

BASE FLOOD: A flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BASEMENT: That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story, *and shall not be used for dwelling units, offices, retail sales or manufacturing, but may be used for storage, heating and utility facilities, etc.* Should the vertical distance between the floor and midpoint, and ceiling and midpoint, be equal the area shall be counted as a basement.

BED AND BREAKFAST INN: Any dwelling in which overnight accommodations are provided or offered for transient guests for compensation, including provision for a morning meal only for the overnight guest. A bed and breakfast is distinguished from a motel in that a bed and breakfast establishment shall have only one set of kitchen facilities, employ only those living in the house or up to one additional employee, and have a facade style consistent with the surrounding homes.

BEDROOM: A room designed or used in whole or in part for sleeping purposes.

BERM: A mound of soil graded, shaped and improved with landscaping in such a fashion so as to be utilized for screening purposes.

BLOCK: The property abutting one side of a street and lying between the two nearest intersecting streets, (crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdivided acreage, lake, river, or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the municipality.

BOARDING HOUSE: A dwelling where meals, or lodging and meals, are provided for compensation for three (3) or more persons by pre-arrangement for definite periods (*exceeding ten [10] days*). A boarding house shall be distinguished from a hotel.

BOARD OF APPEALS: The Zoning Board of Appeals of the City of the Village of Clarkston.

BUILDABLE AREA: The space remaining on a lot after compliance with the minimum required setbacks of this Ordinance.

BUILDING: Any structure, either temporary or permanent having a roof supported by columns or walls, and intended for the shelter or enclosure of persons, animals, chattels or property of any kind.

BUILDING ACCESSORY: A subordinate building, the use of which is clearly incidental to that of the main building or to the use of the land.

BUILDING HEIGHT: The vertical distance measured from the established grade to the highest point of the roof surface for flat roof; to the deck line of mansard roofs; and to the average height

Section 25.09 -- RESTRICTIONS ON RESUBMITTAL OF A SPECIAL LAND USE REQUEST:

No application for a Special Land Use permit which has been denied wholly or in part shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of changed conditions relating to all of the reasons noted for the denial found to be valid by the Planning Commission or City Council. A resubmitted application shall be considered a new application.

Section 25.10 -- SPECIAL LAND USE SPECIFIC REQUIREMENTS:

The following sections identify specific requirements which shall be complied with by individual Special Land Uses, as determined by the Planning Commission and City Council, in addition to the general standards of Section 25.02.

A. Listing:

Special Land Uses with specific site and/or use standards described on the following pages:

1. Accessory apartment in a single-family home
2. Adult Day Care Centers (VC)
3. Adult Day Care Facilities (RM)
4. Adult Congregate Foster Care Facilities (RM)
5. Adult Foster Care Small Group Homes (R-1)
6. Adult Foster Care Large Group Home (RM)
7. Automobile service centers (minor repair) and major auto repair establishments (I-1)
8. Bed-and-breakfast inns (VC)
9. Cellular towers, wireless communication facilities, attached wireless communication facilities, and wireless communication support structures (RC)
10. Cemeteries (RC)
11. Child Care Centers (VC, RM, I-1)

8. **Bed-and-Breakfast Inns in the VC Districts.**

- a. Sufficient parking for the rooms shall be located off-street and shall not be located in the front yard.
- b. No bed-and-breakfast inn shall be located closer than three hundred (300) feet to another bed-and-breakfast inn.
- c. Meals or other services provided on the premises shall only be available to residents, employees and overnight guests of the inn.
- d. The dwelling unit in which the bed and breakfast establishment is located shall be the principal residence of the operator, and said operator shall live on the premises while the establishment is active.
- e. There shall be a maximum of six (6) rooms for lodging.
- f. Sufficient landscaping shall be used to screen adjacent residences from parking areas or any outdoor eating area.
- g. A sketch plan showing the floor plan shall be submitted for approval.
- h. Maximum sign size shall be twenty (20) square feet with a maximum height of five (5) feet. Sign materials are to be comparable with the architecture of the building.

9. **Cellular Towers, Wireless Communication Facilities, Attached Wireless Communication Facilities, and Wireless Communication Support Structures.**

- a. **Purpose and Intent.** It is the general purpose and intent of the City of the Village of Clarkston to carry out the will of the United States Congress by authorizing communication facilities needed to operate wireless communication systems. However, it is the further purpose and intent of the City to provide for such authorization in a manner which will retain the integrity of neighborhoods and the character, property values and aesthetic quality of the community at large. In fashioning and administering the provisions of this section, attempt has been made to balance these potentially competing interests.

Recognizing the number of providers authorized to establish and operate wireless communication services and coverage, it is the further purpose and intent of this Section to: