



## CITY OF CHELSEA PLANNING COMMISSION

### AGENDA

Tuesday, January 9, 2024 at 7:00 PM

Chelsea City Council Chambers

311 S. Main Street

*Remote option available for members of the public. Commissioners must attend in person.*

1. Call to Order
2. Draft Mobile Food Vendor Ordinance
3. Draft Solar Ordinance
4. Adjournment

#### **Zoom Information**

Topic: Planning Commission - Tuesday, January 9, 2024 at 7:00 p.m.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88051285083?pwd=dDBLOE9MdWhXdEg0ZnF4V3JkUFJUQT09>

Webinar ID: 880 5128 5083

Passcode: 461900

**Item 2**  
**Draft Mobile Food Vendor Ordinance**



**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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**MEMORANDUM**

**TO:** City of Chelsea Planning Commission  
**FROM:** Paul Montagno, AICP  
Michelle Marin, AICP Candidate  
**DATE:** January 5, 2024  
**RE:** Proposed Zoning Ordinance Text Amendment: Section 4.28 Mobile Food Vending

At the regular Planning Commission meeting on December 19, 2023, the five present Planning Commissioners unanimously voted to table the vote on the proposed Zoning Ordinance text amendment pertaining to mobile food vendors. The tabling was a response to a public comment regarding the requirement that each mobile food vendor receives a zoning compliance permit when a single location may wish to host a variety of different mobile food vendors throughout the year. There has been discussion among the Planning Commissioners throughout the drafting of this ordinance regarding who would be the party responsible for applying for the mobile food vending zoning compliance permit.

We did not believe that it was the intent of the ordinance to require more than one zoning permit per location. Therefore, in response to the decision to table the vote and bring the ordinance amendment back to the January work session, we would suggest the Planning Commission discuss allowing a property owner hosting mobile food vendors – rather than the vendors themselves – be allowed to obtain a mobile food vendor zoning compliance permit and allow for different mobile food vendors to occupy the property in compliance with the approved permit/plot plan for the next year as long as the vendor is licensed.

We look forward to discussing this and other possible options with you at the January 9, 2023 work session.

Respectfully submitted,

CARLISLE/WORTMAN ASSOC., INC.  
Paul Montagno, AICP  
Principal

CARLISLE/WORTMAN ASSOC., INC.  
Michelle Marin  
Community Planner

## **SECTION 4.28**

### **Mobile Food Vending**

#### **A. Intent.**

In the interest of encouraging mobile food vendors who add to the vibrancy and desirability of the City of Chelsea, while providing a framework under which such businesses operate, this ordinance is established.

#### **B. Definitions.**

- (1) *Mobile food vending* shall mean vending, serving, or offering for sale food and/or beverages from a mobile food vending unit that meets the definition of a food service establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as a tee shirt that bears the name of the organization engaged in mobile food vending.
- (2) *Mobile food vending unit* shall mean any motorized or non-motorized vehicle, trailer, or other device designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale.
- (3) *Mobile food court* shall mean a permanent land use subject to site plan approval where two or more mobile food vendors congregate to vend, serve, or offer for sale food and/or beverages to the public.
- (4) *Vendor* shall mean any individual engaged in mobile food vending business; if more than one individual is operating a single stand, cart, or other means of conveyance, then vendor shall mean all individuals operating such single stand, cart, or other means of conveyance.
- (5) *Operate* shall mean all activities associated with the conduct of business, including set up and take down and/or actual hours where the mobile food vending unit is open for business.

#### **C. License required.**

All vendors engaged in mobile food vending in the City of Chelsea are required to obtain a license from the City Clerk prior to applying for a permit from the Planning and Zoning Administrator.

#### **D. Permit required.**

All mobile food vendors operating in a residential, commercial, industrial, mixed-use, medical, recreation-conservation, public institution, or office district must be issued a mobile food vending permit from the Planning and Zoning Administrator. The Planning and Zoning Administrator shall prescribe the form for such permits and application for such permits. All permits shall be prominently displayed on the mobile food vending unit. No vending through a mobile food vending unit of food and/or other human consumables shall be permitted unless it meets the definition of mobile food vending as defined by this ordinance. A permit obtained under this chapter shall not relieve any vendor of the responsibility for obtaining any other permit, or authorization required by any other ordinance, statute, or administrative rule.

Food vending permit applications shall include a plot plan, indicating the location of the mobile

food vending unit on the premises, and permission from the property owner where the operation is to occur.

**E. Duration; non-transferability.**

Permits may be issued by the Planning and Zoning Administrator for a calendar year from the date of issuance. Any permit issued under this chapter is non-transferable.

**F. Exemptions.**

Mobile food vendors participating as invited vendors to a City-authorized street fair, public festival, public event, block party, or farmers’ market are not required to obtain an individual mobile food vending permit for the duration of the event; vendors are required to obtain a mobile food vendors license from the City Clerk. The organizers of any such event are required to include all requested details of the mobile food vendors in the event permit application, including a plot plan indicating the location of the mobile food vending units within the event area. Mobile food vendors who stop to vend food for fifteen (15) minutes or less are exempt from the mobile food vendor permit; a license from the City Clerk is still required.

**G. Application.**

Every vendor desiring to engage in mobile food vending shall make a written application to the Planning and Zoning Administrator for a permit under this chapter. The applicant shall truthfully provide all information necessary to determine compliance with the requirements in section X.8. or any other request by the Planning and Zoning Administrator deemed necessary to evaluate the application and be accompanied by a fee established by resolution of the City Council. Additionally, the applicant shall provide all documentation, such as insurance or health department approvals, as required by the City.

**H. Fees.**

An application for a permit under this chapter shall be accompanied by a \$200 fee in the amount established by resolution of the City Council. There shall be no proration of fees. Fees are non-refundable once a permit has been issued by the City. No one shall hire or subcontract such vendors to evade the provisions of this article.

**I. Requirements.**

Any vendor engaging in mobile food vending shall comply with the following requirements:

**Location**

- (1) A mobile food vending unit may only operate on private property except as authorized in subsection 6. Vendors may only operate on private property with written permission from the property owner.
- (2) A mobile food vending unit shall not be located within five (5) feet of a side or rear property line.
- (3) A mobile food vending unit shall not be located within a drive aisle.
- (4) A mobile food vending unit shall not obstruct any clear vision triangle area, as

described in Section 6.05.

- (5) A mobile food vending unit or any part of its operation shall not occupy parking spaces required to comply with the minimum parking standards for a use.
- (6) No mobile food vending unit shall be parked within twenty (20) feet of a crosswalk or intersection.
- (7) The location of a mobile food vending unit or any part of its operation, including tables and chairs, shall not interfere with or obstruct the free passage of pedestrians or vehicles.
- (8) If a mobile food vending unit is parked next to a sidewalk or pedestrian pathway, a minimum width of five (5) feet for pedestrian access must be maintained along the sidewalk or pedestrian pathway. The vendor must ensure that any customer queue does not obstruct the five-foot-wide pedestrian access.

### **Duration/Time**

- (9) A mobile food vending unit may operate between the hours of 7:00 a.m. and 10 p.m. in any non-residential district and between the hours of 9:00 a.m. and 9 p.m. in any residential district.

### **Operations**

- (10) A mobile food vendor may provide appropriate waste receptacles at the site of the unit and shall remove all litter, debris, and other waste attributable to the vendor daily. Section 14-76 of the General Code of Ordinances will apply.
- (11) A mobile food vendor shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended at or across any street, alley, or sidewalk except with the use of a cord protector in a safe manner.
- (12) A mobile food vending unit shall not use any flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
- (13) A mobile food vending unit shall not use loud music, amplification devices, "crying out," or any other audible methods to gain attention that cause a disruption or safety hazard as determined by the City.
- (14) A mobile food vendor may have one portable sign that is six (6) square feet, with no dimension greater than three (3) feet and no height (with legs) greater than three feet, located within five feet of the unit; and under no circumstances shall such sign be placed upon the sidewalk or impede pedestrian and/or vehicle safety.
- (15) A mobile food vending unit shall comply with the city's Noise Ordinance, Sign Ordinance, and all other City ordinances.
- (16) A mobile food vending unit shall Comply with all applicable federal, state, and county regulations.
- (17) A mobile food vending unit shall not represent the granting of a permit under this

article as an endorsement by the City.

**Additional Requirements for Mobile Food Courts**

- (18) Hosts of mobile food courts must provide at least one accessible bathroom facility with one hand-washing station for every five mobile food vendors.
- (19) Tables, chairs, canopies, and/or enclosed seating areas for mobile food court customers are permitted.
- (20) There must be access to potable water and sewage disposal facilities on-site.
- (21) To establish a mobile food court, Preliminary and Final Site Plans shall be submitted, reviewed, and approved or denied in accordance with Article 12.

**J. Impoundment.**

Any equipment associated with food vending that is not in compliance with this article and left on public property may be impounded at the owner's expense.

**K. Violations.**

A mobile food vendor permit issued on the basis of the applications approved by the Planning and Zoning Administrator shall authorize only the use, design, and construction set forth in such approved plans and applications, and no other use, design, or construction. Use, design, or construction different than that authorized is a violation of this Ordinance and punishable as provided in Section 14.09.

**L. Revocation.**

The Planning and Zoning Administrator may issue a written notice to any mobile food vendor permit-holder who ceases to meet any requirement of this chapter or who violates any other federal, state, or local regulation, makes a false statement on their application, or conducts activity in a manner that is adverse to the protection of the public health, safety, and welfare. The written notice shall indicate that the vendor has thirty days to correct any such violation. After such time, if the requirement is not yet met, the Planning and Zoning Administrator shall revoke the mobile food vendor permit. Immediately upon such revocation, the Planning and Zoning Administrator shall provide written notice to the permit holder by certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the permit shall become null and void.

## SECTION 4.22

# Temporary Shelters

One (1) tent, or similar temporary shelter used for the purpose of storing cars, boats, or similar vehicles or conveyances shall be permitted on a lot in the R-1 and R-2 Districts in the rear yard only and shall meet the setback regulations for detached accessory structures. Said shelters shall be permitted for a period not to exceed 180 days and shall require a Temporary Zoning Compliance Permit.

## SECTION 4.23

# Temporary Uses and Special Events

- A. Temporary Uses.** Temporary uses, including seasonal sales, outdoor dining, outdoor displays and sales, and semi-permanent structures may be permitted in any district, upon approval of the Planning and Zoning Administrator.
- (1) Temporary uses shall submit hours of operation and all required information in [Section 14.03](#) for review and approval.
  - (2) Temporary uses shall comply with all applicable ordinance standards and outside agency requirements.
  - (3) Temporary uses shall require a Temporary Zoning Compliance Permit prior to operation.
- B. Special Events.** Special Events shall comply with all applicable standards in Article VI: Special Events of the General Code of Ordinances.
- (1) Such special events shall submit hours of operation and all required information in [Section 14.03](#) for approval.
  - (2) Special events shall comply with all applicable ordinance standards and outside agency requirements.

## SECTION 4.24

# Semi-Permanent Structures

Semi-permanent structures for special events, outdoor dining or drink service, and outdoor displays are permitted as an accessory structure incidental and subordinate to a primary permitted use in the DT, T-1, and T-2 mixed-use districts. In addition to any applicable use regulations, such structures shall comply with the following standards:



- A. Structures may include, but are not limited to, the following: tents, decorative sheds, pods, pergolas, decks, and decorative carts. Mobile food vendors do not qualify as semi-permanent structures and are subject to the requirements set forth in Section 4.28.
- B. Such structures must be located on the same parcel as the primary permitted use or within 25 feet of the primary structure. If the structure will occupy the public right-of-way, a Temporary Outdoor Seating Permit shall be obtained.
- C. The maximum permitted height of structures shall be 25 feet.
- D. Structures shall be made of high-quality, durable, and weather-resistant materials such as: wood, metal, canvas, nylon, vinyl, plexiglass, or glass. The style and colors of the structure should be compatible with the primary structure as determined by the Planning and Zoning Administrator.
- E. Structures shall be securely anchored in one location for the duration of the use.
- F. A minimum of five (5) feet of clearance for pedestrians shall be maintained around the structure.
- G. If the structure will be used for outdoor food and/or drink service, operations shall comply with all standards for Outdoor Dining in [Section 4.14](#).
- H. All semi-permanent structures must receive a Zoning Compliance Permit for operation.

## SECTION 4.25

### Vehicle Sales

Cars, trucks, boats, all-terrain vehicles (ATVs), personal water crafts (PWCs), and similar vehicles or conveyances may be sold only on a lot of a dealer licensed in the State of Michigan for such sales, or on a lot owned by the registered owner of the above items to be sold, provided such sale shall be made by the registered owner or by a member of the immediate family of the registered owner.

## SECTION 4.26

### Vehicle Wash

- A. Fuel dispensing shall not be permitted with vehicle wash operations in the T-1 District.
- B. All services, except vacuuming, shall be provided within the vehicle wash building. Vacuuming service may be located in the front or side yards, and shall be screened from view from abutting streets.
- C. Vehicles shall not be stored on the site overnight.

## ARTICLE VI. - SPECIAL EVENTS

### Sec. 26-116. - Use of public property for special events.

(a) *Intent.* The city would like to provide the local community an opportunity to hold private events on public property by regulating the use of public parking lots, streets, right-of-way, and parks in order that they may be reasonably accessed and enjoyed by the general public, and not be usurped by commercial or special interest groups to the exclusion of the public, while preserving the health, safety and welfare of the public, remaining fully consistent with the Michigan Constitution, Michigan law, City of Chelsea Charter, and other city ordinances, so as to assure the enjoyment of the public at large, all without undue financial costs to the City of Chelsea or its residents.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*City-sponsored event* means an event sponsored in whole or in part by the city, conducted by or with a non-profit organization and for which the city pays for all or a portion of the event.

*Non-profit* means an organization or entity that is exempt from the payment of tax pursuant to section 501(c)(3) of the Internal Revenue Code.

*Person* means an individual, corporation, partnership, association and any other recognized legal entity that resides in the City of Chelsea or is affiliated with entities in the local community.

*Special event* means a non-city sponsored event, including but not limited to an athletic event, festival, show, celebration, performance, display, seasonal event, gathering, video or film production, but excluding residential block parties or other street right-of-way closures already covered by city police policies for such events. Also, temporary daytime use of picnic tables and park gazebo (for events with less than 50 people) shall be exempt from this article.

(c) *Permitted districts.* Private use on public parking lots, streets, right-of-way, and parks shall be permitted in all zoning districts including those adjacent to residential districts.

(d) *Approval required.* In order to properly provide for traffic and crowd control, street and property maintenance, ensure the protection of the public health, safety and welfare, it shall be unlawful to participate in any special event upon any city street, park or public property of the city unless such activity has applied for a special events permit and is granted approval by resolution of the city council. Use of Dana Fields for organized baseball or softball teams shall be scheduled by Chelsea Community Education. The application for a permit to conduct a

special event shall be made to the city clerk, in writing, by person or persons in charge of or responsible therefor. Such application shall set forth the following information:

- (1) The name, address and telephone number of the person requesting the permit.
- (2) The name and address of the organization or group sponsoring the special event.
- (3) The name, address and telephone number of the person who will act as chairman of the special event and be responsible for the conduct thereof.
- (4) The purpose of the event and estimated number of persons to attend.
- (5) The date the event is to be conducted and the hours it will commence and terminate each day.
- (6) The layout or sketch showing the limits of the area to be used.
- (7) If determined necessary by the city manager, the filing of a certificate of insurance coverage insuring the city as an additional insured party in the amount of at least \$1,000,000.00 for public liability and property damage associated with the use.
- (8) If hosting mobil food vendors, each vendor shall be individually registered with the Planning and Zoning Administrator and shall provide all relevant business and health department licenses as required by the state, county, or other governmental agency
- (98) Copies of any authorized permits required by any other governmental agency, by state law or local ordinance.
- (109) Such other information as the city may deem reasonably necessary.

