and properly notified by mail or other reasonable and sufficient methods have been resorted to in an effort to advise the parties concerned and the citizens of the City of Farmington when and where such hearing is to take place; Provided further, that when the matter under consideration at such hearing is of a general public interest and concern and does not affect any particular District or part thereof, the published notice of such hearing in all editions of a newspaper of general circulation in the City of Farmington on at least one (1) day not later than fifteen (15) days prior to the date of such hearing shall be deemed proper, adequate, and sufficient notice to all concerned.

SECTION 46b. At the time and place specified, an opportunity to be heard shall be given the applicant and any interested citizen or property holder of the City of Farmington, or his authorized agent, and there shall also be placed on file with the Board any written protests against the granting of a Certificate which may have been received from the owners of property lying within the area of influence in the last paragraph above. If there are filed protests representing more than fifty (50) per cent of all lots included in such area of influence the Board may not grant the Certificate applied for except on a three-fourths (¾) vote of its membership. In computing the above percentage of protest (which must be more than fifty (50) per cent), the owners of lots occupied by a use of the same or a comparable kind to that for which application is being made shall not be counted as protesting.

ARTICLE III—PETITIONS

SECTION 47. FORMS. Whenever any petitions are presented to any public authority having jurisdiction in the administration, enforcement, amendment, variance, or interpretation of this Ordinance such petitions must be signed in ink or indelible pencil on forms provided by the Building Inspector; and, each signer must state his post office mailing address, street number, approximate area or dimensions of property affected by the matter prayed for or objected to in the petition, together with its description or location and the type of direct or indirect interest held in any propery whether it be that of owner, renter tenant, lessee, assignee or administrator.

SECTION 48. FILING AND ACKNOWLEDGING. All petitions provided for herein must be filed with the Building Inspector. The signatures to any petition need not all be appended to one paper, but to each paper there shall be attached an affidavit by the circulator thereof, stating the number of signers to such part of the petition and that each signature appended to the paper is the genuine signature of the person whose name it purports to be, and was made by his or her own hand in the presence of the affiant. Original petitions presenting any matter for the first time may be presented at any time in accordance with the Constitution and statutes of the State of Michigan or in accordance with any Ordinance or the Charter of the City of Farmington.

SECTION 49. PETITIONS ON MATTERS PROPOSED PREVIOUSLY AND/OR ALREADY UNDER CONSIDERATION. Petitions respecting any matter under the terms and provisions of this Ordinance, which has previously been presented or proposed and adequately advertised or publicized; and, which is in respect to the administration, enforcement, amendment, supplement, change or repeal of any of the terms or provisions of this Ordinance or the Zoning Map; and, which is announced publicly or advertised with due and adequate notice as subject to final disposition on a given date by any official or body having proper authority and jurisdiction in the matter must be filed with the Building Inspector not later than the day prior to the date set for such final disposition.

SECTION 50. PETITIONS REQUIRING PUBLIC HEARINGS. Whenever the City Commission or the Board of Appeals feels that a public hearing is necessary and/or desirable concerning any matter contained in a petition which may pertain to this Ordinance or the Zoning Map such hearing shall be held as prescribed in Sections 46a and 46b.

SECTION 51. PETITIONS ON ADVERTISED PUBLIC HEARINGS. Petitions concerning any matter for which a public hearing has been advertised, or publicized, or the parties concerned have been served by personal or postal notice, but which has not yet been held, must be filed on the day previous to the date such hearing is scheduled to be held.

ARTICLE IV—DEFINITIONS

For the purpose of this Ordinance certain terms and words used herein are herewith defined as follows:

SECTION 52. Words used in the present tense include the future; words used in the singular include the plural number, and words in the plural number include the singular number; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory; the words USED and OCCUPIED include the meaning and intent, design, or arrangement for use or occupancy; whenever the term "this Ordinance" is used herein it shall be deemed to include, where the context permits, any and all amendments thereto as the same may be hereafter from time to time adopted; whenever the word "Board" is used herein it shall be deemed to refer to the Board of Appeals.

SECTION 53. A LOT is a parcel of land on which a principal building and its accessory buildings are placed, together with all the required open spaces not less in extent than those required in connection therewith by this Ordinance. The term LOT as used in this Ordinance shall apply to and include any portion, or parcel of land described by metes and bounds, whether platted or unplatted, or whether subdivided or unsubdivided; whether recorded or unrecorded; and if one or more adjoining Lots, as a lot is herein defined, or adjoining fractions of such lots, are used as a single unit of property, they shall be considered for the purposes of this Ordinance as a single lot.

SECTION 54. A LOT OF RECORD is any lot, as the term "lot" is herein defined and used in this Ordinance, the dimensions of which are shown on a document or map on file with the Register of Deeds or in common use by city or county officials, and which actually exists as so shown, or any part of such lot held in recorded ownership separate from that of the remainder thereof.

SECTION 55. A CORNER LOT is a lot of which at least two adjacent sides abut for their full length upon a street, provided that such two sides intersect to form an interior angle of not more than 135°. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve, at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line, intersect at an angle of not over 135°. In the case of a corner lot with a curved street line, the corner shall be considered to be that point on the street line nearest to the point of intersection of the tangents herein described. The limits of a corner lot, if not marked by lot lines at nearer points, shall be lines at right angles to the street lines intersecting them one-hundred (100) feet from the corner point.

SECTION 56. AN INTERIOR LOT is a lot other than a corner lot.

SECTION 57. LOT LINES are the boundaries of a lot as a lot is herein defined and as the term "lot" is herein applied.

SECTION 58. The STREET LOT LINE is the dividing line between a lot and a public street, road or highway, or a private street, road or way over which two or more dominant estates have the right of way.

SECTION 59. THE FRONT LOT LINE, in the case of a lot abutting upon only one street, is the line separating such lot from such street. In the case of a corner lot or other lot abutting on two or more streets, any street lot line may be elected to be the front lot line for the purpose of this Ordinance, provided it is so designated on the applications for a building permit and for a Certificate of Compliance. In the case of a lot abutting only upon a public or private alley or easement of access, or place, the front lot line is the line separating such lot from such alley or easement or place.

SECTION 60. The REAR LOT LINE is that boundary which is opposite and more or less parallel to the front lot line. In the case of an "L" shaped or other irregular lot where two or more lines are so located, all shall be considered to be rear lines, except such as may be within fifty (50) feet of the front lot line or which may be twenty (20) feet or less in length. In the case of a lot which comes to a point at the rear, the rear lot line shall be that imaginary line parallel to the front lot line, not less than ten (10) feet long, lying wholly within the lot, and farthest from the front lot line.

SECTION 61. A SIDE LOT LINE is any lot boundary line not a front lot line or a rear lot line.

SECTION 62. An EXTERIOR SIDE LOT LINE is a side lot line separating a lot from a street. An Interior Side Lot Line is any other side lot line.

SECTION 63. By DEPTH OF A LOT is meant the mean horizontal distance from the front line of the lot to the rear line thereof, measured in the general direction of its side lines.

SECTION 64. By PERCENTAGE OF LOT OCCUPANCY is meant, in this Ordinance, the percentage or proportion of the area of a lot as herein defined, which is, or may be, occupied as building area.

SECTION 65. A REAR YARD is the required open space extending along the rear lot line (not a street line) throughout the whole width of the lot, excluding cornices, eaves, gutters and chimneys projecting not more than thirty (30) inches, and uncovered steps extending not more than six (6) feet.

SECTION 66. A SIDE YARD is the required open unoccupied space between the side wall of a building and the lot line of the same lot, extending from the front building line to an imaginary line ten (10) feet beyond the rear building line.

SECTION 67. A FRONT YARD is the required open space, extending the full width of the lot, between the street line and the nearest part of any building on a lot, excluding cornices, eaves, chimneys or gutters projecting not more than thirty (30) inches, and also excluding uncovered and/or uneuclosed steps extending not more than six (6) feet; and, excluding bay windows, porches and terraces ONLY as hereinafter provided and specified.

SECTION 68. A COURT is a required open, unoccupied space on the same lot and fully enclosed on at least three sides by walls of the building thereon.

SECTION 69. An OUTER COURT is any court having its full required length and its full required open width facing on a street, and/or any other required open space not a court.

SECTION 70. An INNER COURT is a court bounded on all sides by the walls of the building which it serves, and/or by the walls of a building and the lot line or lines of adjacent property when the walls of the building on adjacent property are placed nearer than five (5) feet from the lot line.

SECTION 71. A BUILDING is any structure having a roof supported by columns or walls built or erected for the support, shelter, or enclosure, of persons, animals or chattels, and includes a shed, garage, stable, greenhouse and any accessory building. When separated by division walls without openings each portion of such structure shall be deemed a separate building.

SECTION 72. A BUILDING means the act or process of building or constructing and putting together for use, and, as used in this Ordinance, means also any alteration in the physical characteristics of a building, and, it also means, when used in this Ordinance, the placing of a building on a lot by moving it from any other location on the same lot.

SECTION 72. An ALTERATION is any change in the members of a building or the physical characteristics of a building such as walls or partitions, columns, beams or girders, inside or out including the facade. Also, as used in this Ordinance, the term "alteration" shall mean the moving of a building any distance from one location on a lot to another location on the same lot.