**Item 3**  
**Draft Solar Ordinance**



**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

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**MEMORANDUM**

**TO:** City of Chelsea Planning Commission

**FROM:** Paul Montagno, AICP  
Michelle Marin, AICP Candidate

**DATE:** January 4, 2024

**RE:** Draft Solar Ordinance

Per our discussion at the December work session, we edited the draft solar ordinance. We intend for this draft ordinance to be used to initiate discussions of where and how solar energy systems will be sited, designed, and zoned in Chelsea.

Below is a summary of the updates we have made to the draft solar ordinance.

1. Solar Access Requirements are removed. Although there is precedent for these provisions and little risk of a regulatory takings claim, the district dimensional regulations will largely prevent solar access issues.
2. Ground-mounted solar energy system installations require a site plan that may be approved administratively, rather than merely a zoning compliance permit.
3. A provision was added requiring that building-mounted solar energy systems in the M-52 Corridor Protection and Promotion Overlay Zoning District are not visible from the street level.
4. Projection of a ground-mounted solar energy system into a setback requires a variance from ZBA.
5. All energy produced from a solar energy system must be consumed on-site and cannot be sold back to the electrical grid. Chelsea Light & Power cannot yet coordinate energy purchasing from small-scale, private solar energy systems. This provision is subject to change as the technology and capacity of Chelsea Light & Power evolve.

There was discussion regarding enforcement of the solar ordinance, including the installation, design, and decommissioning of solar energy systems. We are hopeful that the enforcement of the solar ordinance will be addressed alongside the broader zoning ordinance enforcement procedures that we plan to progress on in 2024.

January 4, 2024  
Draft Solar Ordinance

The Chelsea Area Construction Agency has authority over the building and electrical code requirements and solar installations will require both permits and inspections from C.A.C.A.

We did not alter the requirements that the solar energy system be generally neutral in color and substantially non-reflective. There is precedent for these requirements in other municipalities in Michigan and commercially produced solar energy systems generally conform to these standards. Allowing for Planning Commission discretion regarding the color and reflectiveness can prevent solar energy systems that otherwise conform to the ordinance but present a visual intrusion from being permitted in Chelsea.

We look forward to discussing this draft ordinance at the work session on January 9, 2024.

Sincerely,



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**CARLISLE/WORTMAN ASSOC., INC**  
Paul Montagno, AICP  
Principal



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**CARLISLE/WORTMAN ASSOC., INC.**  
Michelle Marin, AICP Candidate  
Community Planner

## ~~Article [X]~~ Section 4.29 **Solar Energy Systems**

### **1. Intent.**

The City of Chelsea promotes the effective and efficient use of solar energy systems. To protect public health, safety, and welfare, it is in the interest of the City to regulate the siting, design, and installation of solar energy systems so that they are compatible with the subject and neighboring land uses.

### **2. Definitions.**

- (a) *Solar energy system*: A solar photovoltaic cell, panel, or array that converts solar energy to usable thermal, mechanical, chemical, or electrical energy.
- (b) *Ground-mounted solar energy system*: A freestanding solar energy system that is not attached to and is separate from any building on the same parcel on which the solar energy system is located.
- (c) *Building-mounted solar energy system*: A solar energy system that is attached to a building on a parcel as the principal method of physical support.

### **3. Permit required.**

~~Building-mounted s~~Solar energy system installations require a zoning compliance permit, approved by the Community Development Department. ~~Ground-mounted solar energy system installations require a site plan that may be approved administratively.~~ ~~All s~~Solar energy systems proposed as part of a site plan must be indicated on the site plan.

### **4. Exemptions.**

The following instances are exempt from review by the Community Development Department.

- (a) The installation of a solar energy system to power a single device or specific piece of equipment such as a lawn ornament, lights, weather station, clock, well pump, or other similar device, provided that the solar energy system is no larger than six (6) square feet and the device itself is not subject to zoning compliance approval.
- (b) The repair or replacement of an existing approved solar system does not result in an expansion of the solar energy system coverage area.

### **5. Standards for solar energy systems.**

The following requirements apply to all solar energy systems.