SECTION 73. A PRINCIPAL STRUCTURE is the building on any lot in any District devoted to, and intended to be used, for any principal use, or uses, allowed, provided for and specified by the terms and provisions of this Ordinance.

SECTION 74. An ACCESSORY BUILDING is a building subordinate to the principal structure on a lot and used for purposes customarily incidental to those of the principal structure.

SECTION 75. THE REFERENCE LEVEL, for any building within ten (10) feet of the front lot line, is the official established sidewalk grade opposite the center of the front of such building. For any building ten (10) feet or more from the front lot line, or where no sidewalk grade is established, the Reference Level is the mean level of the finished grade of the ground across the front of such building. Where the finished grade about any portion of a building varies five (5) feet or more from that at the front, such mean may be taken as the reference level for such portion of such building.

SECTION 76. The HEIGHT of a building is the vertical distance from the reference level to the highest point of the roof if it be a flat roof, to the deck line for mansard roofs, and to the mean height level between eaves and ridge for gable, hip and gambrel roofs; otherwise the height of a building is the vertical distance from the reference level to the mean level of the slope of the main roof.

SECTION 77. The HEIGHT OF A WALL is the vertical distance from the reference level to the mean level of the top of the wall, including any dormers or gables on the wall.

SECTION 78. A STORY is that portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between such floor and the ceiling next above it.

SECTION 79. A HALF STORY is that portion of a building between the eaves and the ridge lines of a pitched roof, which may or may not be used for purposes of human habitation.

SECTION 80. The FIRST STORY of a wall, or building, is the lowest story, the height of which is more than seventy-five percentum (75%) above the reference level.

SECTION 81. The GROUND STORY is the first story of a structure as the term "first story" is herein defined.

SECTION 82. A TOWER is a subordinate enclosed structure projecting above the roof line of a main building and having a roof supported by columns or walls and not intended for human habitation.

SECTION 83. The FRONT of a building is that facade most nearly parallel to and nearest to the front lot line.

SECTION 84. A PORCH is a platform attached to a building with direct access to the ground floor thereof. A porch may or may not be covered by a roof supported by columns or piers of moderate width; whether so covered or not a porch may be enclosed with open wire, or wire cloth screens or cloth screens, but not with any material interfering to a greater extent with the passage of light and air.

SECTION 85. An ENCLOSED PORCH is any porch the ends, sides and top of which are enclosed with any other material than open wire, wire cloth screens or cloth screens. THE TERM "PORCH" AS USED IN THIS ORDINANCE means an open porch (or one not enclosed) unless otherwise stated.

SECTION 86. A TERRACE is a natural or artificial earthen embankment with or without direct access to the ground floor of a building but between a building and the opposite lot line parallel or most nearly parallel to it. The height of a terrace shall be the difference in elevation between the reference level and the average elevation of the terrace at the building wall. A terrace as herein defined and within the terms of this Ordinance, shall not be covered or have the sides and ends enclosed except with open wire, wire cloth screens or cloth screens for temporary and/or seasonal uses, if so covered and/or enclosed with any other material a terrace shall become a porch (or an enclosed porch as the case may be) within the terms and provisions of this Ordinance, and if it does not have direct access to the ground floor it shall be regarded as another building.

SECTION 87. A BALCONY, when on the outside of a building, is a covered but unenclosed porch, the floor of which is not less than seven (7) feet above the floor of the ground story and/or has direct access, without more than one (1) step up or down to any floor above the floor of the ground story.

SECTION 88. A SUN-PARLOR is a porch wholly enclosed with any material that obstructs the passage of light and/or air to a greater degree than would be the case with wire or cloth screen.

SECTION 89. A BAY WINDOW is a window structure projecting from the outside wall of a building, either curved or angular, and either reaching to the ground or supported on corbels or brackets.

SECTION 90. The BUILDABLE AREA of a lot is the space remaining after the minimum open space requirements and permitted percentage of lot occupancy of this Ordinance have been met or complied with.

SECTION 91. BUILDING AREA is the aggregate of the maximum horizontal cross section area of the main building on a lot, excluding only cornices, eaves, gutters, or chimneys projecting not more than thirty (30) inches, and steps, if not permanently covered and if not extending more than six (6) feet beyond the building line.

SECTION 92. The BUILDABLE WIDTH of a lot is the width of the buildable area, generally the distance between the inner boundaries of two required side yards.

SECTION 93. The BUILDING LINE is any geometrical limit (usually a vertical plane) of the "building area," as herein defined, of any one building, including all projections declared in this Ordinance to be "a part of the building" but excluding any projections into required minimum open spaces which are permitted by this Ordinance.

SECTION 94. A FAMILY is a collective body of persons forming a household and comprising a single housekeeping unit, and, for the purposes of this Ordinance may consist of a single person; Provided, that not more than one married couple, together with their blood relations and/or adopted