- (a) The exterior surfaces of solar energy systems shall be generally neutral in color and substantially non-reflective in light.
- (b) Solar energy systems shall be repaired or replaced within three (3) years of becoming nonfunctional.
- (c) Solar energy systems shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the Building Official prior to installation. The Building Official may inspect the completed installation to verify compliance with the manufacturer's directions.
- (d) All solar energy systems shall comply with the City construction code, the electrical code, and other applicable building and construction codes.

~~(d)~~(e) All energy produced by solar energy systems shall supply electrical power exclusively for on-site consumption.

**6. Building-mounted solar energy system requirements.**

(a) Building-mounted solar energy systems are permitted as an accessory use in any zoning district and are subject to the regulations set forth in this [ArticleSection](#).

(b) Building-mounted solar energy systems shall be incidental and subordinate to a use on the same parcel.

(c) Building-mounted solar energy systems that are mounted on the roof of a building shall not project more than five (5) feet above the highest point of the roof.

~~(c)~~(d) Building-mounted solar energy systems in the M-52 Corridor Protection and Promotion Overlay Zoning District shall not be visible from the street level.

~~(d)~~(e) Building-mounted solar energy systems that are mounted on a wall shall not project above the highest point of the roof.

~~(e)~~(f) Building-mounted solar energy systems shall not exceed the maximum building height requirements for the respective zoning district.

~~(f)~~(g) Building-mounted solar energy systems shall not project horizontally beyond the eaves of the roof.

~~(g)~~(h) Building-mounted solar energy systems shall not be mounted on a building wall that is parallel to an adjacent public right-of-way.

~~(h)~~(i) Building-mounted solar energy systems that are mounted on a building wall shall not project into the required setback of the respective zoning district.

~~(i)~~(j) Solar energy systems mounted on the roof of a building shall be only of such weight as can safely be supported by the roof and the weight of snow and/or ice that they collect. Proof thereof, in the form of certification by a professional engineer or other qualified person, shall be submitted to the Building Official prior to installation; such certification shall be subject to the Building Official's approval.

~~(j)~~(k) Building-mounted solar energy systems shall be permanently and safely attached to the building or structure. Proof of the safety and reliability of the means of such attachment shall be submitted to the Building Official prior to installation; such proof shall be subject to the Building Official's approval.

**7. Ground-mounted solar energy system requirements.**

(a) Ground-mounted solar energy systems are a permitted accessory use in the LI – Light Industrial, GI – General Industrial, O-1 Office, MI – Medial Institutional, and PF – Public Facilities zoning districts.

(b) Ground-mounted solar energy systems shall be located in the rear yard or side yard, not within any required setbacks unless permitted by ~~the Planning Commission as a deviation in its approval of the site plan and provided it does not project into more than one required setback area~~ area variance from the Zoning Board of Appeals. No more than one dimensional variance may be issued for any ground-mounted solar energy system.

(c) Ground-mounted solar energy systems shall not exceed forty (40) feet in height, measured from the ground at the base of the equipment.



- (d) The area of the ground-mounted solar energy system shall not exceed fifty (50%) percent of the square footage of the ground floor area of the primary building of the property unless it is sited over required parking in which case there is no maximum lot coverage for the ground-mounted solar energy system.
- (e) Ground-mounted solar energy systems shall not count towards the maximum square footage of accessory structures allowed on site or maximum impervious surface area limits if the ground under the solar energy system is pervious.
- (f) If the ground under the ground-mounted solar energy system is impervious, the total area of ground-mounted solar energy systems shall be included in the calculation of the maximum permitted lot coverage requirement for the parcel of land.

#### **~~6. Solar Access Requirements.~~**

~~When a solar energy system is installed on a property, all new accessory structures or vegetation on an adjacent lot shall not be located so as to block the solar collector's access to solar energy. These solar access requirements apply to any structure erected on or vegetation planted in abutting properties after the installation of the solar energy system. The portion of a solar energy system that is protected is the portion that~~

- ~~(a) Is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical twelve (12) foot tall obstruction located on the lot line; and~~
- ~~(b) Has an area not greater than one half (0.5) of the heated floor area of the structure, or the largest of the structures, to be served.~~